

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

Frank Ricci, et al.,  
*Plaintiffs,*

v.

John DeStefano, et al.,  
*Defendants.*

Civil No. 3:04cv1109 (JBA)

November 24, 2009

ORDER

Pursuant to the ruling of the United States Supreme Court in *Ricci v. DeStefano*, 129 S. Ct. 2658 (2009), and the mandate subsequently issued by the Second Circuit [Doc. # 144], the Court orders the following:

1. Judgment shall enter for Plaintiffs against Defendant City of New Haven (the "City") on Plaintiffs' disparate-treatment claim under Title VII. Accordingly, Plaintiffs' Motion for Judgment Under Rule 56(d)(2) [Doc. # 146] is GRANTED.
2. The New Haven Civil Service Board shall certify the results of the 2003 promotional examinations for the positions of Lieutenant and Captain in the New Haven Fire Department, and shall certify the promotional lists for each position derived from these examination results.
3. In accordance with Judgment entering in Plaintiffs' favor on their Title VII claim, the City shall promote the following plaintiffs to the rank of Lieutenant:

Frank Ricci  
Michael Blatchley  
Greg Boivin  
Michael Christoforo  
Ryan Divito  
Steven Durand  
Christopher Parker  
Mark Vendetto

4. The City shall promote the following plaintiffs to the rank of Captain:

Gary Carbone  
William Gambardella  
Brian Jooss  
Matthew Marcarelli  
Timothy Scanlon  
Benjamin Vargas

IT IS SO ORDERED.

/s/  
Janet Bond Arterton, U.S.D.J.

Dated at New Haven, Connecticut this 24th day of November, 2009.