

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:20-cv-05441-KPF**

Uniformed Fire Officers Association et al v. DeBlasio
et al

Assigned to: Judge Katherine Polk Failla

Case in other court: State Court - Supreme, 154982-
2020E

Cause: 28:1331 Fed. Question

Date Filed: 07/15/2020

Jury Demand: None

Nature of Suit: 440 Civil Rights:

Other

Jurisdiction: Federal Question

Plaintiff

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Association**

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Date Filed	#	Docket Text
07/15/2020	<u>1</u>	FILING ERROR - PDF ERROR - NOTICE OF REMOVAL from State of New York Supreme Court, County of New York. Case Number: 154882/2020E. (Filing Fee \$ 400.00, Receipt Number ANYSDC-20694801).Document filed by CITY OF NEW YORK, New York City Police Department, Frederick Davie, Dermot F. Shea, Daniel A. Nigro, Fire Department of the City of New York, Cynthia Brann, New York City Department Of Corrections, Bill DeBlasio, Civilian Complaint Review Board. (Attachments: # <u>1</u> Exhibit Complaint).(Quinn, Rebecca) Modified on 7/16/2020 (jgo). (Entered: 07/15/2020)
07/15/2020	<u>2</u>	NOTICE OF APPEARANCE by Anthony Paul Coles on behalf of Captains Endowment Association, Correction Officers Benevolent Association, Inc., Detectives Endowment Association of New York City, Lieutenants Benevolent Association of the City of New York, Inc., Police Benevolent Association, Sergeants Benevolent Association of the City of New York, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 07/15/2020)
07/15/2020	<u>3</u>	NOTICE of of Entry of State Court Order re: <u>1</u> Notice of Removal,. Document filed by Captains Endowment Association, Correction Officers Benevolent Association, Inc., Detectives Endowment Association of New York City, Lieutenants Benevolent Association of the City of New York, Inc., Police Benevolent Association, Sergeants Benevolent Association of the City of New York, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 07/15/2020)
07/16/2020	<u>4</u>	NOTICE OF APPEARANCE by Dominique F. Saint-Fort on behalf of Cynthia Brann, CITY OF NEW YORK, Civilian Complaint Review Board, Frederick Davie, Bill DeBlasio, Fire Department of the City of New York, New York City Department Of Corrections, New York City Police Department, Daniel A. Nigro, Dermot F. Shea..(Saint-Fort, Dominique) (Entered: 07/16/2020)
07/16/2020		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Rebecca Gibson Quinn to RE-

		FILE Document No. <u>1</u> Notice of Removal. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the pleading is not correct; the incorrect party role was listed for Plaintiffs on the PDF case caption. Re-file the pleading using the event type Notice of Removal found under the event list Complaints and Other Initiating Documents - attach the correct signed PDF - select the individually named filer/filers - select the individually named party/parties the pleading is against. If the deficiency/deficiencies are not corrected within five (5) days per Amended Standing Order 15-mc-00131 this case will be administratively closed. Initial Pleading due by 7/21/2020. (jgo) (Entered: 07/16/2020)
07/16/2020	<u>5</u>	NOTICE OF REMOVAL from Supreme Court of the State of New York, County of New York. Case Number: 154982/2020E..Document filed by CITY OF NEW YORK, New York City Police Department, Frederick Davie, Dermot F. Shea, Daniel A. Nigro, Fire Department of the City of New York, Cynthia Brann, New York City Department Of Corrections, Bill DeBlasio, Civilian Complaint Review Board. (Attachments: # <u>1</u> Exhibit Complaint).(Quinn, Rebecca) (Entered: 07/16/2020)
07/17/2020		***NOTICE TO ATTORNEY TO ELECTRONICALLY FILE CIVIL COVER SHEET. Notice to Attorney Rebecca Gibson Quinn. Attorney must electronically file the Civil Cover Sheet. Use the event type Civil Cover Sheet found under the event list Other Documents. (jgo) (Entered: 07/17/2020)
07/17/2020		***NOTICE TO ATTORNEY REGARDING REMOVAL OF PARTY. Notice to attorney Rebecca Gibson Quinn. The following party/parties has been removed from this case: Captains Endowment Association. The party was added to the case in error. (jgo) (Entered: 07/17/2020)
07/17/2020		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Rebecca Gibson Quinn. The party information for the following party/parties has been modified: Sergeants Benevolent Association of the City of New York; Uniformed Fire Officers Association; Uniformed Firefighters Association of Greater New York; Police Benevolent Association; Correction Officers Benevolent Association, Inc.; Lieutenants Benevolent Association of the City of New York, Inc.;Captains Endowment Association; Detectives Endowment Association of New York City; Bill DeBlasio;CITY OF NEW YORK; Fire Department of the City of New York; Daniel A. Nigro; New York City Department Of Corrections; N.Y.C. D.O.C. Comm.

		Cynthia Brann; Dermot F. Shea; New York City Police Department; Frederick Davie; Civilian Complaint Review Board. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error; party name was entered in all caps; party role was entered incorrectly; party text was omitted;. (jgo) (Entered: 07/17/2020)
07/17/2020		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Katherine Polk Failla. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions ..(jgo) (Entered: 07/17/2020)
07/17/2020		Magistrate Judge Robert W. Lehrburger is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (jgo) (Entered: 07/17/2020)
07/17/2020		Case Designated ECF. (jgo) (Entered: 07/17/2020)
07/17/2020	<u>6</u>	CIVIL COVER SHEET filed..(Saint-Fort, Dominique) (Entered: 07/17/2020)
07/17/2020	<u>7</u>	LETTER MOTION for Conference addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 17, 2020. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. (Attachments: # <u>1</u> Exhibit State Court Order, # <u>2</u> Exhibit PBA Collective Bargaining Agreement).(Quinn, Rebecca) (Entered: 07/17/2020)
07/17/2020	<u>8</u>	LETTER addressed to Judge Katherine Polk Failla from Christopher Dunn dated July 17, 2020 re: Request to Participate as Amicus Curiae. Document filed by New York Civil Liberties Union..(Dunn, Christopher) (Entered: 07/17/2020)
07/17/2020	<u>9</u>	LETTER addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 7/17/2020 re: Response to Defendants/Respondents July

		17, 2020 letter. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit 1 - TRO issued by State Supreme Court Justice Carol R. Edmead on July 15, 2020, # 2 Exhibit 2 -Order on Motion, State Troopers Fraternal Assoc. v. State of New Jersey, et al., Superior Court of New Jersey, Appellate Div.)(Coles, Anthony) (Entered: 07/17/2020)
07/17/2020	10	NOTICE of of State Court Papers Filed by Petitioners/Plaintiffs Prior to Removal. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Petitioners/Plaintiffs' Proposed Order to Show Cause, # 2 Petitioners/Plaintiffs' Verified Petition/Complaint, # 3 Exhibit 1 to Petitioners/Plaintiffs Verified Petition/Complaint (Grievances), # 4 Exhibit 2 to Petitioners/Plaintiffs Verified Petition/Complaint (SBA), # 5 Exhibit 3 to Petitioners/Plaintiffs Verified Petition/Complaint (PBA), # 6 Exhibit 4 to Petitioners/Plaintiffs Verified Petition/Complaint (LBA), # 7 Exhibit 5 to Petitioners/Plaintiffs Verified Petition/Complaint (CEA), # 8 Exhibit 6 to Petitioners/Plaintiffs Verified Petition/Complaint (DEA), # 9 Exhibit 7 to Petitioners/Plaintiffs Verified Petition/Complaint (COBA), # 10 Exhibit 8 to Petitioners/Plaintiffs Verified Petition/Complaint (UFA), # 11 Exhibit 9 to Petitioners/Plaintiffs Verified Petition/Complaint (UFAO), # 12 Memorandum of Law in Support of Verified Petition/Complaint and Proposed Order to Show Cause Seeking Temporary Restraining Order and Preliminary Injunction, # 13 Affirmation in Support of Emergency Relief, # 14 Rule 202.7(f) Affirmation of Notice of Application for a Temporary Restraining Order, # 15 UCS-840, Request for Judicial Intervention;, # 16 Summons).(Coles, Anthony) (Entered: 07/17/2020)
07/20/2020	11	LETTER REPLY to Response to Motion addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 20, 2020 re: 7 LETTER MOTION for Conference addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 17, 2020. . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of

		Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. (Attachments: # 1 Exhibit Exhibit A).(Saint-Fort, Dominique) (Entered: 07/20/2020)
07/20/2020	12	LETTER RESPONSE to Motion addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/20/2020 re: 7 LETTER MOTION for Conference addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 17, 2020. . Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A - Justice Edmead's July 15 Order, # 2 Exhibit B - July 8, 2020 Letter from Police Benevolent Association of the City of New York, Inc., # 3 Exhibit C - Order on Motion, No. A-003950-19T4 (N.J. Super., App. Div. July 8, 2020)).(Coles, Anthony) (Entered: 07/20/2020)
07/21/2020	13	LETTER REPLY to Response to Motion addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 21, 2020 re: 7 LETTER MOTION for Conference addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 17, 2020. . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Saint-Fort, Dominique) (Entered: 07/21/2020)
07/22/2020	14	ORDER granting 7 Letter Motion for Conference. The parties in this matter are hereby ORDERED to appear for a videoconference on July 22, 2020, at 4:00 p.m. The conference will proceed via videoconference, with audio access as follows: Dial-in: (917) 933-2166; Conference ID: 801588117. The Court will provide instructions for accessing the conference for video participants separately. SO ORDERED. Telephone Conference set for 7/22/2020 at 04:00 PM before Judge Katherine Polk Failla.. (Signed by Judge Katherine Polk Failla on 7/22/2020) (kv) (Entered: 07/22/2020)
07/22/2020		NOTICE OF CONFERENCE DIAL-IN re: 14 Order on Motion for Conference: The dial-in information for the oral ruling with regard to the oral arguments presented today in this matter is (888) 363-4749, access code 5123533. ***No PDF is attached to this entry. (tn) (Entered: 07/22/2020)

07/22/2020		Minute Entry for proceedings held before Judge Katherine Polk Failla: Temporary Restraining Order hearing held on 7/22/2020. Plaintiffs' motion for TRO granted in part per oral decision. NYCL is found to be acting in concert with Defendants and is ordered to not disclose documents further, internally or externally. Plaintiff's request for discovery is granted on the limited basis as set forth on the record. Supplemental briefing, and amicus brief, if any are due by 8/14/2020. Preliminary Injunction hearing is set for 8/18/2020 at 2:00 p.m. (Court Reporter Andrew Walker) (tn) (Entered: 07/23/2020)
07/22/2020		Set/Reset Hearings: Preliminary Injunction Hearing set for 8/18/2020 at 02:00 PM before Judge Katherine Polk Failla. (tn) (Entered: 07/23/2020)
07/23/2020	15	NOTICE OF APPEARANCE by Michael Robert Hepworth on behalf of Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Hepworth, Michael) (Entered: 07/23/2020)
07/24/2020	16	LETTER addressed to Judge Katherine Polk Failla from Christopher Dunn dated July 23, 2020 re: Letter Motion by NYCLU to Modify Temporary Restraining Order. Document filed by New York Civil Liberties Union. (Attachments: # 1 Affidavit of Christopher Dunn).(Dunn, Christopher) (Entered: 07/24/2020)
07/24/2020	17	MEMO ENDORSEMENT on re: 16 Letter, filed by New York Civil Liberties Union. ENDORSEMENT: The Court is in receipt of the above-letter from NYCLU. (Dkt. #16). As discussed at the hearing on July 22, 2020, Plaintiffs are ordered to respond by today, July 24, 2020. (Signed by Judge Katherine Polk Failla on 7/24/2020) (tn) (Entered: 07/24/2020)
07/24/2020	18	NOTICE OF APPEARANCE by Christopher Thomas Dunn on behalf of New York Civil Liberties Union..(Dunn, Christopher) (Entered: 07/24/2020)
07/24/2020	19	NOTICE OF APPEARANCE by Molly Knopp Biklen on behalf of New York Civil Liberties Union..(Biklen, Molly) (Entered: 07/24/2020)
07/24/2020	20	NOTICE OF APPEARANCE by Jordan Laris Cohen on behalf of New York Civil Liberties Union..(Cohen, Jordan) (Entered: 07/24/2020)

