

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:71-cv-02203-CSH-SCS**

Handschu, et al v. Special Serv. Div., et al
Assigned to: Judge Charles S. Haight
Referred to: Magistrate Judge Sol Schreiber
Demand: \$0
Cause: 42:1981 Equal Rights Under the Law

Date Filed: 05/18/1971
Date Terminated: 05/14/1985
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

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V.

Defendant

Special Services Division
also known as
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Defendant

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Defendant

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Defendant

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Defendant

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Objector

Wylie Stecklow

Objector

David Allen Thompson

Objector

Michael A. Hardy

Objector

Robin Wilson

Objector

Kurt Opprecht

Objector

Savitri D.

Objector

Erik McGregor

Date Filed	#	Docket Text
05/18/1971	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). (dcap) (Entered: 12/30/2002)
05/18/1971	2	Notice of Case Assignment to Judge David N. Edelstein . Copy of notice and judge's rules mailed to Attorney(s) of record:. (dcap) (Entered: 12/30/2002)
01/17/1973	11	ANSWER to Complaint by Patrick Murphy, John V. Lindsay (Attorney from the Firm:). (dcap) (Entered: 12/30/2002)
11/28/1973	22	NOTICE OF MOTION by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni to substitute party(ies) Donald F. Cawley, Willaim McCarthy, Howard Metzdorf, Thomas Schilling, Robert Howe and Captains Burke & Walsh of the Analysis Section of the Intelligence Division of the Police Dept. as defendants . Return Date 12/04/73 at 10:00 Room 2602. (dcap) (Entered: 12/30/2002)
11/28/1973	23	MEMORANDUM OF LAW by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni in support of [22-1] motion to substitute party(ies) Donald F. Cawley, Willaim McCarthy, Howard Metzdorf, Thomas Schilling, Robert Howe and Captains Burke & Walsh of the Analysis Section of the Intelligence Division of the Police Dept. as defendants. (dcap) (Entered: 12/30/2002)
12/13/1973		Memo endorsed on motion; granting [22-1] motion to substitute party(ies) Donald F. Cawley, Willaim McCarthy, Howard Metzdorf, Thomas Schilling, Robert Howe and Captains Burke & Walsh of the Analysis Section of the Intelligence Division of the Police Dept. as defendants. (signed by Judge Charles E. Stewart); (dcap) (Entered: 12/30/2002)
12/27/1973	24	NOTICE OF MOTION by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni to amend order entered on 12/13/73 to include Michael Codd, Michael Willis in place of Donald F. Cawley and Arthur Gubert Return Date 01/03/74. Affidavit attached. (dcap) (Entered: 12/30/2002)
01/07/1974		Memo endorsed on motion; granting [24-1] motion to amend order entered on 12/13/73 to include Michael Codd, Michael Willis in place of Donald F. Cawley and Arthur Gubert. (signed by Judge Charles E. Stewart); (dcap) (Entered: 12/30/2002)

04/01/1975		PRETRIAL CONFERENCE held before Judge Charles E. Stewart. (dcap) (Entered: 12/30/2002)
05/01/1976		Notice of reassignment to Judge Charles S. Haight. (dcap) (Entered: 12/30/2002)
07/23/1976		PRETRIAL CONFERENCE held before Judge Charles S. Haight. Exceptions to Magistrate's Rulings to be filed by both parties 09/30/76. (dcap) Modified on 12/30/2002 (Entered: 12/30/2002)
03/24/1977	53	ORDER,... that the Court approves and confirms the Report and Recommendation of Magistrate Judge Sol Schreiber and further discovery will be guided by the provisions of that report.... referring case again to Magistrate Judge Sol Schreiber for pre-trial procedures (signed by Judge Charles S. Haight); (dcap) (Entered: 12/30/2002)
05/11/1978		PRETRIAL CONFERENCE held before Magistrate Judge Sol Schreiber. (dcap) Modified on 12/30/2002 (Entered: 12/30/2002)
05/31/1978		PRETRIAL CONFERENCE held before Magistrate Judge Sol Schreiber. (dcap) Modified on 12/30/2002 (Entered: 12/30/2002)
06/21/1978		PRETRIAL CONFERENCE held before Magistrate Judge Sol Schreiber. (dcap) Modified on 12/30/2002 (Entered: 12/30/2002)
07/13/1978		PRETRIAL CONFERENCE held before Magistrate Judge Sol Schreiber. (dcap) Modified on 12/30/2002 (Entered: 12/30/2002)
07/14/1978		PRETRIAL CONFERENCE held before Magistrate Judge Sol Schreiber. (dcap) (Entered: 12/30/2002)
07/24/1978		PRETRIAL CONFERENCE held before Magistrate Judge Sol Schreiber. (dcap) (Entered: 12/30/2002)
08/02/1978		PRETRIAL CONFERENCE held before Magistrate Judge Sol Schreiber. (dcap) (Entered: 12/30/2002)
11/17/1978		PRETRIAL CONFERENCE held before Magistrate Judge Sol Schreiber. (dcap) (Entered: 12/30/2002)
02/28/1979	63	NOTICE OF MOTION by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni to certify class action . Return Date 03/23/79. (dcap) (Entered: 12/30/2002)
02/28/1979	64	MEMORANDUM OF LAW by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni in support of [63-1] motion to certify class action. (dcap) (Entered: 12/30/2002)
05/25/1979	65	MEMORANDUM OPINION # 48625, granting [63-1] motion to certify class action.... (signed by Judge Charles S. Haight); (dcap) (Entered: 12/30/2002)
09/14/1979		PRETRIAL CONFERENCE held before Judge Charles S. Haight. (dcap) (Entered: 12/30/2002)
06/07/1984		Oral argument held before Judge Charles S. Haight re: Briefs to be submitted to Court. (dcap) (Entered: 12/30/2002)
05/14/1985	168	JUDGMENT... that the proposed stipulation of settlement and accompanying guidelines are hereby approved as fair, reasonable and adequate,... as indicated... and this Order and Judgment constitutes a full and final adjudication of all claims made in this action,... and plaintiff's claims and those of plaintiff class are in all other respects dismissed with prejudice... (signed by Judge Charles S. Haight); Mailed copies and notice of right to appeal. Entered On Docket: 05/15/85. (dcap) (Entered: 12/30/2002)
05/14/1985		Case closed. (dcap) (Entered: 12/30/2002)
09/25/2002	265	NOTICE OF MOTION by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay

