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ECF

**U.S. District Court
Southern District of New York (White Plains)
CIVIL DOCKET FOR CASE #: 7:20-cv-01399-NSR**

Ateres Bais Yaakov Academy of Rockland v. Town of
Clarkstown et al

Assigned to: Judge Nelson Stephen Roman
Cause: 42:1983 Civil Rights Act

Date Filed: 02/18/2020

Jury Demand: Plaintiff

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: Federal Question

Plaintiff

**Ateres Bais Yaakov Academy of
Rockland**

represented by **Yehudah Lev Buchweitz**
Weil, Gotshal & Manges LLP (NYC)
767 Fifth Avenue
New York, NY 10153
(212)310-8000 x8256
Fax: (212) 310-8007
Email: yehudah.buchweitz@weil.com
ATTORNEY TO BE NOTICED

V.

Defendant

Town of Clarkstown

Defendant

George Hoehmann

Defendant

Cupon Inc.

Defendant

**Citizens United to Protect Our
Neighborhoods of Greater Nanuet
Inc.**

Date Filed	#	Docket Text
02/18/2020	1	COMPLAINT against Citizens United to Protect Our Neighborhoods of Greater Nanuet Inc., Cupon Inc., George Hoehmann, Town of Clarkstown. (Filing Fee \$

400.00, Receipt Number ANYSDC-18836948) Document filed by Ateres Bais Yaakov Academy of Rockland. (Attachments: # [1](#) Exhibit A - Original CUPON GoFundMe Page, # [2](#) Exhibit B - CUPON of Greater Nanuet Congratulations on Town Purchasing GBC, # [3](#) Exhibit C - French Affidavit, # [4](#) Exhibit D - Local Law No. 5, # [5](#) Exhibit E - Map of Schools in Clarkstown, # [6](#) Exhibit F - Technical Advisory Committee Meeting Minutes, # [7](#) Exhibit G - Town Board Meeting Minutes, # [8](#) Exhibit H - ABYs Contract with GBC, # [9](#) Exhibit I - Investor Bank Term Sheet, # [10](#) Exhibit J - ABYs Appeal, # [11](#) Exhibit K (Part 1) - ClarkstownNanuet Transit Oriented Development Zoning, Vol. 1 Draft Report, # [12](#) Exhibit K (Part 2) - ClarkstownNanuet Transit Oriented Development Zoning, Vol. 1 Draft Report, # [13](#) Exhibit L - CUPON GoFundMe, # [14](#) Exhibit M - Petition Against GBC Becoming a School, # [15](#) Exhibit N - Building Permit Application, # [16](#) Exhibit O - Rockland County Political Party Facebook Post, and Comments, # [17](#) Exhibit P - Building Inspectors Denial of ABYs Building Permit Application, # [18](#) Exhibit Q - Social Media Posts, # [19](#) Exhibit R - Email from Building Inspector to ABY, # [20](#) Exhibit S - Letter from ABY to Building Inspector, # [21](#) Exhibit T - Email Chain from ABY to Building Inspector, # [22](#) Exhibit U - Letter from ABY to ZBA, # [23](#) Exhibit V - Affidavit of Rabbi Fink, # [24](#) Exhibit W - Letter from GBC to ABY, # [25](#) Exhibit X - Teiler Declaration, # [26](#) Exhibit Y - Letter from GBC to ABY, # [27](#) Exhibit Z - Letter from GBC to the Town, # [28](#) Exhibit AA - CUPON of Greater Nanuets Facebook Post, # [29](#) Exhibit BB - ABY FOIL Demand #1 [2](#) , # [30](#) Exhibit CC - Letter from ABY to ZBA, # [31](#) Exhibit DD - Letter from ABY to ZBA, # [32](#) Exhibit EE - Social Media Post, # [33](#) Exhibit FF - Letter from Wilson Elser Moskowitz Edelman & Dicker LLP to ABY, # [34](#) Exhibit GG - Clarkstown Proposed Local Law, # [35](#) Exhibit HH - Letter from ABY to Town, # [36](#) Exhibit II - Letter from Montalbano, Condon, & Frank, P.C. to Town, # [37](#) Exhibit JJ - Map of Houses of Worship in Clarkstown, # [38](#) Exhibit KK - Town FOIL Response #1, # [39](#) Exhibit LL - ABYs Appeal of Towns FOIL Response, # [40](#) Exhibit MM - ABY FOIL Demand #2, # [41](#) Exhibit NN - Town FOIL Response #2, # [42](#) Errata OO - Town FOIL Response #3, # [43](#) Exhibit PP - Email from Adler to Hoehmann, Schofield, and Resnick, # [44](#) Exhibit QQ - Email from Adler to Hoehmann and Schofield, # [45](#) Exhibit RR - Email from Adler to Hoehmann, # [46](#) Exhibit SS - ABYs Art. 78 Proceeding, # [47](#) Exhibit TT - Towns Affirmation in Opposition to ABYs Art. 78 Proceeding, # [48](#) Exhibit UU - Town Board Meeting Minutes, # [49](#) Exhibit VV - ABYs Notice of Supplemental Authority, # [50](#) Exhibit WW - Letter from ABY to Town, # [51](#) Exhibit XX - Towns Affirmation in Response to ABYs Notice of Supplemental Authority, # [52](#) Exhibit YY - Supreme Courts Decision and Order in Art. 78 Proceeding, # [53](#) Exhibit ZZ - ABYs Notice of Appeal, # [54](#) Exhibit AAA - Towns Response to FOIL Cause of Action, # [55](#) Exhibit BBB - ABYs Reply to FOIL Cause of Action, # [56](#) Exhibit CCC - GBCs Petition for Sale, # [57](#) Exhibit DDD - Letter from ABY to Town, # [58](#) Exhibit EEE - ABYs Motion for Intervention and Stay, # [59](#) Exhibit FFF - Towns Facebook Comments, # [60](#) Exhibit 1 - May 5, 2017 LOHUD Article, # [61](#) Exhibit 2 - Nov. 2, 2017 LOHUD Article, # [62](#) Exhibit 3 - Nov. 2, 2017 Patch Article, # [63](#) Exhibit 4 - Nov. 27, 2018 Yeshiva World Article, # [64](#) Exhibit 5 - Dec. 6, 2018 RWJN Article, # [65](#) Exhibit 6