07/24/2020	<u>21</u>	LETTER MOTION for Discovery addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/24/2020. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3).(Coles, Anthony) (Entered: 07/24/2020)
07/24/2020	<u>22</u>	LETTER addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/24/2020 re: in response to Christopher Dunns letter to the Court of July 23, 2020. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 07/24/2020)
07/25/2020	<u>23</u>	LETTER addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 25, 2020 re: Response to Anthony Coles's Letter in Response to Christopher Dunn's Letter to the Court of July 23, 2020. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Quinn, Rebecca) (Entered: 07/25/2020)
07/25/2020	<u>24</u>	LETTER RESPONSE to Motion addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 25, 2020 re: <u>21</u> LETTER MOTION for Discovery addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/24/2020. . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B).(Saint-Fort, Dominique) (Entered: 07/25/2020)
07/26/2020	<u>25</u>	LETTER addressed to Judge Katherine Polk Failla from Anthony P. Coles dated July 26, 2020 re: Reply Letter in response to Defendants Letter of July 25 concerning discovery. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association

		of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 07/26/2020)
07/27/2020	26	LETTER addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 27, 2020 re: Plaintiffs' Letter Dated July 26, 2020 Dkt # 25. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Quinn, Rebecca) (Entered: 07/27/2020)
07/27/2020	27	NOTICE OF APPEARANCE by Kami Zumbach Barker on behalf of Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 07/27/2020)
07/27/2020	28	ORDER: The parties in this matter are hereby ORDERED to appear for a videoconference on July 28, 2020, at 2:00 p.m. The conference will proceed via videoconference, with audio access as follows: Dial-in: (888) 363-4749; Conference ID: 5123533. The Court will provide instructions for accessing the conference for video participants separately. (Telephone Conference set for 7/28/2020 at 02:00 PM before Judge Katherine Polk Failla.) (Signed by Judge Katherine Polk Failla on 7/27/2020) (jwh) (Entered: 07/27/2020)
07/27/2020	29	LETTER addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/27/2020 re: Supplemental authority in support of Plaintiffs' motion for a preliminary injunction.. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A - Buffalo Police Benevolent Assn et al. v. Byron W. Brown et al., No. 807664/2020 (July 24, 2020)).(Coles, Anthony) (Entered: 07/27/2020)

07/28/2020	30	LETTER addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/28/2020 re: Supplemental authority in support of Plaintiffs' motion for a preliminary injunction. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A - July 27, 2020 New York State Committee on Open Government Advisory Opinion).(Coles, Anthony) (Entered: 07/28/2020)
07/28/2020	31	LETTER addressed to Judge Katherine Polk Failla from Dominique Saint-Fort dated July 28, 2020 re: Discovery. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. (Attachments: # 1 Exhibit Exhibit A).(Saint-Fort, Dominique) (Entered: 07/28/2020)
07/28/2020	32	LETTER addressed to Judge Katherine Polk Failla from Christopher Dunn dated July 28, 2020 re: NYCLU letter about motion to modify temporary restraining order. Document filed by New York Civil Liberties Union..(Dunn, Christopher) (Entered: 07/28/2020)
07/28/2020	33	LETTER MOTION to File Amicus Brief addressed to Judge Katherine Polk Failla from Roger A. Cooper and Corey Stoughton dated July 28, 2020. Document filed by The Legal Aid Society. (Attachments: # 1 Attachment A - June 5, 2018 Transcript, # 2 Attachment B - February 19, 2020 Memorandum of Support, # 3 Attachment C - June 15, 2020 Letter).(Cooper, Roger) (Entered: 07/28/2020)
07/28/2020	34	FILING ERROR - NO ORDER SELECTED FOR APPEAL - NOTICE OF INTERLOCUTORY APPEAL. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. Filing fee \$ 505.00, receipt number ANYSDC-20895063. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Coles, Anthony) Modified on 7/29/2020 (tp). (Entered: 07/28/2020)

07/28/2020		Minute Entry for proceedings held before Judge Katherine Polk Failla: Oral Argument held on 7/28/2020 re: 36 FIRST LETTER MOTION for Conference <i>or to lift the TRO against defendant, as it applies to the CCRB database</i> addressed to Judge Katherine Polk Failla from Kami Zumbach Barker, for defendants dated July 29, 2020 filed by Cynthia Brann, Dermot F. Shea, Fire Department of the City of New York, New York City Police Department, New York City Department of Correction, Civilian Complaint Review Board, City of New York, Bill de Blasio, Daniel A. Nigro, Frederick Davie: the temporary restraining order entered by the Court on July 22, 2020 is modified such that it no longer applies to NYCLU. Discovery disputes were resolved as set forth on the record. (Court Reporter Raquel Robles) (tn) (Entered: 07/29/2020)
07/29/2020		***NOTICE TO ATTORNEY REGARDING DEFICIENT APPEAL. Notice to attorney Coles, Anthony to RE-FILE Document No. 34 Notice of Interlocutory Appeal. The filing is deficient for the following reason(s): the order/judgment being appealed was not selected. Re-file the appeal using the event type <i>Corrected Notice of Appeal</i> found under the event list Appeal Documents - attach the correct signed PDF - select the correct named filer/filers - select the correct order/judgment being appealed. (tp) (Entered: 07/29/2020)
07/29/2020	35	ORDER granting 33 Letter Motion to File Amicus Brief. Application GRANTED. The Court will permit Legal Aid to file a brief on the same timeline as the parties to this action, due by August 14, 2020, and will hear from Legal Aid as appropriate at the August 18, 2020 hearing. (Signed by Judge Katherine Polk Failla on 7/29/2020) (rro) (Entered: 07/29/2020)
07/29/2020	36	FIRST LETTER MOTION for Conference <i>or to lift the TRO against defendant, as it applies to the CCRB database</i> addressed to Judge Katherine Polk Failla from Kami Zumbach Barker, for defendants dated July 29, 2020. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. (Attachments: # 1 Exhibit A).(Barker, Kami) (Entered: 07/29/2020)
07/29/2020	37	LETTER addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated July 29, 2020 re: Correction to Letter to Plaintiffs Dated July 28, 2020. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City

		Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Quinn, Rebecca) (Entered: 07/29/2020)
07/29/2020	38	ORDER: For the reasons stated in open court during the hearing on July 28, 2020, the temporary restraining order entered by the Court on July 22, 2020 is modified such that it no longer applies to non-party New York Civil Liberties Union. SO ORDERED. (Signed by Judge Katherine Polk Failla on 7/29/2020) (rro) (Entered: 07/29/2020)
07/29/2020	39	CORRECTED NOTICE OF APPEAL re: 34 Notice of Interlocutory Appeal,, 38 Order,. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 07/29/2020)
07/29/2020	40	NOTICE OF APPEARANCE by Alex V. Chachkes on behalf of Communities United for Police Reform..(Chachkes, Alex) (Entered: 07/29/2020)
07/29/2020		Appeal Fee Paid electronically via Pay.gov: for 39 Corrected Notice of Appeal. Filing fee \$ 505.00. Pay.gov receipt number ANYSDC-20895063, paid on 7/28/2020. (tp) (Entered: 07/29/2020)
07/29/2020		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 39 Corrected Notice of Appeal. (tp) (Entered: 07/29/2020)
07/29/2020		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 39 Corrected Notice of Appeal, filed by Police Benevolent Association of the City of New York, Inc., Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York, Captains Endowment Association, Sergeants Benevolent Association were transmitted to the U.S. Court of Appeals. (tp) (Entered: 07/29/2020)
07/29/2020	41	EMERGENCY MOTION to Intervene <i>as Defendant</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 07/29/2020)

07/29/2020	<u>42</u>	MEMORANDUM OF LAW in Support re: <u>41</u> EMERGENCY MOTION to Intervene <i>as Defendant</i> . . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 07/29/2020)
07/29/2020	<u>43</u>	DECLARATION of Alex V. Chachkes in Support re: <u>41</u> EMERGENCY MOTION to Intervene <i>as Defendant</i> .. Document filed by Communities United for Police Reform. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B).(Chachkes, Alex) (Entered: 07/29/2020)
07/29/2020	<u>44</u>	DECLARATION of Joo-Hyun Kang in Support re: <u>41</u> EMERGENCY MOTION to Intervene <i>as Defendant</i> .. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 07/29/2020)
07/29/2020	<u>45</u>	DECLARATION of Jumaane D. Williams in Support re: <u>41</u> EMERGENCY MOTION to Intervene <i>as Defendant</i> .. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 07/29/2020)
07/29/2020	<u>46</u>	DECLARATION of Constance Malcolm in Support re: <u>41</u> EMERGENCY MOTION to Intervene <i>as Defendant</i> .. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 07/29/2020)
07/29/2020	<u>47</u>	DECLARATION of James Blake in Support re: <u>41</u> EMERGENCY MOTION to Intervene <i>as Defendant</i> .. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 07/29/2020)
07/29/2020	<u>48</u>	DECLARATION of Natasha Duncan in Support re: <u>41</u> EMERGENCY MOTION to Intervene <i>as Defendant</i> .. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 07/29/2020)
07/29/2020	<u>49</u>	NOTICE OF APPEARANCE by Rene Kathawala on behalf of Communities United for Police Reform..(Kathawala, Rene) (Entered: 07/29/2020)
07/29/2020	<u>50</u>	NOTICE OF APPEARANCE by Margaret Lee Wheeler-Frothingham on behalf of Communities United for Police Reform..(Wheeler-Frothingham, Margaret) (Entered: 07/29/2020)
07/29/2020	<u>51</u>	ORDER with respect to <u>36</u> Letter Motion for Conference. The Court is in receipt of the above letter from Defendants. (Dkt. #36). Plaintiffs are hereby ORDERED to respond within 7 days of the Second Circuit resolving Plaintiff's interlocutory appeal. (See Dkt. #39). (Signed by Judge Katherine Polk Failla on 7/29/2020) (rro) (Entered: 07/29/2020)
07/29/2020	<u>52</u>	NOTICE OF APPEARANCE by Joseph Michael Kay on behalf of The Legal Aid Society..(Kay, Joseph) (Entered: 07/29/2020)

07/29/2020	53	NOTICE OF APPEARANCE by Ye Eun E Chun on behalf of The Legal Aid Society..(Chun, Ye Eun) (Entered: 07/29/2020)
07/29/2020	54	LETTER MOTION to Stay re: 38 Order, <i>Emergency letter motion asking for reconsideration of the Courts July 29, 2020 Order</i> addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/29/2020. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A).(Coles, Anthony) (Entered: 07/29/2020)
07/29/2020	55	ORDER denying 54 Letter Motion to Stay: Plaintiffs' above emergency letter motion for reconsideration of its modification of the temporary restraining order (Dkt. #54) is DENIED. It appears that all sides are in agreement that the materials at issue were disclosed by the CCRB to NYCLU on July 14, 2020, which is prior to any injunctive order being entered by the state court. (See Dkt. 16, 36, 54). That said, the Court is concerned that Mr. Dunn may have been incorrect in his statements to the Court and it instructs him to file a letter by July 30, 2020, at 5:00 p.m. advising the Court as to whether any of the answers he provided to the Court at the hearing on July 28, 2020, and is contained in Plaintiff's letter of July 29, 2020, is incorrect or omits material information. (Signed by Judge Katherine Polk Failla on 7/29/2020) (tn) (Entered: 07/29/2020)
07/29/2020	56	LETTER addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/29/2020 re: in response to the Court's Order of this evening (ECF No. 55). Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 07/29/2020)
07/29/2020	57	FIRST LETTER addressed to Judge Katherine Polk Failla from Kami Zumbach Barker, for defendants, dated July 29, 2020 re: clarification of defendants' typo in footnote and response to plaintiffs' emergency letter to reconsider. Document filed by Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. (Attachments: # 1 Exhibit A, # 2 Exhibit B).(Barker, Kami) (Entered: 07/29/2020)

07/30/2020	58	NOTICE OF APPEARANCE by Corey Stoughton on behalf of The Legal Aid Society..(Stoughton, Corey) (Entered: 07/30/2020)
07/30/2020	59	ORDER of USCA (Certified Copy) USCA Case Number 20-2400. IT IS HEREBY ORDERED that the District Court's order dated July 29, 2020 is stayed pending determination by a three-judge panel of Appellants' motion to stay the order pending appeal. An expedited schedule for the submission of the parties' papers in support of, and opposition to, the motion will issue later today. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 7/30/2020. (tp) (Entered: 07/30/2020)
07/30/2020	60	LETTER MOTION for Discovery <i>Plaintiffs' Document Requests Nos. 5 and 6</i> addressed to Judge Katherine Polk Failla from Dominique Saint-Fort and Rebecca Quinn dated July 30, 2020. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Saint-Fort, Dominique) (Entered: 07/30/2020)
07/30/2020	61	LETTER addressed to Judge Katherine Polk Failla from Christopher Dunn dated July 30, 2020 re: NYCLU Receipt of CCRB Database. Document filed by New York Civil Liberties Union..(Dunn, Christopher) (Entered: 07/30/2020)
07/31/2020	62	ORDER with respect to 60 Letter Motion for Discovery. The Court is in receipt of the above letter from Defendants. (Dkt. #60). Plaintiffs are hereby ORDERED to respond to this letter by July 31, 2020. (Signed by Judge Katherine Polk Failla on 7/30/2020) (rro) (Entered: 07/31/2020)
07/31/2020	63	LETTER RESPONSE in Opposition to Motion addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 07/31/2020 re: 60 LETTER MOTION for Discovery <i>Plaintiffs' Document Requests Nos. 5 and 6</i> addressed to Judge Katherine Polk Failla from Dominique Saint-Fort and Rebecca Quinn dated July 30, 2020. . Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A - Draft Stipulation).(Coles, Anthony) (Entered: 07/31/2020)