		for an order modifying the consent decree presently in effect in this action . Return Date Not Indicated. Attached are the Declaration of Gail Donoghue and the Declaration of Deputy Commissioner David Cohen. (dcap) (Entered: 12/30/2002)
09/25/2002	266	MEMORANDUM OF LAW by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay in support of [265-1] motion for an order modifying the consent decree presently in effect in this action. (dcap) (Entered: 12/30/2002)
09/25/2002	267	SCHEDULING ORDER,.... that a hearing will be held before this Court at 10:30 a.m. on October 16, 2002, in Room 17C, 500 Pearl Street, to consider the scheduling of submissions of papers on recent motions and to set a date to hear oral arguments (signed by Judge Charles S. Haight); (dcap) (Entered: 12/30/2002)
10/16/2002	268	ORDER.... vacating [267-1] Scheduling order that a hearing will be held before this Court at 10:30 a.m. on October 16, 2002, in Room 17C, 500 Pearl Street, to consider the scheduling of submissions of papers on recent motions and to set a date to hear oral arguments.... the parties are directed to submit a briefing schedule to the COurt. (signed by Judge Charles S. Haight); (dcap) (Entered: 12/30/2002)
10/16/2002	269	Memo-Endorsement on letter addressed to Honorable Charles S. Haight, Jr., dated October 10, 2002. Re:, I will defer consideration of this request until counsel for both sides are prepared to address it definitively . (signed by Judge Charles S. Haight) (dcap) (Entered: 12/30/2002)
10/16/2002	270	Memo-Endorsement on letter addressed to Honorable Charles S. Haight, Jr., from Gail Donoghue, Spec. Asst. to the Corporation Counsel, Defts Atty, dated October 10, 2002. Re: ...counsel for the class and ofr defendants... have agreed, subject to the approval of the Court, to a briefing schedule fr the application filed by defendants on September 25, 2002... Plaintiffs will serve and file their submission in opposition on 11/05/02. Defendants will file their reply submission on 11/26/02... The Court approves this schedule . (signed by Judge Charles S. Haight) (dcap) (Entered: 12/30/2002)
10/23/2002	271	NOTICE of ENTRY OF ORDER by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni. (dcap) (Entered: 12/30/2002)
10/25/2002	272	MEMORANDUM OPINION # 87608, Having considered the recent correspondence of counsel, the Court denies the application of the plaintiff class for an order directing the posting on the Court's website of defendants' submission in support of their application for modification of the consent decree entered in the captioned cases . (signed by Judge Charles S. Haight) (dcap) (Entered: 12/30/2002)
11/05/2002	273	MEMORANDUM OF LAW by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni in opposition to [265-1] motion for an order modifying the consent decree presently in effect in this action. (dcap) (Entered: 12/30/2002)
11/05/2002	274	DECLARATION of Jethro M. Eisenstein by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni in opposition Re: [265-1] motion for an order modifying the consent decree presently in effect in this action. (dcap) (Entered: 12/30/2002)
11/07/2002	275	Letter filed by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni addressed to Hon. Charles S. Haight, Jr., from Paul Chevigny, Atty for Plaintiffs, dated November 5, 2002, re: ... Declarations, Exhibits and Memorandum of Law in Opposition to the Defendants' Motion to Modify the Consent Decree submitted for filing. (dcap) (Entered: 12/30/2002)

