

USDC SDNY
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

- v. -

ABRAHAM STRULOVITCH,

Defendant.
----- X

16 Civ. 9913 (PGG)

STIPULATION AND ORDER
TO AMEND THE CAPTION

WHEREAS, plaintiff the United States (the "Government") commenced the above-captioned action against defendant Abraham Strulovitch ("Strulovitch") on December 23, 2016, alleging violations of the accessible design and construction provisions of the Fair Housing Act, 42 U.S.C. § 3601 *et seq.* (the "FHA");

WHEREAS, no answer or other responsive pleading has been filed pursuant to Federal Rule of Civil Procedure 12 in this action;

WHEREAS, the Government seeks in this action, *inter alia*, orders from the Court to direct Strulovitch to ensure accessibility at (i) two completed rental properties, Riverdale Parc and Bluestone Commons; and (ii) two other rental properties, 640 West 238th Street and 3730 Blackstone Avenue, that are currently being designed and/or constructed (together with Riverdale Parc and Bluestone Commons, the "Subject Properties");

WHEREAS, during all relevant times, Strulovitch has been an officer of Webster AV Management LLC ("WAM LLC");

WHEREAS, WAM LLC has represented to the Government that WAM LLC, directly and/or through entities that it owns and/or controls, has participated in the design and/or construction of the Subject Properties;

WHEREAS, WAM LLC has represented to the Government that, although it intends to file an answer disputing the Government's allegations in this action, WAM LLC has both the authority and ability to discharge all potential obligations that may be imposed upon the defendant by the Court or by mutual agreement in this action, including, but not limited to, (i) retaining a FHA compliance reviewer to ensure accessibility of 640 West 238th Street and 3730 Blackstone Avenue, (ii) making retrofits to Riverdale Parc and Bluestone Commons, (iii) establishing policies and procedures to ensure compliance with the FHA in all future constructions, (iv) compensating aggrieved persons, and (v) paying a civil penalty to the Government;

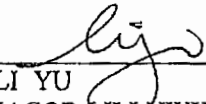
WHEREAS, subject to entry of this Stipulation and Order to Amend the Caption, WAM LLC has agreed with the Government to a Consent Order of Preliminary Injunction that requires WAM LLC to retain an FHA compliance reviewer in connection with the design and construction of 640 West 238th Street and 3730 Blackstone Avenue; and


WHEREAS, based on the representations set forth above, the Government, Strulovitch, and WAM LLC agree to the entry of this Stipulation and Order to Amend the Caption;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

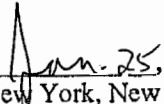
1. The caption of this Action is amended by replacing Abraham Strulovitch with Webster AV Management LLC as the named defendant. The new caption shall be *United States of America v. Webster AV Management, LLC*.

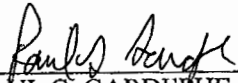
2. All request for relief from the "defendant" in the Government's Complaint shall
be deemed to seek such relief from Webster AV Management LLC.

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SO ORDERED

DATED:  Jan. 25, 2017
New York, New York


HON. PAUL G. GARDEPHE
UNITED STATES DISTRICT JUDGE