07/31/2020	64	ORDER: On July 29, 2020, Communities for Police Reform ("CPR") filed an emergency motion to intervene in this action. (See Dkt. #41-48). The parties to this action are hereby ORDERED to respond to CPR's motion on or before August 7, 2020. CPR may reply on or before August 11, 2020. SO ORDERED. (Responses due by 8/7/2020, Replies due by 8/11/2020.) (Signed by Judge Katherine Polk Failla on 7/31/2020) (rro) (Entered: 07/31/2020)
08/03/2020	65	LETTER addressed to Judge Katherine Polk Failla from Towaki Komatsu, dated 7/31/20 re: I am filing this letter motion to further supplement the application which I submitted to you earlier today to be granted permissive intervention in the case referenced above as an interested party or to appear as an amicus curiae in the alternative. (Attachments: # 1 Supplement)(sc) (Entered: 08/03/2020)
08/04/2020	66	LETTER MOTION for Discovery addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 08/04/2020. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3).(Coles, Anthony) (Entered: 08/04/2020)
08/05/2020	67	MEMO ENDORSEMENT on 88 granting 60 Letter Motion for Discovery; terminating 66 Letter Motion for Discovery. The Court has reviewed Defendants' motion for reconsideration of the Court's discovery rulings (Dkt. #60), Plaintiffs' July 31, 2020 response letter (Dkt. #63), and Plaintiffs' August 4, 2020 letter (Dkt. #66). Given the burdens that Defendants' have outlined with respect to Document Request #5, and Defendants' representation that "before the repeal of Civil Rights Law §50-a, NYPD would deny requests for disciplinary records of members of the service solely on the basis that that they were protected from disclosure by § 50-a" (Dkt. #60 at 2), the Court agrees that the Request as it applies to NYPD and FDNY is unduly burdensome and disproportionate to the needs of this case. Accordingly, Defendants' motion for reconsideration of Document Request #5 is GRANTED: Defendants shall produce responsive documents from the CCRB and DOC; but Defendants need not produce such documents from the NYPD and FDNY. Defendants' request with respect to Document Request #6 is GRANTED IN PART AND DENIED IN PART. Defendants are ORDERED to, as Plaintiff suggested, produce the responsive documents for 10 of the City agencies that use a computerized system and produce the requested

		denials based on searches reasonably designed to find denials of requests for disciplinary records. Further, the Court is concerned that, three days before the discovery deadline, Defendants have yet to produce any documents to Plaintiffs. Defendants should begin rolling out their document production as soon as possible. (Signed by Judge Katherine Polk Failla on 8/4/2020) (rro) (Entered: 08/05/2020)
08/05/2020	68	LETTER MOTION to File Amicus Brief addressed to Judge Katherine Polk Failla from Charlita Mays dated August 5, 2020. Document filed by Center on Race, Inequality, and the Law at New York University School of Law..(Mays, Charlita) (Entered: 08/05/2020)
08/05/2020	69	ORDER granting 68 Letter Motion to File Amicus Brief. Application GRANTED. The Center may submit an amicus brief in this case on or before August 14, 2020. (Signed by Judge Katherine Polk Failla on 8/5/2020) (rro) (Entered: 08/05/2020)
08/05/2020	70	NOTICE OF APPEARANCE by Charlita Mays on behalf of Center on Race, Inequality, and the Law at New York University School of Law..(Mays, Charlita) (Entered: 08/05/2020)
08/05/2020	71	NOTICE OF APPEARANCE by Cynthia Chen on behalf of Center on Race, Inequality, and the Law at New York University School of Law..(Chen, Cynthia) (Entered: 08/05/2020)
08/05/2020	72	PROPOSED PROTECTIVE ORDER. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Saint-Fort, Dominique) (Entered: 08/05/2020)
08/05/2020	73	STIPULATION AND CONFIDENTIALITY ORDER:...regarding procedures to be followed that shall govern the handling of confidential material. This confidentiality agreement does not bind the Court or any of its personnel. The Court can modify this stipulation at any time. The Court will retain jurisdiction over the terms and conditions of this agreement only for the pendency of this litigation. Any party wishing to make redacted or sealed submissions shall comply with Rule 6(A) of this Court's Individual Rules of Civil Procedure. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/05/2020) (ama) (Entered: 08/06/2020)
08/06/2020	74	MOTION for Courtney Gilligan Saleski to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21035602. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Captains Endowment Association, Correction Officers'

		Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A - Certificate of Good Standing, # 2 Exhibit B - Certificate of Good Standing, # 3 Exhibit C - Certificate of Good Standing, # 4 Exhibit D - Affidavit in Support, # 5 Exhibit E - Proposed Order).(Saleski, Courtney) (Entered: 08/06/2020)
08/06/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 74 MOTION for Courtney Gilligan Saleski to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21035602. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 08/06/2020)
08/07/2020	75	FIRST LETTER addressed to Judge Katherine Polk Failla from Kami Zumbach Barker, for defendants, dated August 7, 2020 re: requesting a pre-motion conference. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. (Attachments: # 1 A, # 2 B, # 3 C).(Barker, Kami) (Entered: 08/07/2020)
08/07/2020	76	ORDER FOR ADMISSION PRO HAC VICE granting 74 Motion for Courtney G. Saleski to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/7/2020) (rro) (Entered: 08/07/2020)
08/07/2020	77	FIRST MEMORANDUM OF LAW in Opposition re: 41 EMERGENCY MOTION to Intervene <i>as Defendant</i>. . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 08/07/2020)
08/07/2020	78	RESPONSE in Opposition to Motion re: 41 EMERGENCY MOTION to Intervene <i>as Defendant</i>. . Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 08/07/2020)

08/07/2020	79	MEMO ENDORSEMENT on re: 75 Letter, filed by Cynthia Brann, Dermot F. Shea, Fire Department of the City of New York, New York City Police Department, New York City Department of Correction, Civilian Complaint Review Board, City of New York, Bill de Blasio, Daniel A. Nigro, Frederick Davie. ENDORSEMENT: The Court is in receipt of the above letter from Defendants seeking a pre-motion conference concerning their anticipated motion to dismiss the complaint. (Dkt. #75). Plaintiffs need not respond to the letter at this time, but should be prepared to discuss the contents of such letter at the preliminary injunction hearing on August 18, 2020. (Signed by Judge Katherine Polk Failla on 8/7/2020) (rro) (Entered: 08/07/2020)
08/10/2020	80	LETTER MOTION to File Amicus Brief addressed to Judge Katherine Polk Failla from Brian S. Fraser dated August 10, 2020. Document filed by Law Enforcement Action Partnership..(Fraser, Brian) (Entered: 08/10/2020)
08/10/2020	81	MEMO ENDORSEMENT on re: 75 Letter, filed by Cynthia Brann, Dermot F. Shea, Fire Department of the City of New York, New York City Police Department, New York City Department of Correction, Civilian Complaint Review Board, City of New York, Bill de Blasio, Daniel A. Nigro, Frederick Davie. ENDORSEMENT: The Court is in receipt of the above letter from Defendants seeking a pre-motion conference concerning their anticipated motion to dismiss the complaint. (Dkt. #75). Plaintiffs need not respond to the letter at this time, but should be prepared to discuss the contents of such letter at the preliminary injunction hearing on August 18, 2020. (Signed by Judge Katherine Polk Failla on 8/7/2020) (rro) (Entered: 08/10/2020)
08/10/2020	82	LETTER MOTION to File Amicus Brief addressed to Judge Katherine Polk Failla from David L. Kornblau dated August 10, 2020. Document filed by Justice Committee Inc...(Kornblau, David) (Entered: 08/10/2020)
08/10/2020		***DELETED DOCUMENT. Deleted document number 83 ORDER. The document was incorrectly filed in this case. (rro) (Entered: 08/10/2020)
08/10/2020	83	ORDER granting 80 Letter Motion to File Amicus Brief. Application GRANTED. LEAP may submit an amicus brief in this case on or before August 14, 2020. (Signed by Judge Katherine Polk Failla on 8/10/2020) (rro) (Entered: 08/10/2020)
08/10/2020	84	NOTICE OF APPEARANCE by Brian S. Fraser on behalf of Law Enforcement Action Partnership..(Fraser, Brian) (Entered: 08/10/2020)

08/10/2020	<u>85</u>	ORDER granting <u>82</u> Letter Motion to File Amicus Brief. The Court is in receipt of the above request from Justice Committee Inc. (Dkt. #82). The application is GRANTED. Justice Committee Inc. may file an amicus brief on or before August 14, 2020. (Signed by Judge Katherine Polk Failla on 8/10/2020) (rro) (Entered: 08/10/2020)
08/10/2020	<u>86</u>	REPLY MEMORANDUM OF LAW in Support re: <u>41</u> EMERGENCY MOTION to Intervene <i>as Defendant</i> . . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/10/2020)
08/10/2020	<u>87</u>	DECLARATION of Alex V. Chachkes in Support re: <u>86</u> Reply Memorandum of Law in Support of Motion. Document filed by Communities United for Police Reform. (Attachments: # <u>1</u> Exhibit A to Chachkes Declaration).(Chachkes, Alex) (Entered: 08/10/2020)
08/11/2020	<u>88</u>	NOTICE OF APPEARANCE by David Leon Kornblau on behalf of Justice Committee Inc...(Kornblau, David) (Entered: 08/11/2020)
08/11/2020	<u>89</u>	NOTICE OF APPEARANCE by Russell Matthew Squire on behalf of Justice Committee Inc...(Squire, Russell) (Entered: 08/11/2020)
08/11/2020	<u>90</u>	LETTER MOTION for Discovery addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 08/11/2020. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # <u>1</u> Exhibit A - Plaintiffs' First Request for Production of Documents).(Coles, Anthony) (Entered: 08/11/2020)
08/11/2020		***DELETED DOCUMENT. Deleted document number <u>91</u> TRANSCRIPT. The document was incorrectly filed in this case. (rro) (Entered: 08/11/2020)
08/11/2020		***DELETED DOCUMENT. Deleted document number <u>92</u> NOTICE OF FILING OFFICIAL TRANSCRIPT. The document was incorrectly filed in this case. (rro) (Entered: 08/11/2020)
08/11/2020		***DELETED DOCUMENT. Deleted document number <u>93</u> TRANSCRIPT. The document was incorrectly filed in this case. (rro) (Entered: 08/11/2020)
08/11/2020		***DELETED DOCUMENT. Deleted document number <u>94</u> NOTICE OF FILING OFFICIAL TRANSCRIPT. The

		document was incorrectly filed in this case. (rro) (Entered: 08/11/2020)
08/11/2020	<u>91</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 7/22/2020 before Judge Katherine Polk Failla. Court Reporter/Transcriber: Andrew Walker, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/1/2020. Redacted Transcript Deadline set for 9/11/2020. Release of Transcript Restriction set for 11/9/2020..(McGuirk, Kelly) (Entered: 08/11/2020)
08/11/2020	<u>92</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 7/22/2020 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(McGuirk, Kelly) (Entered: 08/11/2020)
08/11/2020	<u>93</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 7/28/2020 before Judge Katherine Polk Failla. Court Reporter/Transcriber: Raquel Robles, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/1/2020. Redacted Transcript Deadline set for 9/11/2020. Release of Transcript Restriction set for 11/9/2020..(McGuirk, Kelly) (Entered: 08/11/2020)
08/11/2020	<u>94</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 7/28/2020 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(McGuirk, Kelly) (Entered: 08/11/2020)
08/11/2020	<u>95</u>	ORDER granting <u>90</u> Letter Motion for Discovery. Application GRANTED. Defendants are hereby ORDERED to produce all documents, including but not limited to communications with NYCLU, concerning the release of Disciplinary Records by the CCRB, or any of the Defendants, for the period June 12, 2020 to the present, no later than 12:00 p.m. on Friday, August 14. (Signed by Judge Katherine Polk Failla on 8/11/2020) (rro) (Entered: 08/11/2020)