11/12/2002	276	Letter filed by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni addressed to Gail Donoghue, Defts Atty from Franklin Siegel, Pliffs Atty, dated October 1, 2002, re: ...provide the addresses for service and telephone contact information... (dcap) (Entered: 12/30/2002)
11/19/2002	277	MEMORANDUM OPINION # 87733,... The Court will hold a hearing on Tuesday, December 3, 2002, at 2:30 p.m. in Room 17C, 500 Pearl Street, at which counsel will be expected to make oral submissions limited to whether the Court should grant defendants' application that the Court examine Cohen's supplementary declaration in camera and consider its contents, without revealing them to counsel for the plaintiff class, in deciding the defendants' underlying motion to modify the Handschu Consent Decree and implementing Guidelines (signed by Judge Charles S. Haight); (dcap) (Entered: 12/30/2002)
11/21/2002	278	SCHEDULING ORDER,... that the aforementioned hearing will instead be held before the COurt at 5:00 p.m. on December 3, 2002, in Room 17C, 500 Pearl Street . (signed by Judge Charles S. Haight) (dcap) (Entered: 12/30/2002)
11/26/2002	279	REPLY MEMORANDUM by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay re: in further support of [265-1] motion for an order modifying the consent decree presently in effect in this action. (dcap) (Entered: 12/30/2002)
11/26/2002	280	DECLARATION of Gail Donoghue and Deputy Commissioner David Cohen by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay Re: in reply to plaintiffs' submission. (dcap) (Entered: 12/30/2002)
12/03/2002	281	Memorandum to Docket Clerk: Hearing begun and concluded before Charles S. Haight Jr., Further submissions of counsel by 12/11/02. (dcap) Modified on 12/30/2002 (Entered: 12/30/2002)
12/09/2002	282	MEMORANDUM AND ORDER,... The Village Voice must either rest content with its pending FOIL request, or if desirous of asserting a claim for access based directly upon the Guidelines and this Court's prior opinion, file a formal motion with this Court for declaratory and injunctive relief, serving copies upon the defendants through the Corporation Counsel and upon class counsel ... (signed by Judge Charles S. Haight) (dcap) (Entered: 12/30/2002)
12/13/2002	283	Memorandum to Docket Clerk: Hearing begun and concluded before Judge Charles S. Haight, Jr.. (dcap) (Entered: 12/30/2002)
12/13/2002	284	ORDER, The parties in this case, having raised discovery issues relating to the underlying motion to modify the consent decree presently in effect in this action, are hereby directed that a hearing to consider these discovery issues will be held before this Court at 12:00 p.m. on December 13, 2002, in Room 17C, 500 Pearl Street . (signed by Judge Charles S. Haight) (dcap) (Entered: 12/30/2002)
12/18/2002	285	Letter filed addressed to Judge Haight from John D. Winter, dated 12/16/02, Re: Alavi Foundation submits this letter in regards to David Cohen's Declaration and the seriousness of Mr. Cohen's assertions; the Foundation writes that if the Court wishes to examine any portion or portions of the records in Gabay or Flatow or the Foundation's tax returns, they will be happy to provide this information to the Court. (ae) (Entered: 12/31/2002)
01/02/2003	286	MEMORANDUM OPINION AND ORDER #87886, that for the reasons set forth, the NYPD's motion for a protective order is granted ; and, the notice given by the plaintiff class to depose Deputy Commissioner David Cohen is vacated ; At the 12/13/02 hearing, class counsel expressed a desire to "reserve the right" to submit additional materials "that have come to our attention separate and apart from what we are talking about today," Tr. 25. If class counsel wish to submit additional materials, they must file and serve it not later than 1/15/03. Counsel for the NYPD may file and serve any response on or before 1/24/03 ; The case will be called for oral argument at 10:30 a.m. on 1/29/03, in Room 17C, 500 Pearl Street . (signed by Judge Charles S. Haight). (tp) (Entered: 01/02/2003)

01/02/2003		Deadline(s) updated: oral argument set for 10:30 a.m. on 1/29/03 . (tp) (Entered: 01/02/2003)
01/13/2003	287	ORDER, Class Counsel's time w/in which to submit additional material in opposition to the NYPD'S motion is extended to 12:00 noon on 1/20/03 re: [265-1] motion for an order modifying the consent decree presently in effect in this action ; NYPD's responsive papers set for 12:00 1/27/03 re: [265-1] motion for an order modifying the consent decree presently in effect in this action; Oral argument will take place as previously scheduled . (signed by Judge Charles S. Haight); (ae) (Entered: 01/15/2003)
01/20/2003	296	MEMORANDUM OF LAW by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni in further opposition to Defendants' Motion to Modify the Consent Decree; (djc) (Entered: 02/04/2003)
01/20/2003	297	DECLARATION of Jethro M.Eisenstein by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni Re: in connectin with the defendants' pending motion to "modify" the Handschu guidelines. (djc) (Entered: 02/04/2003)
01/22/2003	288	ORDER, that the oral argument shall be heard at 3:00 p.m. on 1/29/03 . (signed by Judge Charles S. Haight). (tp) (Entered: 01/23/2003)
01/22/2003	289	MEMORANDUM AND ORDER; on 1/29/03, the Court will hear oral argument on the motion of the NYPD to modify the consent decree in this case and its accompanying "Handschu Guidelines"; the Court directs counsel to be prepared to address certain questions described in this memoradum at oral argument on the motion of the New York Police Department to modify the consent decree in this case and its accompanying "Handschu Guidelines." (signed by Judge Charles S. Haight); (yv) Modified on 01/27/2003 (Entered: 01/24/2003)
01/23/2003	290	ORDER, regarding the procedures to be followed that shall govern the hearing on 1/29/03 at 3:00 p.m. , the proceedings will be recorded by a Court reporter. The NYPD is directed to arrange for an expedited copy of the transcript at its expense . (signed by Judge Charles S. Haight); (yv) (Entered: 01/27/2003)
01/27/2003	292	SUPPLEMENTAL REPLY MEMORANDUM by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay in support re: [265-1] motion for an order modifying the consent decree presently in effect in this action . (djc) (Entered: 01/31/2003)
01/27/2003	293	SUPPLEMENTAL REPLY DECLARATION of Gail Donoghue by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay Re: in furthr reply to plaintiffs' submissions and to append the Attorney General's guidelines on FBI Undercover Operations and the Atty Gen. Guidelines on Gen. Crimes, Racketeering Enterprise And Domestic Security/Terrorism Investigations" of 1989 to the record on this motion. (djc) (Entered: 01/31/2003)
01/30/2003	291	Transcript of record of proceedings before Judge Charles S. Haight for the date(s) of December 3, 2002. (pr) (Entered: 01/31/2003)
01/30/2003	295	Memorandum to Docket Clerk: Hearing held on 1/29/03 before Judge Haight. Judge's decision: reserved. (sb) (Entered: 02/04/2003)
02/03/2003	294	Transcript of record of proceedings before Judge Charles S. Haight for the date(s) of 12/13/02. (dt) (Entered: 02/03/2003)
02/03/2003	298	ORDER, I direct counsel to send to Chambers as quickly as possible full copies of the objectors' interrogatories and the defendants' answers . (signed by Judge Charles S. Haight); (kw) (Entered: 02/07/2003)
02/11/2003	299	MEMORANDUM OPINION AND ORDER # 88064, the Court will enter a modified decree and approve the modifications to he Handschu Guidelines the NYPD proposes,

