

2. NLG's application for an award of fees and costs is denied without prejudice to being renewed on the basis of a properly documented motion, including contemporaneous time records and affidavits setting forth the qualifications of counsel and requested rates. Any such motion shall be submitted only after counsel for NLG and defendants have met and conferred in an effort to resolve this issue.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
February 20, 2008

Copies mailed this date:

Margaret Ratner Kunstler, Esq.
Deborah Hrbek, Esq.
Hrbek Law LLC
50 Broad Street, Suite 816
New York, New York 10004

Curt P. Beck, Esq.
Special Assistant Corporation Counsel
City of New York Law Department
100 Church Street
New York, NY 10007