08/11/2020	<u>96</u>	LETTER MOTION for Discovery <i>in Opposition to Plaintiffs' Motion and Requesting Reconsideration of Order dated August 11, 2020</i> addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated August 11, 2020. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Quinn, Rebecca) (Entered: 08/11/2020)
08/11/2020	<u>97</u>	ORDER: The Court is in receipt of Communities for Police Reform's ("CPR") motion to intervene in this action (Dkt. #41-48), Defendants' brief in opposition (Dkt. #77), Plaintiffs' brief in opposition (Dkt. #78), and CPR's reply brief and declaration. (Dkt. #86-87). In its reply brief, CPR states: CPR will provisionally file papers opposing Plaintiffs' preliminary injunction request on the parties' timetable. If this Court finds that those papers raise significant legal arguments and meaningfully aid in development of a full record as CPR contends the Court should at a minimum allow permissive intervention. This approach is fair to all parties and solves any concerns that intervention would cause delay. (Dkt. #86 at 9). The Court agrees that this is the fairest and most expeditious way to resolve the pending motion. Accordingly, the Court will hold the motion over until the preliminary injunction motion is resolved. (Signed by Judge Katherine Polk Failla on 8/11/2020) (rj) (Entered: 08/12/2020)
08/12/2020	<u>98</u>	MOTION for Chris A. Hollinger to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21118938. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by NAACP Legal Defense and Educational Fund, Inc., Lawyers' Committee for Civil Rights Under Law, LatinoJustice PRLDEF, Law for Black Lives. (Attachments: # <u>1</u> Declaration of Chris A. Hollinger, # <u>2</u> California Certificate of Good Standing, # <u>3</u> Text of Proposed Order).(Hollinger, Chris) (Entered: 08/12/2020)
08/12/2020	<u>99</u>	LETTER MOTION for Leave to File Amicus Brief addressed to Judge Katherine Polk Failla from Chris A. Hollinger dated August 12, 2020. Document filed by LatinoJustice PRLDEF, Law for Black Lives, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Inc...(Hollinger, Chris) (Entered: 08/12/2020)
08/12/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>98</u> MOTION for Chris A. Hollinger to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21118938. Motion and supporting papers to be reviewed

		by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (vba) (Entered: 08/12/2020)
08/12/2020	<u>100</u>	ORDER: granting <u>99</u> Letter Motion for Leave to File Document. Application GRANTED. Proposed Amici may file an amicus brief on or before August 14, 2020. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/12/2020) (ama) (Entered: 08/12/2020)
08/12/2020	<u>101</u>	NOTICE OF APPEARANCE by Pamela S. Reynolds on behalf of New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,..(Reynolds, Pamela) (Entered: 08/12/2020)
08/12/2020	<u>102</u>	LETTER MOTION to File Amicus Brief addressed to Judge Katherine Polk Failla from Pamela S.C. Reynolds dated 8/12/2020. Document filed by New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,..(Reynolds, Pamela) (Entered: 08/12/2020)
08/12/2020	<u>103</u>	FIRST LETTER addressed to Judge Katherine Polk Failla from Kami Zumbach Barker, for defendants, dated August 12, 2020 re: request for page-limit extension. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 08/12/2020)
08/12/2020	<u>104</u>	ORDER granting <u>102</u> Letter Motion to File Amicus Brief. Application GRANTED. The Caucus may file its amicus brief on or before August 14, 2020. (Signed by Judge Katherine Polk Failla on 8/12/2020) (rro) (Entered: 08/12/2020)
08/12/2020	<u>105</u>	MEMO ENDORSEMENT on re: <u>103</u> Letter, filed by Cynthia Brann, Dermot F. Shea, Fire Department of the City of New York, New York City Police Department, New York City Department of Correction, Civilian Complaint Review Board, City of New York, Bill de Blasio, Daniel A. Nigro, Frederick Davie. ENDORSEMENT: Application GRANTED. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/12/2020) (rro) (Entered: 08/12/2020)
08/12/2020		Set/Reset Deadlines: Brief due by 8/14/2020. (rro) (Entered: 08/18/2020)
08/13/2020	<u>106</u>	LETTER addressed to Judge Katherine Polk Failla from T. Komatsu, dated 8/12/20 re: Docket number 65 in the case reference above(as indicated) confirms that I filed a letter motion dated 7/31/20 in it on 8/3/20 for authorization for permissive intervention in it, or to appear as an amicus curiae in it. In the nine days since that submission was

		processed, there has been no regular response from your side in regard to that. (sc) (Entered: 08/13/2020)
08/13/2020	107	ORDER FOR ADMISSION PRO HAC VICE granting 98 Motion for Chris A. Hollinger to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/13/2020) (rro) (Entered: 08/13/2020)
08/13/2020	108	MEMO ENDORSEMENT on re: 106 Letter re: Docket number 65 in the case reference above(as indicated) confirms that I filed a letter motion dated 7/31/20 in it on 8/3/20 for authorization for permissive intervention in it, or to appear as an amicus curiae in it. In the nine days since that submission was processed, there has been no regular response from your side in regard to that. ENDORSEMENT: The Court is in receipt of the above letter from proposed intervenor-Towaki Komatsu. (Dkt. #106). Mr. Komatsu filed a letter motion, which was received by the Court on August 3, 2020, seeking permissive intervention in this lawsuit, or in the alternative to appear as amicus. (Dkt. #65). The Court's failure to respond to Mr. Komatsu's motion after 10 days violates neither his Fourteenth Amendment nor First Amendment rights. Rule 24(b) of the Federal Rules of Civil Procedure allows a court to exercise its discretion and permit intervention under certain circumstances. It provides in pertinent part that "[o]n timely motion, the court may permit anyone to intervene who... has a claim or defense that shares with the main action a common question of law or fact." Fed. R. Civ. P. 24(b)(1)(B); Police & Fire Ret. Sys. of City of Detroit v. IndyMac MBS, Inc., 721 F.3d 95, 103 n.7 (2d Cir. 2013). In exercising its discretion, the court must consider "whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties,... the nature and extent of the intervenors' interests, the degree to which those interests are adequately represented by other parties, and whether parties seeking intervention will significantly contribute to full development of the underlying factual issues in the suit and to the just and equitable adjudication of the legal questions presented." Citizens Against Casino Gambling in Erie Cty. v. Hogen, 417 F. App'x 49, 50 (2d Cir. 2011) (summary order) (quoting H.L. Hayden Co. of N.Y., Inc. v. Siemens Med. Sys., Inc., 797 F.2d 85, 89 (2d Cir. 1986)). Permissive intervention is wholly within the court's discretion. See St. John's Univ., N.Y. v. Bolton, 450 F. App'x 81, 84 (2d Cir. 2011) (summary order) ("A district court has broad discretion under Rule 24(b) to determine whether to permit intervention[.]"). Mr. Komatsu claims he has a right to intervene because: (i) he experienced a retaliatory criminal prosecution for defending himself against members of the NYPD; (ii) he provided testimony before the City Council against the CCRB and NYPD, which was recorded; and (iii) his Constitutional rights were violated when he attended a proceeding at City Hall on March 18, 2019. (See Dkt. #65). Mr. Komatsu does not meet the requirements for

		intervention as of right under Rule 24(a) because he fails to show that he has a legally cognizable interest in the subject matter of the pending action. The pending action is specifically about the personnel records of law enforcement personnel, including police officers, which have become accessible to the public by virtue of the repeal of New York Civil Rights Law § 50-a. Mr. Komatsu's motion does not present any common question of law or fact with the above captioned action, the Court declines to exercise its discretion to permit intervention under Rule 24(b). To the extent that Mr. Komatsu would like to file an amicus brief on the timeline set out by the Court for the parties, due August 14, 2020, he may do so. SO ORDERED., (Signed by Judge Katherine Polk Failla on 8/13/2020) (rj) (Entered: 08/13/2020)
08/13/2020	109	LETTER MOTION for Leave to File Amicus Brief addressed to Judge Katherine Polk Failla from Jesse C. Rose & Janos Marton dated August 13, 2020. Document filed by former Civilian Complaint Review Board employees..(Rose, Jesse) (Entered: 08/13/2020)
08/13/2020		First Supplemental ROA Sent to USCA (Electronic File). Certified Supplemental Indexed record on Appeal Electronic Files for all documents filed after the 39 Notice of Appeal including 109 LETTER MOTION for Leave to File Amicus Brief addressed to Judge Katherine Polk Failla from Jesse C. Rose & Janos Marton dated August 13, 2020, filed by former Civilian Complaint Review Board employees USCA Case Number 20-2400, were transmitted to the U.S. Court of Appeals. (tp) (Entered: 08/13/2020)
08/13/2020	110	ORDER granting 109 Letter Motion for Leave to File Document. Application GRANTED. The former CCRB employees may submit their amicus brief on or before August 14, 2020. (Signed by Judge Katherine Polk Failla on 8/13/2020) (rro) (Entered: 08/13/2020)
08/13/2020	111	MOTION for Bess Ibtisam Hanish to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21145429. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by LatinoJustice PRLDEF, Law for Black Lives, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Inc.. (Attachments: # 1 Declaration of Bess Ibtisam Hanish, # 2 California Certificate of Good Standing, # 3 Text of Proposed Order).(Hanish, Bess) (Entered: 08/13/2020)
08/13/2020		Set/Reset Deadlines: Brief due by 8/14/2020. (rro) (Entered: 08/18/2020)
08/14/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 111 MOTION for Bess Ibtisam Hanish to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number

		ANYSDC-21145429. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 08/14/2020)
08/14/2020	<u>112</u>	LETTER addressed to Judge Katherine Polk Failla from T. Komatsu, dated 8/14/20 re: This letter is in response to the memo endorsement which you issued yesterday in the case referenced above that corresponds to docket number 108. Procedural Due Process requires judges to comply with the rights pursuant to the First Amendment and Fourteenth Amendment that people have to be heard by them in an orderly manner in the absence of compelling and valid reasons etc. (sc) (Entered: 08/14/2020)
08/14/2020	<u>113</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>111</u> MOTION for Bess Ibtisam Hanish to Appear Pro Hac Vice. Accordingly, it is hereby ORDERED that Ms. Hanish is admitted to practice Pro Hac Vice in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/14/2020) (jca) (Entered: 08/14/2020)
08/14/2020	<u>114</u>	LETTER MOTION for Discovery <i>to be provided today.</i> addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated August 14, 2020. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Quinn, Rebecca) (Entered: 08/14/2020)
08/14/2020	<u>115</u>	ORDER granting <u>114</u> Letter Motion for Discovery. Application GRANTED. (Signed by Judge Katherine Polk Failla on 8/14/2020) (cf) (Entered: 08/14/2020)
08/14/2020	<u>116</u>	NOTICE OF APPEARANCE by Nathalia Alejandra Varela on behalf of LatinoJustice PRLDEF..(Varela, Nathalia) (Entered: 08/14/2020)
08/14/2020	<u>117</u>	MOTION for Enjoliqu D. Aytch Lett to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21159459. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Law Enforcement Action Partnership. (Attachments: # <u>1</u> Affidavit of Enjolique A. Lett, # <u>2</u> Exhibit A, # <u>3</u> Text of Proposed Order).(Aytch Lett, Enjolique) (Entered: 08/14/2020)
08/14/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>117</u> MOTION for Enjoliqu D. Aytch Lett

		to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21159459. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 08/14/2020)
08/14/2020	<u>118</u>	MOTION to File Amicus Brief . Document filed by Reporters Committee for Freedom of the Press. (Attachments: # <u>1</u> Proposed Amicus Brief).(Townsend, Katielynn) (Entered: 08/14/2020)
08/14/2020	<u>119</u>	NOTICE OF APPEARANCE by Cassandra Natasha Branch on behalf of New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,..(Branch, Cassandra) (Entered: 08/14/2020)
08/14/2020	<u>120</u>	LETTER MOTION for Leave to File Amicus Curiae Brief of the Progressive Caucus of the New York City Council addressed to Judge Katherine Polk Failla from Aaron Marks, P.C. dated 08/14/2020. Document filed by Progressive Caucus of the New York City Council. (Attachments: # <u>1</u> Proposed Amicus Curiae Brief).(Marks, Aaron) (Entered: 08/14/2020)
08/14/2020	<u>121</u>	NOTICE OF APPEARANCE by Aaron Harvey Marks on behalf of Progressive Caucus of the New York City Council..(Marks, Aaron) (Entered: 08/14/2020)
08/14/2020	<u>122</u>	NOTICE OF APPEARANCE by Joseph Myer Sanderson on behalf of Progressive Caucus of the New York City Council..(Sanderson, Joseph) (Entered: 08/14/2020)
08/14/2020	<u>123</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Jeremy F. Wood to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21161957. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,. (Attachments: # <u>1</u> Affidavit of Jeremy Wood, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order).(Reynolds, Pamela) Modified on 8/14/2020 (bcu). (Entered: 08/14/2020)
08/14/2020	<u>124</u>	BRIEF re: <u>83</u> Order on Motion to File Amicus Brief . Document filed by Law Enforcement Action Partnership..(Fraser, Brian) (Entered: 08/14/2020)
08/14/2020	<u>125</u>	MEMORANDUM OF LAW in Support re: <u>109</u> LETTER MOTION for Leave to File Amicus Brief addressed to Judge Katherine Polk Failla from Jesse C. Rose & Janos Marton dated August 13, 2020. <i>BRIEF OF AMICI CURIAE FORMER COUNSELS AND INVESTIGATORS OF THE CIVILIAN COMPLAINT REVIEW BOARD IN OPPOSITION TO PLAINTIFFS MOTION FOR A PRELIMINARY INJUNCTION.</i>