		upon compliance by the NYPD w/ conditions as set forth in this Memorandum Opinion and Order . (signed by Judge Charles S. Haight); (ae) (Entered: 02/11/2003)
02/21/2003	300	Fld Defts' Proposed Internal Guidelines for Investigations Involving Political Activity by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay . (cd) (Entered: 02/26/2003)
03/03/2003	301	Transcript of record of proceedings before Judge Charles S. Haight for the date(s) of January 29, 2003. (dt) (Entered: 03/03/2003)
03/03/2003	302	DECLARATION of Jethro M. Eisenstein . (gf) (Entered: 03/05/2003)
03/10/2003	303	Defendants' proposed internal guidelines for investigation involving political activity (revised). (jco) (Entered: 03/11/2003)
03/12/2003	304	MEMORANDUM OPINION # 88180; I am satisfied that the revised NYPD Guidelines, submitted by Corporation Counsel as Exhibit B to the Donoghue declaration, set forth the substance of the FBI Guidelines, and do not contain any provisions inimical to the Constitution. In other words, the NYPD has complied with Condition 1 recited in Handschu, 2003 WL 302258, at *21. The Court will enter an Order modifying the consent decree and approving the Modified Handschu Guidelines when the NYPD has complied with Condition 2. Id. (signed by Judge Charles S. Haight); (jco) Modified on 03/17/2003 (Entered: 03/14/2003)
03/20/2003	305	ORDER AND JUDGMENT, that the motion of the NYPD to Modify the Handschu Guidelines be, and the same hereby is, granted. The Handschu Guidelines which form a part of the consent decree entered in March 1985 be, and the same hereby are, modified in such a manner as to conform to the text appearing in Exhibit A. to the declaration of Deputy Chief Edwin A. Young, dated 3/20/03. The execution of this Order and Judgment be, and the same hereby is, stayed for ten (10) calendar days following the entry of this Order and Judgment, or until class counsel advises this Court in writing that the plaintiff class does not intend to appeal, whichever first occurs. Any further stay of the execution of this Order and Judgment must be obtained from the Court of Appeals. (signed by Judge Charles S. Haight); Mailed copies and notice of right to appeal. Entered On Docket: 3/20/03. (tp) (Entered: 03/20/2003)
03/20/2003	306	DECLARATION of Deputy Chier Edwin A. Young by William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay (dj) (Entered: 03/24/2003)
03/21/2003	307	MEMORANDUM AND ORDER, that as indicated in this Court's 2/13/03 Opinion, 2003 WL 302258, at *21, the judgment being entered herein provides that its execution is stayed for ten (10) days following the date of entry, with any further stay to be sought by class counsel from the Court of Appeals as further set forth . (signed by Judge Charles S. Haight). (tp) Modified on 03/25/2003 (Entered: 03/25/2003)
03/25/2003	308	ORDER, that the stay of that Judgment hereby vacated; that the Original Handschu Guidelines are no longer in effect; and that the Modified Handschu Guidelines are now in effect . (signed by Judge Charles S. Haight); (jco) Modified on 03/27/2003 (Entered: 03/26/2003)
04/04/2003	309	NOTICE OF MOTION by plaintiff Class; for an Order pursuant to F.R.C.P. 54(d)(2)(B), awarding reasonable counsel fees and costs to counsel for the plaintiff Class pursuant to 42 U.S.C. Section 1988, and granting counsel ninety (90) days in which to submit specifications of the fee request . Return Date not indicated. (jco) (Entered: 04/08/2003)
04/04/2003	310	MEMORANDUM OF LAW of Class counsel in support of [309-1] motion for an Order pursuant to F.R.C.P. 54(d)(2)(B), awarding reasonable counsel fees and costs to counsel for the plaintiff Class pursuant to 42 U.S.C. Section 1988, and granting counsel ninety (90) days in which to submit specifications of the fee request. (jco) (Entered: 04/08/2003)
04/07/2003	311	ORDER, Judge Haight agrees with Corporation Counsel that the Court's Order and Judgment dated 3/20/03 must be revised. Judge Haight will adopt the draft submitted by Corporation Counsel as an enclosure to Ms. Donoghue's letter dated 3/31/03. By this order, Judge Haight directs that the Court's Order dated 3/25/03 be vacated. (

