

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DEBORAH ALEXANDER, MAUD MARON, and
NOAH HARLAN,

Plaintiffs,

-against-

TAJH SUTTON, President, Community Education
Council 14, in her official and individual capacities;
MARISSA MANZANARES, First Vice President,
Community Education Council 14, in her official
and individual capacities; DAVID C. BANKS,
Chancellor, New York City Public Schools, in his
official and individual capacities; NINA S.
MICKENS, Equity Compliance Officer, in her
official and individual capacities; COMMUNITY
EDUCATION COUNCIL 14; NEW YORK CITY
DEPARTMENT OF EDUCATION,

Case Number 1:24-cv-2224

:
Defendants.

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AMENDED ANSWER

Defendants Tajh Sutton and Marissa Manzanares, by their counsel Jonathan
Wallace, for their Amended Answer, allege as follows.

1. Deny all of the assertions of paragraphs 14, 15, 16, 17, 18, 19, 22, 25, 26, 27,
28-31, 78, 84, 88, 89, 93-95, 102-103, 105-106, 108-114.
2. Deny knowledge and information sufficient to form a belief as to the truth of
paragraphs 32-42, 43-82, 116-119, 121-124, 126-127.
3. State that the following paragraphs call for a legal conclusion and are
submitted to the consideration of this Court: paragraphs 85-87, 91-92, 97,
98-99, 101.

FIRST AFFIRMATIVE DEFENSE

4. While the Complaint alleges these Defendants are also sued in their “individual capacity”, there is no federal cause of action against them under Section 1983 in any other than official capacity, so the Complaint fails to state a cause of action.

SECOND AFFIRMATIVE DEFENSE

5. The Defendants acted in good faith.

THIRD AFFIRMATIVE DEFENSE

6. The Defendants are entitled to qualified immunity.

WHEREFORE, Defendants demand dismissal of the Complaint in its entirety, together with such other and further relief as may be just and proper, and the costs and disbursements of this action.

Amagansett, N.Y.
June 10, 2024

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