		Document filed by former Civilian Complaint Review Board employees. (Attachments: # 1 Exhibit A).(Rose, Jesse) (Entered: 08/14/2020)
08/14/2020		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. 123 MOTION for Jeremy F. Wood to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21161957. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): missing Certificate of Good Standing from Supreme Court of Washington;. Re-file the motion as a Corrected Motion to Appear Pro Hac Vice - attach the correct signed PDF - select the correct named filer/filers - attach valid Certificates of Good Standing issued within the past 30 days - attach Proposed Order.. (bcu) (Entered: 08/14/2020)
08/14/2020	126	LETTER MOTION for Leave to File Excess Pages addressed to Judge Katherine Polk Failla from Pamela S.C. Reynolds dated August 14, 2020. Document filed by New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,..(Reynolds, Pamela) (Entered: 08/14/2020)
08/14/2020	127	NOTICE OF APPEARANCE by Joseph James Flanagan on behalf of New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,..(Flanagan, Joseph) (Entered: 08/14/2020)
08/14/2020	128	ORDER granting 120 Letter Motion for Leave to File Document. Application Granted. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/14/2020) (ama) (Entered: 08/14/2020)
08/14/2020	129	BRIEF re: 128 Order on Motion for Leave to File Document <i>Amicus Curiae Brief of the Progressive Caucus of the New York City Council</i> . Document filed by Progressive Caucus of the New York City Council..(Marks, Aaron) (Entered: 08/14/2020)
08/14/2020	130	NOTICE OF APPEARANCE by Christopher Cariello on behalf of Communities United for Police Reform..(Cariello, Christopher) (Entered: 08/14/2020)
08/14/2020	131	BRIEF re: 100 Order on Motion for Leave to File Document (<i>Brief of Amici Curiae NAACP Legal Defense and Educational Fund, Inc., Lawyers' Committee for Civil Rights Under Law, LatinoJustice PRLDEF, and Law for Black Lives in Opposition to Plaintiffs' Motion for a Preliminary Injunction</i>). Document filed by LatinoJustice PRLDEF, Law for Black Lives, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Inc...(Hollinger, Chris) (Entered: 08/14/2020)

08/14/2020	<u>132</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - AMENDED MOTION for Jeremy F. Wood to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,. (Attachments: # <u>1</u> Affidavit Jeremy F. Wood, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order).(Wood, Jeremy) Modified on 8/17/2020 (bcu). (Entered: 08/14/2020)
08/14/2020	<u>133</u>	RESPONSE re: <u>97</u> Order,,,, <i>PROPOSED INTERVENOR'S MEMORANDUM OF LAW OF PROPOSED INTERVENOR COMMUNITIES UNITED FOR POLICE REFORM IN OPPOSITION TO PLAINTIFFS REQUEST FOR A PRELIMINARY INJUNCTION.</i> Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	<u>134</u>	FIRST MEMORANDUM OF LAW in Opposition to <i>Plaintiffs' Motion for a Preliminary Injunction.</i> Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 08/14/2020)
08/14/2020	<u>135</u>	DECLARATION of Kami Z. Barker in Opposition re: <u>134</u> Memorandum of Law in Opposition,. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. (Attachments: # <u>1</u> A, # <u>2</u> B, # <u>3</u> C, # <u>4</u> D, # <u>5</u> E, # <u>6</u> F, # <u>7</u> G, # <u>8</u> H, # <u>9</u> I, # <u>10</u> J, # <u>11</u> K, # <u>12</u> L, # <u>13</u> M, # <u>14</u> N, # <u>15</u> O, # <u>16</u> P, # <u>17</u> Q, # <u>18</u> R, # <u>19</u> S, # <u>20</u> T, # <u>21</u> U, # <u>22</u> V, # <u>23</u> W, # <u>24</u> X).(Barker, Kami) (Entered: 08/14/2020)
08/14/2020	<u>136</u>	DECLARATION of ANDREA RITCHIE re: <u>133</u> Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORMS OPPOSITION TO PLAINTIFFS REQUEST FOR A PRELIMINARY INJUNCTION.</i> Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	<u>137</u>	DECLARATION of ASSEMBLYMAN MICHAEL BLAKE re: <u>133</u> Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORMS OPPOSITION TO PLAINTIFFS REQUEST FOR A PRELIMINARY INJUNCTION.</i> Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	<u>138</u>	DECLARATION of BRENDAN COX re: <u>133</u> Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORMS OPPOSITION TO PLAINTIFFS REQUEST FOR A PRELIMINARY</i>

		<i>INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	139	BRIEF re: 104 Order on Motion to File Amicus Brief . Document filed by New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,..(Reynolds, Pamela) (Entered: 08/14/2020)
08/14/2020	140	DECLARATION of COUNCILMAN DONOVAN RICHARDS re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORMS OPPOSITION TO PLAINTIFFS REQUEST FOR A PRELIMINARY INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	141	MOTION for Leave to File Brief of Amici Curiae . Document filed by CommonCause/New York, Reinvent Albany, Citizens Union/Citizens Union Foundation, BetaNYC. (Attachments: # 1 Brief of Amici Curiae Common Cause/New York, Reinvent Albany, Citizens Union/Citizens Union Foundation, and BetaNYC in Support of Defendants and Dismissal).(Murphy, Sean) (Entered: 08/14/2020)
08/14/2020	142	DECLARATION of DELORES JONES-BROWN re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORMS OPPOSITION TO PLAINTIFFS REQUEST FOR A PRELIMINARY INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	143	DECLARATION of DR. SAMUEL WALKER re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORM'S OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	144	DECLARATION of JAMIE KALVEN re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORM'S OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	145	DECLARATION of KADIATOU DIALLO re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORM'S OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	146	DECLARATION of MICHAEL J. GENNACO re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORM'S OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY</i>

		<i>INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	147	DECLARATION of JUMAANE D. WILLIAMS re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORM'S OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	148	DECLARATION of SENATOR JULIA SALAZAR re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORM'S OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	149	DECLARATION of SUSAN LERNER re: 133 Response, <i>IN SUPPORT OF COMMUNITIES UNITED FOR POLICE REFORM'S OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY INJUNCTION</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/14/2020)
08/14/2020	150	LETTER MOTION to File Amicus Brief addressed to Judge Katherine Polk Failla from Joel M. Cohen dated August 14, 2020. Document filed by Girls for Gender Equity, Inc., Transgender Law Center. (Attachments: # 1 Exhibit A- Proposed Amicus Brief).(Cohen, Joel) (Entered: 08/14/2020)
08/14/2020	151	RESPONSE re: 85 Order on Motion to File Amicus Brief, <i>[Brief of Justice Committee Inc. as Amicus Curiae in Opposition to Plaintiff's Motion for a Preliminary Injunction]</i> . Document filed by Justice Committee Inc...(Squire, Russell) (Entered: 08/14/2020)
08/14/2020	152	BRIEF re: 85 Order on Motion to File Amicus Brief, <i>[Brief of Justice Committee Inc. as Amicus Curiae in Opposition to Plaintiff's Motion for a Preliminary Injunction]</i> . Document filed by Justice Committee Inc...(Kornblau, David) (Entered: 08/14/2020)
08/14/2020	153	DECLARATION of Royce Russell re: 152 Brief of Justice Committee Inc. as Amicus Curiae in Opposition to Plaintiff's Motion for a Preliminary Injunction. Document filed by Justice Committee Inc...(Kornblau, David) (Entered: 08/14/2020)
08/14/2020	154	DECLARATION of Loyda Colon re: 152 Brief of Justice Committee Inc. as Amicus Curiae in Opposition to Plaintiff's Motion for a Preliminary Injunction. Document filed by Justice Committee Inc.. (Attachments: # 1 Exhibit A. Justice Committee June 2018 Memo, # 2 Exhibit B. Justice Committee April 2019 Memo, # 3 Exhibit C.

		Loyda Colon testimony, # 4 Exhibit D. Constance Malcolm October 17, 2019 Testimony, # 5 Exhibit E. Constance Malcolm October 24, 2019 Testimony, # 6 Exhibit F. Gwen Carr October 17, 2019 Testimony, # 7 Exhibit G. Gwen Carr October 24, 2019 Testimony).(Kornblau, David) (Entered: 08/14/2020)
08/14/2020	155	DECLARATION of Russell M. Squire re: 152 <i>Brief of Justice Committee Inc. as Amicus Curiae in Opposition to Plaintiff's Motion for a Preliminary Injunction</i> . Document filed by Justice Committee Inc.. (Attachments: # 1 Exhibit A. N.Y. Times article dated June 14, 2012, # 2 Exhibit B. CCRB findings for Philip Atkins, # 3 Exhibit C. Think Progress article dated Mar. 28, 2017, # 4 Exhibit D. N.Y. Times article dated Mar. 13, 2013, # 5 Exhibit E. N.Y. Daily News article dated Mar. 15, 2013, # 6 Exhibit F. CCRB findings for Mourad Mourad, # 7 Exhibit G. CCRB findings for Jovaniel Cordova, # 8 Exhibit H. AP article dated July 16, 2019, # 9 Exhibit I. Think Progress article dated Mar. 21, 2017, # 10 Exhibit J. N.Y. Daily News article dated July 8, 2016, # 11 Exhibit K. N.Y. Times article dated Oct. 9, 1998).(Squire, Russell) (Entered: 08/14/2020)
08/14/2020	156	SUPPLEMENTAL MEMORANDUM OF LAW in Support of <i>Motion for a Preliminary Injunction</i> . Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A (Initial Memorandum of Law)).(Coles, Anthony) (Entered: 08/14/2020)
08/14/2020	157	DECLARATION of Anthony P. Coles in Support re: 156 Memorandum of Law in Support,,. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit 1 (Declaration of Heidi Grossman), # 2 Exhibit 2 (First Jamieson Declaration), # 3 Exhibit 3 (Declaration of Robert Barrows), # 4 Exhibit 4 (NYPD 30(b)(6) Deposition Excerpts), # 5 Exhibit 5 (Declaration of Terryl L. Brown), # 6 Exhibit 6 (Expert Report of Dr. Jon Shane), # 7 Exhibit 7 (Municipal Labor Committee Position), # 8 Exhibit 8 (July 8, 2020 PBA Letter), # 9 Exhibit 9 (June 29, 2020 PBA Letter), # 10 Exhibit 10 (CCRB 30(b)(6) Deposition Excerpts), # 11 Exhibit 11 (DOC 30(b)(6) Deposition Excerpts), # 12 Exhibit 12

		(FDNY 30(b)(6) Deposition Excerpts), # 13 Exhibit 13 (Second Jamieson Declaration), # 14 Exhibit 14 (U.S. DOJ Press Release), # 15 Exhibit 15 (PBA Request for Arbitration), # 16 Exhibit 16 (SBA Request for Arbitration), # 17 Exhibit 17 (LBA Request for Arbitration), # 18 Exhibit 18 (CEA Request for Arbitration)).(Coles, Anthony) (Entered: 08/14/2020)
08/14/2020	158	AFFIDAVIT of Joseph Alejandro in Support re: 156 Memorandum of Law in Support,,. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 08/14/2020)
08/14/2020	159	NOTICE OF APPEARANCE by Lawrence Edward Buterman on behalf of New York Civil Liberties Union..(Buterman, Lawrence) (Entered: 08/14/2020)
08/14/2020	160	NOTICE OF APPEARANCE by Jamie Lynne Wine on behalf of New York Civil Liberties Union..(Wine, Jamie) (Entered: 08/14/2020)
08/14/2020	161	BRIEF of Amicus Curiae The New York Civil Liberties Union in Support of Respondents/Defendants. Document filed by New York Civil Liberties Union..(Wine, Jamie) (Entered: 08/14/2020)
08/14/2020	162	NOTICE OF APPEARANCE by Kayla Marie Rooney on behalf of The Legal Aid Society..(Rooney, Kayla) (Entered: 08/14/2020)
08/14/2020	163	BRIEF re: 69 Order on Motion to File Amicus Brief . Document filed by Center on Race, Inequality, and the Law at New York University School of Law..(Mays, Charlita) (Entered: 08/14/2020)
08/14/2020	164	BRIEF of Amicus Curiae The Legal Aid Society. Document filed by The Legal Aid Society..(Cooper, Roger) (Entered: 08/14/2020)
08/15/2020	165	NOTICE OF APPEARANCE by Aaron M. Francis on behalf of The Legal Aid Society..(Francis, Aaron) (Entered: 08/15/2020)
08/17/2020		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. 132 AMENDED MOTION for Jeremy F. Wood to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): missing Certificate of Good Standing from SUPREME COURT OF WASHINGTON;. Re-file the motion as a Corrected Motion to