		signed by Judge Charles S. Haight) (sb) (Entered: 04/08/2003)
04/07/2003	312	REVISED ORDER AND JUDGMENT: the motion of the NYPD to modify the Handschu Guidelines is granted; that the Handschu Guidelines are modified in such a manner as to conform to the text appearing in appendix "A" of the Court's 2/11/03 Memorandum and Order; that the Guidelines for Investigations Involving Political Activity appearing in Exhibit "A" to the declaration of Deputy Chief Edwin A. Young dated 3/20/03, remain in the NYPD Patrol Guide unless otherwise directed by the Court; any further stay of the execution of this Order must be obtained from the Court of Appeals; and the Judgment and Order entered on 3/20/03 is wholly vacated, replaced and superceded by the instant Order. (signed by Judge Charles S. Haight); Mailed copies and notice of right to appeal. Entered On Docket: 4/8/03. (db) (Entered: 04/08/2003)
04/15/2003	315	Letter filed addressed to Comm. Kelly, Mr. Cardozo and Members of the Handschu Authority from Paul Chevigny, dated 04/14/03; (djc) (Entered: 04/21/2003)
04/17/2003	313	NOTICE OF MOTION by Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay for reconsideration/alter of [312-1] judgment order ; Return Date not indicated; attached are papers in support (cd) (Entered: 04/21/2003)
04/17/2003	314	MEMORANDUM OF LAW by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay in support of [313-1] motion for reconsideration/alter of [312-1] judgment order . (cd) (Entered: 04/21/2003)
04/23/2003	316	Memo-Endorsement on letter addressed to Judge Haight from Martin R. Stolar, dated 4/18/03. Re: class counsel is writing in regards to 4/4/03 attorney fee motion. I regard this application mooted by the Court's 4/21/03 Memorandum and Order. Class counsel may subsequently make such motion for attorney's fees as they think right . (signed by Judge Charles S. Haight) (db) (Entered: 04/23/2003)
04/23/2003	317	MEMORANDUM ORDER, Corporation Counsel's Response to Motion reset for 5/16/03 re: [313-1] motion for reconsideration/alter of [312-1] judgment order ; Class counsel's Reply to Response to Motion for 5/23/03 re: [313-1] motion for reconsideration/alter of [312-1] judgment order ; set oral argument for 2:00 p.m. on 5/28/03 ; with regard to Class Counsel's motion for Attorney's Fees and Cost: Corporation Counsel need not respond to this motion at this motion at this time. Class counsel may renew it when this phase of the litigation is completed, after appeals, if any. The application must be supported in the manner required by New York Association for Retarded Children v. Carey, 711 F.2d 1136, 1147-48 (2d Cir. 1983) . (signed by Judge Charles S. Haight); (kw) (Entered: 04/24/2003)
05/16/2003	318	MEMORANDUM OF LAW by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay in opposition to [313-1] motion for reconsideration/alter of [312-1] judgment order . (cd) (Entered: 05/20/2003)
05/16/2003	319	DECLARATION of Gail Donoghue by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay in opposition Re: [313-1] motion for reconsideration/alter of [312-1] judgment order . (cd) (Entered: 05/20/2003)
05/23/2003	320	REPLY MEMORANDUM by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni in support re: [313-1] motion for reconsideration/alter of [312-1] judgment order . (yv) (Entered: 05/28/2003)
05/23/2003	321	DECLARATION of Jethro M. Eisenstein by Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas, Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni in support Re: [313-1] motion for reconsideration/alter of [312-1] judgment order . (yv) (Entered: 05/28/2003)

05/28/2003	323	Memorandum to Docket Clerk: Hearing held on 5/28/03 before Judge Haight on class counsel's motion to reconsider final judgment. (sb) (Entered: 06/03/2003)
05/30/2003	324	DECLARATION of John W. Cutter by Special Serv. Div., William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Dept. NYC, John V. Lindsay in opposition Re: [313-1] motion for reconsideration/alter of [312-1] judgment order . (dle) (Entered: 06/06/2003)
06/02/2003	322	ORDER; In the exercise of its discretion, the Court directs the office of the Corporation Counsel to order the transcript of the May 28, 2003 hearing in the captioned case on an expedited basis, and to furnish a copy to counsel for the plaintiff class . (signed by Judge Charles S. Haight) (jco) (Entered: 06/03/2003)
07/18/2003	327	Transcript of record of proceedings before Judge Charles S. Haight for the date(s) of 5/28/03. (df) (Entered: 08/27/2003)
08/07/2003	325	SECOND REVISED ORDER AND JUDGMENT; The motion of the NYPD to modify the Handschu Guidelines is granted; the Handschu Guidelines are modified in such a manner as to conform to the text appearing in Appendix "A" of the Court's 2/11/03 order; the Guidelines for investigations involving political activity appearing in Exhibit "A" to the declaration of Deputy Chief Edwin Young dated 3/20/03, remain in the NYPD Patrol Guide unless otherwise directed by the Court; the said Guidelines are incorporated by reference into and made a part of this Second Revised Order and Judgment; the Revised Order and Judgment entered on 4/4/03 is wholly vacated, replaced and superseded by this Second Revised Order and Judgment. (signed by Judge Charles S. Haight); Mailed copies and notice of right to appeal. Entered on docket 8/11/03. (dle) (Entered: 08/11/2003)
08/07/2003	326	MEMORANDUM OPINION # 88864, granting [313-1] motion for reconsideration/alter of [312-1] judgment order. For the reasons set forth on this memorandum opinion, a revised order and judgment consistent with this opinion will be entered. (signed by Judge Charles S. Haight) (sb) (Entered: 08/11/2003)
09/02/2003	328	Transcript of record of proceedings before Judge Charles S. Haight for the date(s) of 5/28/03. (df) (Entered: 09/02/2003)
09/29/2003	329	MEMORANDUM and ORDER; the Clerk of Court is directed to locate the original of the Second Revised Order and Judgment dated August 6, 2003 in the Court file, and physically attach to it the copy of text of the NYPD Guidelines for Investigations involving Political Activity which I have marked "Appendix A to the Second Revised Order and Judgment." I am sendig to West Publishing Company copies of the Second Revised Order and Judgment, the Guidelines marked as indicated, and the Court's August 6, 2003 Memorandum Opinion, with the respectful request that these documents be published in the Federal Supplement 2d series, together with the opinions presently reported at 2003 WL 1109025 and 2003 WL 1529197. The appearances of counsel in these opinions are the same as those listed in the opinion now scheduled for publication ; (signed by Judge Charles S. Haight); (orig. second revised order and exhibit attached as instructed by Chambers) (djc) Modified on 10/10/2003 (Entered: 10/06/2003)
11/12/2003	330	Memo-Endorsement on letter addressed to Judge Haight from Jethro M. Einstein, dated 11/7/03. Re: class counsel requests an extension until 12/1/03 to file application for counsel fees. Application granted . (signed by Judge Charles S. Haight) (db) (Entered: 11/14/2003)
12/17/2003	331	STIPULATION AND ORDER OF SETTLEMENT OF CLASS COUNSEL'S ATTOPRNEYS' FEES AND COSTS, that the City of NY hereby agrees to pay class counsel the sum of \$100,000 apportioned as further set forth in this document. (Signed by Judge Charles S. Haight on 12/16/03) (cd,) (Entered: 12/22/2003)
11/28/2005	332	MOTION (FILED ON SERVICE DATE) for an order, for Injunctive Relief. Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. Return Date set for 12/19/2005 at 9:30 AM. Declaration of Jethro m. Eisenstein in support attached.(sac,) (Entered: 11/29/2005)

