



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street  
New York, New York 10007*

December 4, 2020

**By ECF**

The Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Coney Island Prep, et al. v. U.S. Department of Health & Human Services, et al.*,  
20 Civ. 9144 (VM)

Dear Judge Marrero:

This Office represents the defendants in the above-captioned in which the plaintiffs' motion for a preliminary injunction is pending. *See* Dkt. Nos. 7, 33, 41. We write to inform the Court that the parties have engaged in discussions about potential resolutions of this case as directed by the Court at the conclusion of the oral argument on the motion on December 2, but have not been able to reach an agreement.

We thank the Court for its consideration of this submission.

Respectfully submitted,  
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Acting United States Attorney

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cc (by ECF): Counsel of Record