		Appear Pro Hac Vice - attach the correct signed PDF - select the correct named filer/filers - attach valid Certificates of Good Standing issued within the past 30 days - attach Proposed Order.. (bcu) (Entered: 08/17/2020)
08/17/2020	<u>166</u>	LETTER MOTION for Conference re: <u>157</u> Declaration in Support,,,,, <i>regarding Expert Report of Dr. Jon Shane</i> addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated August 17, 2020. Document filed by Cynthia Brann, City of New York, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Quinn, Rebecca) (Entered: 08/17/2020)
08/17/2020	<u>167</u>	ORDER granting <u>126</u> Letter Motion for Leave to File Excess Pages. Application GRANTED. The Caucus may have a two-page extension, but nothing more. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/14/2020) (rro) (Entered: 08/17/2020)
08/17/2020	<u>168</u>	LETTER MOTION for Oral Argument (<i>Request to Participate in the August 18, 2020 hearing on Plaintiffs' application for preliminary injunction</i>) addressed to Judge Katherine Polk Failla from Alex V. Chachkes and Christopher J. Cariello dated 8/17/2020. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/17/2020)
08/17/2020	<u>169</u>	MOTION for Joel D. Bertocchi to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21186386. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Law Enforcement Action Partnership. (Attachments: # <u>1</u> Affidavit of Joel D. Bertocchi, # <u>2</u> Exhibit A, # <u>3</u> Text of Proposed Order).(Bertocchi, Joel) (Entered: 08/17/2020)
08/17/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>169</u> MOTION for Joel D. Bertocchi to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21186386. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 08/17/2020)
08/17/2020	<u>170</u>	MOTION for John R. Fowler to Appear Pro Hac Vice <i>for Lawyers' Committee for Civil Rights Under Law</i> . Filing fee \$ 200.00, receipt number ANYSDC-21187936. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Lawyers' Committee for Civil Rights Under Law. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Text of Proposed Order).(Fowler, John) (Entered: 08/17/2020)

08/17/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 170 MOTION for John R. Fowler to Appear Pro Hac Vice for Lawyers' Committee for Civil Rights Under Law. Filing fee \$ 200.00, receipt number ANYSDC-21187936. Motion and supporting papers to be reviewed by Clerk'. The document has been reviewed and there are no deficiencies. (wb) (Entered: 08/17/2020)
08/17/2020	171	ORDER: The hearing in this matter, scheduled for August 18, 2020, at 2:00 p.m., will proceed by video conference with audio access as follows: Dial-in: (888) 363-4749 with Access Code: 5123533. The Court will provide instructions for accessing the conference for video participants separately. SO ORDERED. (Telephone Conference set for 8/18/2020 at 02:00 PM before Judge Katherine Polk Failla.) (Signed by Judge Katherine Polk Failla on 8/17/2020) (rro) (Entered: 08/17/2020)
08/17/2020	172	MOTION for Samir Deger-Sen to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21189233. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by New York Civil Liberties Union. (Attachments: # 1 Declaration of Samir Deger-Sen in Support of Motion for Admission Pro Hac Vice, # 2 Exhibit A - Certificate of Good Standing, # 3 Text of Proposed Order).(Deger-Sen, Samir) (Entered: 08/17/2020)
08/17/2020	173	BRIEF re: 69 Order on Motion to File Amicus Brief, 163 Brief , <i>Corrected Amicus Brief</i> . Document filed by Center on Race, Inequality, and the Law at New York University School of Law..(Mays, Charlita) (Entered: 08/17/2020)
08/17/2020	174	NOTICE OF APPEARANCE by Ashok Chandran on behalf of LatinoJustice PRLDEF, Law for Black Lives, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Inc...(Chandran, Ashok) (Entered: 08/17/2020)
08/17/2020	175	NOTICE OF APPEARANCE by Jin Hee Lee on behalf of LatinoJustice PRLDEF, Law for Black Lives, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Inc...(Lee, Jin Hee) (Entered: 08/17/2020)
08/17/2020	176	NOTICE OF APPEARANCE by John Spencer Cusick on behalf of LatinoJustice PRLDEF, Law for Black Lives, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Inc...(Cusick, John) (Entered: 08/17/2020)
08/17/2020	177	LETTER RESPONSE in Opposition to Motion addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 08/17/2020 re: 166 LETTER MOTION for Conference re: 157 Declaration in

		Support,,,,, <i>regarding Expert Report of Dr. Jon Shane</i> addressed to Judge Katherine Polk Failla from Rebecca Quinn and Dominique Saint-Fort dated August 17, 2020. . Document filed by Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 08/17/2020)
08/17/2020	178	ORDER FOR ADMISSION PRO HAC VICE granting 117 Motion for Enjolique Aytch Lett to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/17/2020) (rro) Modified on 8/18/2020 (rro). (Entered: 08/18/2020)
08/17/2020	179	ORDER FOR ADMISSION PRO HAC VICE granting 170 Motion for John R. Fowler to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/17/2020) (rro) (Entered: 08/18/2020)
08/17/2020	180	ORDER FOR ADMISSION PRO HAC VICE granting 172 Motion for Samir Deger-Sen to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/17/2020) (rro) (Entered: 08/18/2020)
08/17/2020	181	ORDER FOR ADMISSION PRO HAC VICE granting 169 Motion for Joel D. Bertocchi to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/17/2020) (rro) (Entered: 08/18/2020)
08/17/2020	182	ORDER granting 150 Letter Motion to File Amicus Brief. Application GRANTED. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/17/2020) (rro) (Entered: 08/18/2020)
08/17/2020	183	ORDER granting 168 Letter Motion for Oral Argument. The Court is in receipt of the above-letter request from proposed intervenors CPR. Counsel for CPR should appear at the hearing on August 18, 2020, at 2:00 p.m. At that time, the Court will hear from CPR as appropriate. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/17/20) (yv) (Entered: 08/18/2020)
08/17/2020	184	MEMO ENDORSEMENT granting 141 Motion for Leave to File Document. ENDORSEMENT: Application GRANTED. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/17/2020) (rro) (Entered: 08/18/2020)
08/17/2020	185	MEMO ENDORSED ORDER granting 118 Motion to File Amicus Brief. ENDORSEMENT: Application GRANTED. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/17/20) (yv) (Entered: 08/18/2020)

08/18/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>172</u> MOTION for Samir Deger-Sen to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21189233. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 08/18/2020)
08/18/2020	<u>186</u>	NOTICE OF APPEARANCE by Alec Schierenbeck on behalf of LatinoJustice PRLDEF, Law for Black Lives, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Inc...(Schierenbeck, Alec) (Entered: 08/18/2020)
08/18/2020	<u>187</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Arthur E. Ago to Appear Pro Hac Vice <i>for Lawyers' Committee for Civil Rights Under Law</i> . Filing fee \$ 200.00, receipt number ANYSDC-21210837. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Lawyers' Committee for Civil Rights Under Law. Return Date set for 8/18/2020 at 05:00 PM. (Attachments: # <u>1</u> Pro hac vice - proposed order, # <u>2</u> Certificate of good standing, # <u>3</u> Personal statement/affidavit).(Ago, Arthur) Modified on 8/19/2020 (bcu). (Entered: 08/18/2020)
08/18/2020	<u>188</u>	MOTION for Michael Alan Sisitzky to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21211917. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by New York Civil Liberties Union. (Attachments: # <u>1</u> Affidavit of Michael Sisitzky, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order).(Sisitzky, Michael) (Entered: 08/18/2020)
08/18/2020		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. <u>187</u> MOTION for Arthur E. Ago to Appear Pro Hac Vice <i>for Lawyers' Committee for Civil Rights Under Law</i> . Filing fee \$ 200.00, receipt number ANYSDC-21210837. Motion and supporting papers to be reviewed by Clerk's.. The filing is deficient for the following reason(s): Missing Attorney Affidavit/Declaration per local rule 1.3. Please do not attach admission application which is not required.;. Re-file the motion as a Corrected Motion to Appear Pro Hac Vice - attach the correct signed PDF - select the correct named filer/filers - attach valid Certificates of Good Standing issued within the past 30 days - attach Proposed Order.. (bcu) (Entered: 08/18/2020)
08/18/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>188</u> MOTION for Michael Alan Sisitzky to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21211917. Motion and supporting papers to be reviewed

		by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 08/18/2020)
08/18/2020		Minute Entry for proceedings held before Judge Katherine Polk Failla: Preliminary Conference Hearing held on 8/18/2020. Anthony Paul Coles and Courtney Gilligan Saleski representing Plaintiff present. Dominique F. Saint-Fort, Kami Zumbach Barker, and Rebecca Gibson Quinn representing Defendants present. Christopher Dunn, Michael Sisitzky, and Samir Deger-Sen representing NYCLU present. Christopher Cariello representing Communities United for Police Reform present. Corey Stoughton representing The Legal Aid Society present. Charlita Mays representing NYU School of Law Center on Race, Inequality, and the Law present. Enjolique D. Aytch Lett representing Law Enforcement Action Partnership present. David Leon Kornblau representing Justice Committee Inc. present. Pamela S. Reynolds representing New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus present. Joseph Myer Sanderson representing Progressive Caucus of the New York City Council present. Joel M. Cohen representing Girls for Gender Equity, Inc. and Transgender Law Center present. The Court will issue its decision at its earliest opportunity. Defendants are to coordinate a motion briefing schedule with Plaintiffs once the Court has rendered its decision. (See transcript). (Court Reporter Paula Speer) (tn) (Entered: 08/19/2020)
08/19/2020	189	AMENDED MOTION for Arthur E. Ago to Appear Pro Hac Vice <i>for Lawyers' Committee for Civil Rights Under Law</i> . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Lawyers' Committee for Civil Rights Under Law. Return Date set for 8/19/2020 at 05:00 PM. (Attachments: # 1 Affidavit of admission pro hac vice, # 2 Certificate of good standing, # 3 Proposed order of admission pro hac vice).(Ago, Arthur) (Entered: 08/19/2020)
08/19/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 189 AMENDED MOTION for Arthur E. Ago to Appear Pro Hac Vice <i>for Lawyers' Committee for Civil Rights Under Law</i>. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 08/19/2020)
08/19/2020	190	ORDER FOR ADMISSION PRO HAC VICE granting 188 Motion for Michael Alan Sisitzky to Appear Pro Hac Vice. Accordingly, it is hereby ORDERED that Mr. Sisitzky is admitted to practice Pro Hac Vice in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules

		governing discipline of attorneys. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/19/2020) (kv) (Entered: 08/19/2020)
08/20/2020	191	LETTER addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 08/20/2020 re: New development concerning the Request for Arbitration by the Police Benevolent Association ("PBA") discussed in the hearing on the Union's motion for a preliminary injunction.. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A - Petition Challenging Arbitrability).(Coles, Anthony) (Entered: 08/20/2020)
08/20/2020	192	ORDER of USCA (Certified Copy) as to 39 Corrected Notice of Appeal, filed by Police Benevolent Association of the City of New York, Inc., Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York, Captains Endowment Association, Sergeants Benevolent Association. USCA Case Number 20-2400. Upon due consideration, and after oral argument, the Plaintiff-Appellant's motion for a stay, pending appeal, of the district court's order entered July 29, 2020, is DENIED. This denial terminates this Court's order, entered July 30, 2020, which stayed the District Court's July 29, 2020, order pending disposition by this panel of the motion for a stay pending appeal. This panel's opinion will follow. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 08/20/2020..(nd) (Entered: 08/20/2020)
08/20/2020	193	ORDER FOR ADMISSION PRO HAC VICE granting 189 Motion for Arthur E. Ago to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/20/2020) (rro) (Entered: 08/20/2020)
08/20/2020		NOTICE OF HEARING: A conference has been scheduled for August 21, 2020 at 12:00 p.m., which will be held telephonically, wherein the Court will issue its oral ruling. At the scheduled time, the parties are to call (888) 363-4749 and enter access code 5123533. Please note that the conference will not be available until 12:00 p.m. ***No PDF is attached to this entry. (Telephone Conference set for 8/21/2020 at 12:00 PM before Judge Katherine Polk Failla.).(tn) (Entered: 08/20/2020)
08/20/2020	194	AMENDED MOTION for Jeremy F. Wood to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's