11/28/2005	333	MEMORANDUM OF LAW in Support re: 332 MOTION (FILED ON SERVICE DATE) for an order, for Injunctive Relief. Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. (sac,) (Entered: 11/29/2005)
12/08/2005	334	ENDORSED LETTER addressed to Judge Charles S. Haight from Peter G. Farrell dated 12/6/05, Set Deadlines/Hearing as to 332 MOTION (FILED ON SERVICE DATE) : Responses due by 1/13/2006 Replies due by 1/27/2006. This briefing schedule is approved. Oral argument will be scheduled later. Counsel should discuss in their briefs whether an evidentiary hearing will be necessary. (Signed by Judge Charles S. Haight on 12/7/05) (sac,) (Entered: 12/09/2005)
01/19/2006	335	ENDORSED LETTER: addressed to Judge Charles S. Haight. from Peter G. Farrell dated 1/11/06 re: Gail Donoghue of this office has conferred with plaintiffs' counsel, Jethro Eisenstein, who has consented to this request. With the one week extension, the schedule would be as follows: defendants' opposition papers due 1/20/06 and plaintiffs' reply papers due 2/3/06. ENDORSEMENT: SO Ordered (Signed by Judge Charles S. Haight on 1/19/06) (js,) (Entered: 01/20/2006)
01/23/2006	336	MEMORANDUM OF LAW in Opposition to Plaintiffs' Motion to enjoin the enforcement of New York City Police Department Interim Order 47. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New York, John V. Lindsay. (sac,) (Entered: 01/24/2006)
01/23/2006	337	DECLARATION of Gail Donoghue in Opposition to Plaintiffs' Motion to enjoin the enforcement of New York City Police Department Interim Order 47. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New York, John V. Lindsay. (sac,) (Entered: 01/24/2006)
01/30/2006	338	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 1/26/06; re: granting plaintiff extension until 2/24/2006, to file reply papers. (Signed by Judge Charles S. Haight on 1/27/06) (sac,) (Entered: 01/31/2006)
02/23/2006	339	REPLY MEMORANDUM OF LAW in Further Support re: 332 MOTION (FILED ON SERVICE DATE). Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Shaba Om, Curtis M. Powell, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. (djc,) (Entered: 02/27/2006)
02/23/2006	340	DECLARATION of Jethro M. Eisenstein in further Support of the motion of the plaintiff class, purs to Rule 65, FRCP to enjoin implementation by the NYC Police Dept of Interim Order 47 dated September 10, 2004. Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. (djc,) (Entered: 02/27/2006)
03/02/2006	341	ORDER Oral Argument set for 3/28/2006 10:00 AM before Judge Charles S. Haight. (Signed by Judge Charles S. Haight on 2/28/2006) (jmi,) (Entered: 03/03/2006)
03/28/2006		Minute Entry for proceedings held before Judge Charles S. Haight : Oral Argument held on 3/28/2006 re: 332 MOTION (FILED ON SERVICE DATE). filed by Kenneth Thomas., Barbara Handschu., Ralph DiGia., Alex McKeiver., Shaba Om., Curtis M. Powell., Abbie Hoffman., Mark A. Sagal., Michael Zumoff., Robert Rusch., Annette T. Rubenstein., Mickey Sheridan., Joe Sucher., Steven Fischler., Howard Blatt., Ellie Benzoni: Decision Reserved. (cd,) (Entered: 03/30/2006)
04/20/2006	342	TRANSCRIPT of proceedings held on March 28, 2006 before Judge Charles S. Haight. (djc,) (Entered: 04/21/2006)
04/26/2006	343	TRANSCRIPT of proceedings held on 3/28/2006 @ 10:00 a.m. before Judge Charles S. Haight. (lb,) (Entered: 04/26/2006)
06/21/2006	<u>344</u>	MEMORANDUM AND ORDER re motion for an order 'enjoining enforcement of NY Police Department order 47 (noitce of motion at 2..... in the interim, decision on

