

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY**PRESENT: Hon. EILEEN A. RAKOWER****PART 6***Justice***In the Matter of the Application of
THE PROFESSIONAL STAFF
CONGRESS/CUNY,****INDEX NO. 157715/2020****MOTION DATE****MOTION SEQ. NO. 1****MOTION CAL. NO.****Petitioner,****- against-****THE CITY OF UNIVERSITY OF NEW YORK,****INTERIM****DECISION AND ORDER****Respondent.****The following papers, numbered 1 to _____ were read on this motion for/to****PAPERS NUMBERED****Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...****Answer — Affidavits — Exhibits _____****Replying Affidavits****Cross-Motion: Yes No**

On September 24, 2020, the Court heard oral argument via SKYPE. For the reasons stated on the record,

Wherefore it is hereby,

ORDERED that the TRO is granted only to the extent that Respondent CUNY is temporarily restrained from compelling faculty and laboratory technicians to physically return to work at the Hunter College Campus School, including both its 94th Street and 119th Street campuses, for in-person instruction in those classrooms that have ventilation systems that use recirculated air and are not equipped with a portable HEPA air filtration unit; and it is further

ORDERED that the briefing schedule is as follows: Respondent shall file opposition papers on or before October 15, 2020, and Petitioner shall file reply papers on or before October 22, 2020. The motion will be marked fully submitted on October 22, 2020 and Decision shall be rendered on the papers.

This constitutes the Decision and Order of the Court. All other relief requested is denied.

Dated: September 24, 2020

ENTER: 
_____ J.S.C.

HON. EILEEN A. RAKOWER

Check one: **FINAL DISPOSITION** **NON-FINAL DISPOSITION**