		Office staff. Document filed by New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,. (Attachments: # 1 Affidavit of Jeremy F. Wood, # 2 Certificate of Good Standing, # 3 Text of Proposed Order).(Wood, Jeremy) (Entered: 08/20/2020)
08/20/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 194 AMENDED MOTION for Jeremy F. Wood to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 08/20/2020)
08/20/2020	195	NOTICE OF APPEARANCE by Jeremy F Wood on behalf of New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus,..(Wood, Jeremy) (Entered: 08/20/2020)
08/21/2020	196	LETTER MOTION to Stay <i>Letter from Plaintiffs asking the Court to extend the stay of the Courts Order issued today until Wednesday, August 26, 2020, at 2pm</i> addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 08/21/2020. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 08/21/2020)
08/21/2020		Minute Entry for proceedings held before Judge Katherine Polk Failla: Telephonic Oral Ruling held on 8/21/2020. Anthony Paul Coles and Courtney Gilligan Saleski representing Plaintiff present. Dominique F. Saint-Fort, Kami Zumbach Barker, and Rebecca Gibson Quinn representing Defendants present. Christopher Dunn representing NYCLU present. Christopher Cariello representing Communities United for Police Reform present. Corey Stoughton representing The Legal Aid Society present. Cynthia Chen representing NYU School of Law Center on Race, Inequality, and the Law present. Enjolique D. Aytch Lett representing Law Enforcement Action Partnership present. Russell Matthew Squire representing Justice Committee Inc. present. Nathalia Varela representing Latino Justice PRLDEF present. Jin Hee representing NAACP Legal Defense and Educational Fund, Inc. Cassandra Branch and Jeremy Wood representing New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus present. Plaintiffs' motion for a preliminary injunction is DENIED IN PART and GRANTED IN PART as set forth on the record. The Court's ruling is STAYED until Monday, August 24, 2020 at 2:00 p.m., to afford Plaintiffs the opportunity to appeal its decision. Defendants are to

		coordinate a motion briefing schedule with Plaintiffs and submit a proposed joint schedule to the Court. (See transcript). (Court Reporter Lisa Smith) (tn) (Entered: 08/21/2020)
08/21/2020	197	ORDER: For the reasons stated in open court during the conference on August 21, 2020, Plaintiffs' motion for a preliminary injunction is DENIED IN PART and GRANTED IN PART. Plaintiffs' request for an injunction is granted to the extent that Defendants NYPD and CCRB may not disclose records of "Schedule A" command discipline violations, for cases heard in the Trial Room, and for which the disposition of the charge at trial or on review or appeal therefrom is other than "guilty," which records have been, are currently, or could in the future be the subject of a request to expunge the record of the case pursuant to § 8, for those officers covered by the Police Benevolent Association, Sergeants Benevolent Association, and Lieutenants Benevolent Association collective bargaining agreements. Plaintiffs' request for an injunction is denied in all other respects. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/21/2020) (rro) (Entered: 08/21/2020)
08/21/2020	198	ORDER FOR ADMISSION PRO HAC VICE granting 194 Motion for Jeremy F. Wood to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/21/2020) (rro) (Entered: 08/21/2020)
08/21/2020	199	ORDER granting 196 Letter Motion to Stay. Application GRANTED. The stay is extended to August 26, 2020, at 2:00 p.m. SO ORDERED. (Signed by Judge Katherine Polk Failla on 8/21/2020) (rro) (Entered: 08/21/2020)
08/24/2020	200	NOTICE OF INTERLOCUTORY APPEAL from 197 Order,,, Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. Filing fee \$ 505.00, receipt number ANYSDC-21295681. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit..(Coles, Anthony) (Entered: 08/24/2020)
08/24/2020		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 200 Notice of Interlocutory Appeal. (tp) (Entered: 08/24/2020)
08/24/2020		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 200 Notice of Interlocutory Appeal,, filed by Police Benevolent Association of the City of New

		York, Inc., Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York, Captains Endowment Association, Sergeants Benevolent Association were transmitted to the U.S. Court of Appeals..(tp) (Entered: 08/24/2020)
08/24/2020	201	LETTER addressed to Judge Katherine Polk Failla from Alex V. Chachkes and Christopher J. Cariello dated 8/24/2020 re: Ruling on pending Motion to Intervene. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/24/2020)
08/24/2020	202	MOTION for Racquel B. Martin to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21299095. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by LatinoJustice PRLDEF, Law for Black Lives, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Inc.. (Attachments: # 1 Declaration of Racquel B. Martin in Support of Motion for Admission Pro Hac Vice, # 2 California Certificate of Good Standing, # 3 Tennessee Certificate of Good Standing, # 4 Text of Proposed Order).(Martin, Racquel) (Entered: 08/24/2020)
08/24/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 202 MOTION for Racquel B. Martin to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-21299095. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (vba) (Entered: 08/24/2020)
08/24/2020	203	FIRST LETTER addressed to Judge Katherine Polk Failla from Kami Zumbach Barker, for defendants, dated August 24, 2020 re: briefing schedule for defendants' motion to dismiss. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 08/24/2020)
08/24/2020	204	ORDER FOR ADMISSION PRO HAC VICE granting 202 Motion for Racquel B. Martin to Appear Pro Hac Vice. (Signed by Judge Katherine Polk Failla on 8/24/2020) (rro) (Entered: 08/24/2020)
08/25/2020	205	MEMO ENDORSEMENT on re: 203 Letter, filed by Cynthia Brann, Dermot F. Shea, Fire Department of the City of New York, New York City Police Department, New York City Department of Correction, Civilian Complaint Review Board, City of New York, Bill de Blasio, Daniel A. Nigro, Frederick Davie. ENDORSEMENT: The Court is in

		receipt of the above letter from the parties proposing a briefing schedule for the Defendants' motion to dismiss. (Dkt. #203). The proposed schedule is approved. Defendants' will file their motion by September 4, 2020; Plaintiffs' opposition is due by October 2, 2020; and Defendants' reply is due by October 16, 2020. (Motions due by 9/4/2020., Responses due by 10/2/2020, Replies due by 10/16/2020.) (Signed by Judge Katherine Polk Failla on 8/25/2020) (cf) (Entered: 08/25/2020)
08/25/2020	206	ORDER granting in part and denying in part 41 Motion to Intervene. With respect to the standard for intervention of right, the Court concludes that CPR has not overcome the "presumption of adequaterepresentation" that exists "when there is an identity of interest between theputative intervenor and an existing party to the action." Butler, Fitzgerald & Potter v. Sequa Corp., 250 F.3d 171, 180 (2d Cir. 2001). The existing Defendants share CPR's interest in ensuring the affected public agencies' compliance with New York's Freedom of Information Law following repeal of N.Y. Civil Rights Law § 50-a, and CPR has not shown evidence of "collusion,adversity of interest, nonfeasance, or incompetence" sufficient to overcome thepresumption of adequacy of representation. Id. CPR's request to intervene asa matter of right is therefore DENIED. Nonetheless, the Court found CPR's briefing opposing the Defendants'motion for a preliminary injunction to be substantially helpful in resolving thepreliminary injunction motion because it presented unique information andinsights. Thus, the Court concludes that CPR's participation moving forwardwould "significantly contribute to full development of the underlying factualissues in the suit and to the just and equitable adjudication of the legalquestions presented." H.L. Hayden Co. of N.Y., Inc. v. Siemens Med. Sys., Inc., 797 F.2d 85, 89 (2d Cir. 1986). Accordingly, CPR's motion for permissiveintervention is GRANTED. (Signed by Judge Katherine Polk Failla on 8/25/2020) (rro) (Entered: 08/25/2020)
08/26/2020	207	ORDER of USCA (Certified Copy) as to 200 Notice of Interlocutory Appeal, filed by Police Benevolent Association of the City of New York, Inc., Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York, Captains Endowment Association, Sergeants Benevolent Association USCA Case Number 20-2789. IT IS HEREBY ORDERED that, to the extent Appellants request an administrative stay of the district court's order until this motion is determined by a panel, that request is granted. The motion for a stay pending appeal is REFERRED to a three-judge motions panel. Any response to the stay motion must be filed by 5 p.m. on September 4, 2020, and any reply must be filed by 9 a.m. on

		September 11, 2020. The motion shall be heard by the next available motions panel after briefing is completed. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 8/26/2020..(tp) (Entered: 08/26/2020)
08/27/2020	208	OPINION of USCA (Certified Copy) as to 39 Corrected Notice of Appeal, filed by Police Benevolent Association of the City of New York, Inc., Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York, Captains Endowment Association, Sergeants Benevolent Association USCA Case Number 20-2400. The motion for a stay of the District Courts July 29 order pending appeal is denied, thereby terminating the emergency stay entered July 30. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 8/27/2020..(tp) (Entered: 08/27/2020)
08/28/2020	209	LETTER MOTION for Conference <i>re: Request for Pre-Motion Conference On Scheduling for Anticipated Motion to Dismiss</i> addressed to Judge Katherine Polk Failla from Alex V. Chachkes dated 8/28/2020. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 08/28/2020)
08/28/2020	210	LETTER RESPONSE to Motion addressed to Judge Katherine Polk Failla from Anthony Paul Coles dated August 28, 2020 re: 209 LETTER MOTION for Conference <i>re: Request for Pre-Motion Conference On Scheduling for Anticipated Motion to Dismiss</i> addressed to Judge Katherine Polk Failla from Alex V. Chachkes dated 8/28/2020. . Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 08/28/2020)
08/28/2020	211	TRANSCRIPT of Proceedings re: ORAL ARGUMENT held on 8/18/2020 before Judge Katherine Polk Failla. Court Reporter/Transcriber: Paula Speer, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/18/2020. Redacted Transcript Deadline set for 9/28/2020. Release of Transcript Restriction set for 11/27/2020..(McGuirk, Kelly) (Entered: 08/28/2020)

08/28/2020	212	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ORAL ARGUMENT proceeding held on 8/18/2020 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(McGuirk, Kelly) (Entered: 08/28/2020)
08/28/2020	213	FIRST LETTER addressed to Judge Katherine Polk Failla from Kami Zumbach Barker, for defendants, dated August 28, 2020 re: proposed amended briefing schedule. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 08/28/2020)
08/28/2020	214	MEMO ENDORSEMENT on re: 213 Letter, filed by Cynthia Brann, Dermot F. Shea, Fire Department of the City of New York, New York City Police Department, New York City Department of Correction, Civilian Complaint Review Board, City of New York, Bill de Blasio, Daniel A. Nigro, Frederick Davie. ENDORSEMENT: The Court is in receipt of Intervenor Communities United for Police Reform's letter requesting a pre-motion conference on scheduling for anticipated motions to dismiss (Dkt. #209), the Plaintiffs' letter in response (Dkt. #210), and the above letter from Defendants (Dkt. #213). The Court will dispense with the pre-motion conference and amend the briefing schedule as follows: Defendants will file their motion by September 4, 2020; CPR will file their motion by September 11, 2020; Plaintiffs will file their opposition by October 16, 2020; and Defendants and CPR will file their replies by October 30, 2020. Plaintiffs are directed to file a consolidated opposition brief of no longer than 40 pages. (Motions due by 9/11/2020., Responses due by 10/16/2020, Replies due by 10/30/2020.) (Signed by Judge Katherine Polk Failla on 8/28/2020) (rro) (Entered: 08/28/2020)
08/28/2020	215	MEMO ENDORSEMENT on re: 112 Letter. ENDORSEMENT: The Court is in receipt of the above letter from Mr. Komatsu (Dkt. 122). The Court will not alter its prior decision denying Mr. Komatsu intervention by right under Federal Rule of Civil Procedure 24(a) or permissive intervention under Rule 24(b). The Court believes all interests are adequately represented by the existing parties, including Intervenor Communities United for Police Reform ("CPR"). By separate order today (Dkt. #214), the Court set the following briefing schedule on expected motions to dismiss: Defendants' motion is due by September 4, 2020; CPR's motion is due by September 11, 2020;

		Plaintiffs' opposition is due by October 16, 2020; and Defendants' and CPR's replies are due by October 30, 2020. Any party seeking to participate as amicus curiae may seek to do so in accordance with this briefing schedule. (Motions due by 9/4/2020., Responses due by 9/11/2020, Replies due by 10/30/2020.) (Signed by Judge Katherine Polk Failla on 8/28/2020) Copies Mailed By Chambers. (rro) (Entered: 08/28/2020)
08/31/2020	216	TRANSCRIPT of Proceedings re: DECISON held on 8/21/2020 before Judge Katherine Polk Failla. Court Reporter/Transcriber: Lisa Smith, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/21/2020. Redacted Transcript Deadline set for 10/1/2020. Release of Transcript Restriction set for 11/30/2020..(McGuirk, Kelly) (Entered: 08/31/2020)
08/31/2020	217	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a DECISON proceeding held on 8/21/2020 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(McGuirk, Kelly) (Entered: 08/31/2020)
09/01/2020	218	MANDATE of USCA (Certified Copy) as to 39 Correction Notice of Appeal,, filed by Police Benevolent Association of the City of New York, Inc., Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York, Captains Endowment Association, Sergeants Benevolent Association USCA Case Number 20-2400. The parties in the above-referenced case have filed a stipulation withdrawing this appeal pursuant to FRAP 42. The stipulation is hereby "So Ordered".. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 09/01/2020..(nd) (Entered: 09/01/2020)
09/04/2020	219	FIRST MOTION to Dismiss <i>plaintiffs' Complaint/Petition</i> . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. Responses due by 10/16/2020 Return Date set for 10/30/2020 at 05:00 PM..(Barker, Kami) (Entered: 09/04/2020)

09/04/2020	220	FIRST MEMORANDUM OF LAW in Support re: 219 FIRST MOTION to Dismiss <i>plaintiffs' Complaint/Petition</i> . . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 09/04/2020)
09/08/2020	221	NOTICE OF APPEARANCE by Molly Griffard on behalf of The Legal Aid Society..(Griffard, Molly) (Entered: 09/08/2020)
09/11/2020	222	MOTION to Dismiss . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 09/11/2020)
09/11/2020	223	MEMORANDUM OF LAW in Support re: 222 MOTION to Dismiss . . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 09/11/2020)
09/17/2020	224	ORDER of USCA (Certified Copy) USCA Case Number 20-2789. Plaintiffs-Appellants seek a stay of the district court's August 21, 2020 order pending appeal. Upon due consideration, it is hereby ORDERED that the motion is GRANTED. See U.S. Sec. & Exch. Comm'n v. Citigroup Glob. Mkts. Inc., 673 F.3d 158, 162 (2d Cir. 2012). It is further ORDERED that the Clerks Office shall confer with the parties and enter an expedited briefing schedule for the appeal. Judge Lynch would deny the stay. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 9/17/2020. (tp) (Entered: 09/17/2020)
09/21/2020	225	NOTICE OF INTERLOCUTORY APPEAL from 197 Order,,, Document filed by Communities United for Police Reform. Filing fee \$ 505.00, receipt number ANYSDC-21751952. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit..(Chachkes, Alex) (Entered: 09/21/2020)
09/21/2020		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 225 Notice of Interlocutory Appeal,..(nd) (Entered: 09/21/2020)
09/21/2020		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 225 Notice of Interlocutory Appeal, filed by Communities United for Police Reform were transmitted to the U.S. Court of Appeals..(nd) (Entered: 09/21/2020)
09/25/2020	226	FIRST AMENDED COMPLAINT against Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro,