		- Dec. 18, 2018 RWJN Article, # 66 Exhibit 7 - May 16, 2019 RWJN Article, # 67 Exhibit 8 - June 4, 2019 RWJN Article, # 68 Exhibit 9 - June 7, 2019 RWJN Article, # 69 Exhibit 10 - Oct. 3, 2019 RWJN Article, # 70 Exhibit 11 - Jan. 1, 2020 St. Mary Article, # 71 Exhibit 12 - Jan 24, 2020 RWJN Article, # 72 Exhibit 13 - Jan. 30, 2020 RWJN Article).(Buchweitz, Yehudah) (Entered: 02/18/2020)
02/18/2020	2	CIVIL COVER SHEET filed..(Buchweitz, Yehudah) (Entered: 02/18/2020)
02/18/2020	3	REQUEST FOR ISSUANCE OF SUMMONS as to Town of Clarkstown, re: 1 Complaint,,,,,,,,,,,,,,. Document filed by Ateres Bais Yaakov Academy of Rockland..(Buchweitz, Yehudah) (Entered: 02/18/2020)
02/18/2020	4	FILING ERROR - DEFICIENT SUMMONS REQUEST As To - REQUEST FOR ISSUANCE OF SUMMONS as to George Hoehmann, re: 1 Complaint. Document filed by Ateres Bais Yaakov Academy of Rockland..(Buchweitz, Yehudah) Modified on 2/19/2020 (pne). (Entered: 02/18/2020)
02/18/2020	5	REQUEST FOR ISSUANCE OF SUMMONS as to Cupon Inc., re: 1 Complaint,,,,,,,,,,,,,,. Document filed by Ateres Bais Yaakov Academy of Rockland..(Buchweitz, Yehudah) (Entered: 02/18/2020)
02/18/2020	6	REQUEST FOR ISSUANCE OF SUMMONS as to Citizens United to Protect Our Neighborhoods of Greater Nanuet Inc., re: 1 Complaint,,,,,,,,,,,,,,. Document filed by Ateres Bais Yaakov Academy of Rockland..(Buchweitz, Yehudah) (Entered: 02/18/2020)
02/19/2020		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Nelson Stephen Roman. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions ..(pne) (Entered: 02/19/2020)
02/19/2020		Magistrate Judge Paul E. Davison is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (pne) (Entered: 02/19/2020)
02/19/2020		Case Designated ECF. (pne) (Entered: 02/19/2020)
02/19/2020		***NOTICE TO ATTORNEY REGARDING CIVIL CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney ehudah Lev Buchweitz. The following case opening statistical information was erroneously selected/entered: County code Rockland. The following correction(s) have been made to your case entry: the County code has been modified to New York. (pne) (Entered: 02/19/2020)

02/19/2020	7	ELECTRONIC SUMMONS ISSUED as to Citizens United to Protect Our Neighborhoods of Greater Nanuet Inc...(pne) (Entered: 02/19/2020)
02/19/2020	8	ELECTRONIC SUMMONS ISSUED as to Cupon Inc...(pne) (Entered: 02/19/2020)
02/19/2020	9	ELECTRONIC SUMMONS ISSUED as to Town of Clarkstown..(pne) (Entered: 02/19/2020)
02/19/2020		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Yehudah Lev Buchweitz to RE-FILE Document No. 4 Request for Issuance of Summons,. The filing is deficient for the following reason(s): party name in the 'To' field must appear exactly as it does in pleading caption; remove extra text 'Supervisor of Clarkstown' from summons request PDF. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process - select the correct filer/filers - and attach the corrected summons PDF. (pne) (Entered: 02/19/2020)

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