

# NYC Teachers: There Is Still Hope! – Lawsuits in Federal Court Could Bring Relief for NYC DOE Employees

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### *Lawsuits in Federal Court Could Bring Relief for NYC DOE Employees*

by [Michael Kane, NY Teachers for Choice](#)

Thousands of teachers and educators were extremely distraught throughout New York yesterday when Judge Love revoked the restraining order on forced vaccination he implemented last week. However this is NOT the only lawsuit seeking relief for NYC DOE employees in this matter.

Our attorneys have always maintained we would not find relief in a New York State court, which is where Judge Love ruled from. That's why the TEACHERS FOR CHOICE lawsuit and Rachel Maniscalco's class action were both filed in federal court where our attorneys and experts have agreed is the best venue to seek relief.

Right now all eyes are on Rachel's case.

Over 700 teachers are a part of that class action lawsuit. On September 22nd, this case was argued in Federal Court seeking a preliminary injunction that would stop the September 27th deadline for NYC DOE employees to be vaccinated to maintain employment. The attorneys representing the petitioners are Louis Gelormino and Mark Fonte. The attorneys speak very

highly about the judge hearing the case, Judge Cogan. IF Fonte & Gelermino are successful in securing a preliminary injunction, this would push back the September 27th deadline for vaccination and educators could report to work next week without receiving a covid vaccine.

This would not be PERMANENT relief, but would be temporary to allow the case to be heard in court before the final fait of the mandate was decided. Fonte & Gelermino have other “emergency” plans they may implement over the weekend if necessary but I will not be discussing that here at this time. Please stay tuned to our platform for updates.

Then there is our lawsuit, the TEACHERS FOR CHOICE lawsuit. While our case challenges the entire vaccine mandate as illegal and unconstitutional, our attorney took specific issue with the medical and religious exemption process. Attorney Sujata Gibson has special expertise in this area of law over many years of practice. Our complaint has been filed in Federal Court and more announcements will be coming regarding this lawsuit in the days ahead of us.

I am exactly the same as many reading this as I am staring directly into the reality of losing my career of over 14 years. I am preparing for that loss as it is very possible it may be occurring within just a few days, but I have not given up hope yet. I have faith in these two remaining lawsuits, but more importantly I have faith in the thousands of people who are rising up in NYC EVERY SINGLE WEEK!

COME TO [FOLEY SQUARE ON MONDAY SEPTEMBER 27th](#) as our struggle continues. We will continue to fight but we will also celebrate as we must find JOY in our resistance.

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