		Dermot F. Shea, Bill de Blasio.Document filed by Captains Endowment Association, Uniformed Firefighters Association of Greater New York, Uniformed Fire Officers Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association..(Coles, Anthony) (Entered: 09/25/2020)
10/02/2020	227	LETTER MOTION for Conference <i>re: Anticipated Motion to Dismiss the First Amended Complaint</i> addressed to Judge Katherine Polk Failla from Alex V. Chachkes dated 10/2/2020. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 10/02/2020)
10/05/2020	228	ORDER terminating 227 LETTER MOTION for Conference <i>re: Anticipated Motion to Dismiss the First Amended Complaint</i> . The Court is in receipt of the above letter from Intervenor CPR. Given the extensive prior briefing and argument on the issues likely to be addressed in a motion to dismiss, the Court will dispense with the pre-motion conference and adopt the parties' proposed briefing schedule. The City Defendants and CPR are hereby ORDERED to file any motion to dismiss the First Amended Complaint on or before October 16, 2020; Plaintiffs will file their opposition on or before November 6, 2020; and the City and CPR will file their replies on or before November 20, 2020. SO ORDERED.. (Signed by Judge Katherine Polk Failla on 10/5/2020) (jca) (Entered: 10/05/2020)
10/05/2020		Set/Reset Deadlines: Motions due by 10/16/2020. Responses due by 11/6/2020, Replies due by 11/20/2020. (jca) (Entered: 10/05/2020)
10/13/2020	229	LETTER addressed to Judge Katherine Polk Failla from Kami Z. Barker dated October 13, 2020 <i>re: request for page-limit extension</i> . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 10/13/2020)
10/14/2020	230	MEMO ENDORSEMENT on <i>re: 229</i> Letter, filed by Cynthia Brann, Dermot F. Shea, Fire Department of the City of New York, New York City Police Department, New York City Department of Correction, Civilian Complaint Review Board, City of New York, Bill de Blasio, Daniel A. Nigro, Frederick Davie. ENDORSEMENT: Application GRANTED. Defendants are authorized a 35-page opening submission; Plaintiffs are likewise authorized a 35-page opposition; and Defendants

		are authorized a 15-page reply. The parties are cautioned not to employ any font-size or formatting stratagems to reduce the number of pages in their submissions. (Signed by Judge Katherine Polk Failla on 10/14/2020) (rro) (Entered: 10/14/2020)
10/16/2020	231	LETTER MOTION for Leave to File Excess Pages addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 10/16/2020. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 10/16/2020)
10/16/2020	232	FIRST MOTION to Dismiss <i>Plaintiffs' First Amended Complaint</i> . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio. Responses due by 11/6/2020 Return Date set for 11/20/2020 at 05:00 PM..(Barker, Kami) (Entered: 10/16/2020)
10/16/2020	233	MEMORANDUM OF LAW in Support re: 232 FIRST MOTION to Dismiss <i>Plaintiffs' First Amended Complaint</i> . . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 10/16/2020)
10/16/2020	234	MOTION to Dismiss <i>First Amended Complaint</i> . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 10/16/2020)
10/16/2020	235	MEMORANDUM OF LAW in Support re: 234 MOTION to Dismiss <i>First Amended Complaint</i> . . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 10/16/2020)
10/16/2020	236	ORDER granting 231 Letter Motion for Leave to File Excess Pages: Application GRANTED. Plaintiffs shall file a consolidated opposition brief of no longer than 50 pages. (Signed by Judge Katherine Polk Failla on 10/16/2020) (jwh) (Entered: 10/16/2020)
11/06/2020	237	MEMORANDUM OF LAW in Opposition re: 234 MOTION to Dismiss <i>First Amended Complaint</i> ., 232 FIRST MOTION to Dismiss <i>Plaintiffs' First Amended Complaint</i> . . Document filed by

		Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York..(Coles, Anthony) (Entered: 11/06/2020)
11/17/2020	238	LETTER addressed to Judge Katherine Polk Failla from Kami Z. Barker dated November 17, 2020 re: reply page limit extension. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 11/17/2020)
11/17/2020	239	MEMO ENDORSEMENT on re: 238 Letter, filed by Cynthia Brann, Dermot F. Shea, Fire Department of the City of New York, New York City Police Department, New York City Department of Correction, Civilian Complaint Review Board, City of New York, Bill de Blasio, Daniel A. Nigro, Frederick Davie. ENDORSEMENT: Application GRANTED. SO ORDERED. (Signed by Judge Katherine Polk Failla on 11/17/2020) (mml) (Entered: 11/18/2020)
11/20/2020	240	REPLY MEMORANDUM OF LAW in Support re: 232 FIRST MOTION to Dismiss <i>Plaintiffs' First Amended Complaint</i> . . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 11/20/2020)
11/20/2020	241	REPLY MEMORANDUM OF LAW in Support re: 234 MOTION to Dismiss <i>First Amended Complaint</i> . . Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 11/20/2020)
12/04/2020	242	LETTER addressed to Judge Katherine Polk Failla from Anthony P. Coles dated 12/04/2020 re: Supplemental authority which bears on the pending motions to dismiss the First Amended Complaint. Document filed by Captains Endowment Association, Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Police Benevolent Association of the City of New York, Inc., Sergeants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York. (Attachments: # 1 Exhibit A - Empire Center for Public Policy v. New

		York City Police Pension Fund, Case No. 2020-01575 (Nov. 24, 2020)).(Coles, Anthony) (Entered: 12/04/2020)
12/07/2020	243	LETTER addressed to Judge Katherine Polk Failla from Kami Z. Barker dated December 7, 2020 re: plaintiffs' December 4, 2020 letter. Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Barker, Kami) (Entered: 12/07/2020)
12/21/2020	244	MOTION for Guadalupe V. Aguirre to Withdraw as Attorney . Document filed by Communities United for Police Reform. (Attachments: # 1 Certificate of Service).(Chachkes, Alex) (Entered: 12/21/2020)
12/21/2020	245	DECLARATION of Guadalupe V. Aguirre in Support re: 244 MOTION for Guadalupe V. Aguirre to Withdraw as Attorney .. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 12/21/2020)
12/22/2020	246	MEMO ENDORSEMENT granting 244 Motion to Withdraw as Attorney. ENDORSEMENT: Application GRANTED. The Clerk of Court is directed to terminate Ms. Aguirre as counsel of record for Intervenor-Respondent/Defendant Communities United for Police Reform. (Signed by Judge Katherine Polk Failla on 12/22/2020) (rro) (Entered: 12/22/2020)
01/12/2021	247	MOTION for Margaret Wheeler-Frothingham to Withdraw as Attorney . Document filed by Communities United for Police Reform. (Attachments: # 1 Certificate of Service).(Chachkes, Alex) (Entered: 01/12/2021)
01/12/2021	248	DECLARATION of Margaret Wheeler-Frothingham in Support re: 247 MOTION for Margaret Wheeler-Frothingham to Withdraw as Attorney .. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 01/12/2021)
01/13/2021	249	MEMO ENDORSEMENT granting 247 Motion to Withdraw as Attorney. ENDORSEMENT: Application GRANTED. The Clerk of Court is directed to terminate Ms. Wheeler-Frothingham as counsel of record for Intervenor-Respondent/Defendant Communities United for Police Reform. (Attorney Margaret Lee Wheeler-Frothingham terminated.0 (Signed by Judge Katherine Polk Failla on 1/13/2021) (rro) (Entered: 01/13/2021)

01/14/2021	250	LETTER addressed to Judge Katherine Polk Failla from Alex V. Chachkes dated 1/14/2021 re: Supplemental Authority. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 01/14/2021)
01/26/2021	251	FILING ERROR - DEFICIENT DOCKET ENTRY (SEE DOCUMENT #252) - NOTICE OF APPEARANCE by Rene Kathawala on behalf of Communities United for Police Reform..(Kathawala, Rene) Modified on 1/26/2021 (ldi). (Entered: 01/26/2021)
01/26/2021	252	NOTICE OF APPEARANCE by Renee B. Phillips on behalf of Communities United for Police Reform..(Phillips, Renee) (Entered: 01/26/2021)
01/26/2021	253	MOTION for Alex V. Chachkes to Withdraw as Attorney . Document filed by Communities United for Police Reform. (Attachments: # 1 Certificate of Service).(Chachkes, Alex) (Entered: 01/26/2021)
01/26/2021	254	DECLARATION of Alex. V. Chachkes in Support re: 253 MOTION for Alex V. Chachkes to Withdraw as Attorney .. Document filed by Communities United for Police Reform..(Chachkes, Alex) (Entered: 01/26/2021)
01/27/2021	255	ORDER granting 253 Motion to Withdraw as Attorney. Application GRANTED. The Clerk of Court is directed to terminate Mr. Chachkes as counsel of record for Intervenor-Defendant Communities United for Police Reform. Attorney Alex V. Chachkes terminated. (Signed by Judge Katherine Polk Failla on 1/27/2021) (nb) (Entered: 01/27/2021)
03/09/2021	256	MANDATE of USCA (Certified Copy) as to 225 Notice of Interlocutory Appeal, filed by Communities United for Police Reform, 200 Notice of Interlocutory Appeal,, filed by Police Benevolent Association of the City of New York, Inc., Correction Officers' Benevolent Association of the City of New York, Inc., Detectives' Endowment Association, Lieutenants Benevolent Association, Uniformed Fire Officers Association, Uniformed Firefighters Association of Greater New York, Captains Endowment Association, Sergeants Benevolent Association. USCA Case Number 20-2789-cv(L); 20-3177-cv(Xap). UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the order of the District Court is AFFIRMED.. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 3/9/2021..(nd) (Entered: 03/09/2021)
03/09/2021		Transmission of USCA Mandate to the District Judge re: 256 USCA Mandate,,,(nd) (Entered: 03/09/2021)

03/17/2021	257	LETTER MOTION for Conference <i>re: anticipated Motion to Modify the Preliminary Injunction</i> addressed to Judge Katherine Polk Failla from Renee Phillips dated 3/17/2021. Document filed by Communities United for Police Reform..(Phillips, Renee) (Entered: 03/17/2021)
03/22/2021	258	LETTER RESPONSE to Motion addressed to Judge Katherine Polk Failla from Dominique F. Saint-Fort and Kami Barker dated March 22, 2021 re: 257 LETTER MOTION for Conference <i>re: anticipated Motion to Modify the Preliminary Injunction</i> addressed to Judge Katherine Polk Failla from Renee Phillips dated 3/17/2021. . Document filed by Cynthia Brann, City of New York, Civilian Complaint Review Board, Frederick Davie, Fire Department of the City of New York, New York City Department of Correction, New York City Police Department, Daniel A. Nigro, Dermot F. Shea, Bill de Blasio..(Saint-Fort, Dominique) (Entered: 03/22/2021)
03/29/2021	259	MEMO ENDORSED ORDER on 258 LETTER RESPONSE; granting 257 Letter Motion for Conference re: 257 LETTER MOTION for Conference <i>re: anticipated Motion to Modify the Preliminary Injunction</i> addressed to Judge Katherine Polk Failla from Renee Phillips dated 3/17/2021. ENDORSEMENT: The Court is in receipt of the letter motion from Intervenor Communities United for Police Reform ("CPR") requesting a premotion conference regarding its anticipated Motion to Modify the Injunction (Dkt. #257), as well as Defendants' above response (Dkt. #258). Plaintiffs declined to submit a responsive letter. CPR's request for a conference is GRANTED. The parties are ORDERED to appear for a telephonic conference on April 13, 2021, at 12:00 p.m. At the specified date and time, the parties shall call (888) 363-4749 and enter access code 5123533#. Please note, the conference line will not be available before 12:00 p.m. The Clerk of Court is directed to terminate the motion at docket entry 257. Telephone Conference set for 4/13/2021 at 12:00 PM before Judge Katherine Polk Failla.. (Signed by Judge Katherine Polk Failla on 3/29/2021) (nb) (Entered: 03/29/2021)
03/29/2021	260	NOTICE OF APPEARANCE by Caitlin Carey Sikes on behalf of Communities United for Police Reform..(Sikes, Caitlin) (Entered: 03/29/2021)

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