		the underlying motion is deferred, and as further set forth in this document. (Signed by Judge Charles S. Haight on 6/21/06) (cd,) (Entered: 06/21/2006)
06/26/2006	349	ENDORSED LETTER addressed to Judge Haight from Peter G. Farrell dated 6/23/06 re: Granting Mr. Farell's request of a two week extension of the briefing schedule set forth in the Court's Order of 6/20/06. Defendnats to file and serve their submissions on or before 7/26/06 and plaintiffs file and serve their submissions on or before 8/9/06. So Ordered. (Signed by Judge Charles S. Haight on 6/23/06) (tp,) (Entered: 10/24/2006)
08/07/2006	345	ORDER: Until the Court rules on defendants' request, class counsel are directed to abide by the limitations expressed in the July 24, 2006 letter of defendants' counsel. (Signed by Judge Charles S. Haight on 8/2/2006) (lb,) (Entered: 08/08/2006)
08/09/2006	346	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 8/8/2006 re: requesting an additional week to submit their submissions, until 8/16/2006. ENDORSEMENT: So Ordered. (Signed by Judge Charles S. Haight on 8/8/2006) (lb,) (Entered: 08/09/2006)
08/09/2006	347	ORDER re: <u>344</u> Memorandum and Order, I impose upon class counsel the restrictions prayed for in the Farrell letter. The Order is without prejudice to a showing by class counsel, if they are able to do so, of a material impediment to their ability to respond caused by the restriction. So Ordered. (Signed by Judge Charles S. Haight on 8/4/2006) (jmi,) (Entered: 08/10/2006)
08/23/2006	348	ORDER: The application of defendants to file and serve a reply in the supplemental briefing is GRANTED. That brief must be filed and served on or before 9/8/2006. If so advised, Class Counsel may file and serve a further brief in support of their application, limited to the arguments made in defendant's reply brief, on or before 9/22/2006. (Signed by Judge Charles S. Haight on 8/22/2006) (lb,) (Entered: 08/24/2006)
02/15/2007	<u>350</u>	MEMORANDUM OPINION AND ORDER #94277: the videotaping or photographing by the NYPD of any individual or individuals engaging in political activity must be conducted in accordance with the Modified Handschu Guidelines, and in a manner consistent with this Opinion. To the extent that Interim Order 47 is inconsistent with the Modified Handschu Guidelines apply, the implementation of Interim Order 47 is enjoined. The Commissioner of the NYPD or his designated representative is directed to disseminate to all NYPD Borough, Bureau, and Unit commanding officers copies of this Opinion and Order, with an instruction to study them carefully and comply with the Opinion ad Order. An affidavit by an officer with knowledge of the facts attesting that this dissemination has been accomplished must be filed and served no later than 3/2/07. (Signed by Judge Charles S. Haight on 2/15/07) (db) Modified on 2/20/2007 (Wilson, Richard). Additional attachment(s) added on 2/23/2007 (Gutierrez, Robert). (Entered: 02/16/2007)
03/02/2007	351	ORDER: Having considered the most recent correspondence of counsel, the Court's Order dated February 15, 2007 is stayed with respect to the direction contained in decretal paragraph 3 that the Commissioner of the NYPD or his designated representative disseminate the Order to all NYPD Borough, Bureau, and Unit commanding officers, pending decision on whatever motion the NYPD may be advised to make in this case. (Signed by Judge Charles S. Haight on 3/1/07) (js) (Entered: 03/05/2007)
03/02/2007	353	MEMORANDUM OF LAW in Support re: 352 MOTION to Vacate,amend, alter and/or reconsidering this Court's 2/15/07 Order relieving defendants from the 8/6/03 Order, and approving Proposed Interim Order 47.. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New york, John V. Lindsay. (rag) (Entered: 03/07/2007)
03/05/2007	352	MOTION to Vacate,amend, alter and/or reconsidering this Court's 2/15/07 Order relieving defendants from the 8/6/03 Order, and approving Proposed Interim Order 47 submitted herewith, together with such other relief as this Court deems just and proper. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, William Knapp, Patrick Murphy, Police Department of the City of New york, John V. Lindsay.(rag) (Entered: 03/07/2007)

03/09/2007	354	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 3/8/07 re: plaintiff requests an enlargement of the time for response to the dfts' motion; that the plaintiff class's time within which to respond to dfts' motion is extended to and including 3/26/07. Dfts' time to file and serve reply papers; if so advised, is enlarged in accordance with Local Civil Rule 6.1 (B)(3). I agree with the position of Corporation Counsel (as recounted in this letter) that the better course is to stay the Court's 2/15/07 Order in its entirety pending resolution of the motion, and better course is So Ordered..Responses due by 3/26/2007 (Signed by Judge Charles S. Haight on 3/8/07) (pl) (Entered: 03/12/2007)
03/09/2007	355	ORDER: that the upon the completion of the scheduled set forth in this Order, I will schedule oral argument on the motion. In view of the foregoing, the portion of the Court's 2/15/07 Order setting forth a schedule for submissions with respect to remedy is stayed pending resolution of the motion before me. (Signed by Judge Charles S. Haight on 3/8/07) (pl) (Entered: 03/12/2007)
03/23/2007	356	MEMORANDUM OF LAW in Opposition re: 352 MOTION to Vacate.. Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. (mbe) (Entered: 03/27/2007)
03/27/2007	357	ORDER that the court will hear oral argument on dfts' pending motion at 2:00 p.m. on 4/10/07 in room 17C, 500 Pearl Street. (Signed by Judge Charles S. Haight on 3/26/07) (dle) (Entered: 03/29/2007)
03/27/2007		Set/Reset Hearings: Oral Argument set for 4/10/2007 02:00 PM before Judge Charles S. Haight. (dle) (Entered: 03/29/2007)
03/29/2007	358	MEMORANDUM OF LAW in Support re: 352 MOTION to Vacate.. Document filed by Special Services Division, William H.T. Smith, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New york, John V. Lindsay. (djc) (Entered: 04/03/2007)
04/16/2007	359	ORDER that the court will hear oral argument on dfts' pending motion at 2:00 p.m. on 4/26/07 in room 17C, 500 Pearl Street. Counsel for dfts may have 40 minutes to present their argument, counsel for plaintiffs may have 40 minutes to respond, and counsel for dfts may have 20 minutes to reply. Counsel are not required to consume all the allotted time. (Signed by Judge Charles S. Haight on 4/13/07) (dle) (Entered: 04/17/2007)
04/16/2007		Set/Reset Hearings: Oral Argument set for 4/26/2007 02:00 PM before Judge Charles S. Haight. (dle) (Entered: 04/17/2007)
05/17/2007	360	TRANSCRIPT of proceedings held on 4/26/07 before Judge Charles S. Haight. (tro) (Entered: 05/17/2007)
05/17/2007	361	TRANSCRIPT of proceedings held on 4/26/07 before Judge Charles S. Haight. (tro) (Entered: 05/17/2007)
06/13/2007	<u>362</u>	MEMORANDUM OPINION & ORDER # 94772: The NYPD's motion for reconsideration and related relief is granted and the 2/07 order enjoining implementation of Interim Order 47 is vacated re: 352 MOTION to Vacate, filed by John V. Lindsay, Arthur Grubert, Patrick Murphy, William H.T. Smith, Police Department of the City of New york, William Knapp, Special Services Division. The NYPD's motion for relief from this Court's 8/03 Order is denied. Decision on the NYPD's motion for an order approving the Proposed Order that would replace Order 47 is reserved in order to give Class Counsel sufficient time to respond. Class Counsel are directed to file and serve papers addressing this issue on or before 6/25/07. Counsel may file and serve reply papers on or before 7/9/07. If the Court desires oral argument, counsel will be advised. (Signed by Judge Charles S. Haight on 6/13/07) (cd) Modified on 6/18/2007 (rw). (Entered: 06/14/2007)
06/27/2007	363	MOTION to Amend, Alter, reconsider <u>362</u> Memorandum & Opinion, pursuant to Rule 59 of FRCP and Local Rule 6.3 of the SDNY, to limit the grounds on which the class may seek equitable relief for conduct that does not violate the consent decree to those circumstances in which policy adopted by the NYPD is not supported by a legitimate law enforcement purpose. Document filed by Special Services Division, William H.T.

		Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New york, John V. Lindsay.(jar) (Entered: 07/02/2007)
06/27/2007	364	MEMORANDUM OF LAW in Support re: 363 MOTION to Amend, Alter, reconsider <u>362</u> Memorandum & Opinion, pursuant to Rule 59 of FRCP and Local Rule 6.3 of the SDNY, to limit the grounds on which the class may seek equitable relief for conduct that does not violate the consent decree to those circumstances in which policy adopted by the NYPD is not supported by a legitimate law enforcement purpose. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New york. (jar) (Entered: 07/02/2007)
07/13/2007	365	NOTICE OF APPEAL from <u>362</u> Memorandum & Opinion. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New york, John V. Lindsay. Filing fee \$ 455.00, receipt number E 620701. Copies of Notice of appeal mailed to attorney(s) of record: Profeta & Eisenstein, New York Civil Liberties Union, Franklin Siegel, Esq., Martin R. Stolar, Esq., and NYU School of Law. (nd) (Entered: 07/16/2007)
07/16/2007		Transmission of Notice of Appeal to the District Judge re: 365 Notice of Appeal,. (nd) (Entered: 07/16/2007)
07/16/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 365 Notice of Appeal,. (nd) (Entered: 07/16/2007)
09/12/2007	<u>366</u>	MANDATE of USCA WITHDRAWING APPEAL (Certified Copy) as to 365 Notice of Appeal, filed by John V. Lindsay, Arthur Grubert, Patrick Murphy, William H.T. Smith, Police Department of the City of New york, William Knapp, Michael Willis, Special Services Division USCA Case Number 07-3045-cv....that the appeal is hereby WITHDRAWN pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure. Catherine O'Hagan Wolfe, Clerk USCA. Certified: 9/11/2007. (nd) (Entered: 09/12/2007)
09/12/2007		Transmission of USCA Mandate/Order to the District Judge re: <u>366</u> USCA Mandate Withdrawing Appeal,. (nd) (Entered: 09/12/2007)
02/27/2008	<u>367</u>	MEMORANDUM OPINION AND ORDER denying under Rule 59 and Local Civil Rule 6.3 re: 363 MOTION to Amend/Correct <u>362</u> Memorandum & Opinion. Class Counsel's request for discovery, as set forth in their Letter Brief dated 7/2/07, is granted. The case will proceed in a manner consistent with this Opinion and Order. (Signed by Judge Charles S. Haight on 2/27/08) (cd) (Entered: 02/27/2008)
02/27/2008	<u>368</u>	MEMORANDUM OPINION AND ORDER #95756. 1. Assuming without deciding that the 6/07 Opinion and Order fall within the ambit of Fed.R. Civ. P. 59, the NYPD's motion for relief under Rule 59 is DENIED. 2. The NYPD's motion for reconsideration under Local Civil Rule 6.3 is denied. 3. Class Counsel's requests for discovery, as set forth in their Letter Brief dated 7/2/07, is granted. The case will proceed in a manner consistent with this Opinion and Order.. (Signed by Judge Charles S. Haight on 2/27/08) (pl) Modified on 2/28/2008 (mr). (Entered: 02/27/2008)
11/12/2008	370	MOTION (Dup. Orig..)Directing defendants to give notice to plaintiff class counsel and to the Court of any decision to withdraw Interim order 22 or to substitute a new policy concerning the videotaping or photographing of political activity for that set forth in Interim Order 22; MOTION declaring that the plaintiff class is the prevailing party on its motion for injunctive relief, filed November 28, 2005; MOTION for an order pursuant to FRCP Rule 54(d)(2)(B), designating a time within which plaintiff class counsel may submit their application pursuant to 42 USCA 1988 for attorney's fees in connection with the motion filed November 28, 2005.Attached is Plaintiffs' Memorandum of Law Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas.(dj) Modified on 2/19/2009 (dj). (Entered: 11/20/2008)
11/19/2008	<u>369</u>	ENDORSED LETTER addressed to Judge Charles S. Haight, Jr. from Peter G. Farrell dated 11/14/08 re: Counsel requests a short extension so that Defendants opposition

		will be due on December 10, 2008 and plaintiffs reply will be due December 22, 2008. ENDORSEMENT: So ordered. (Signed by Judge Charles S. Haight on 11/17/08) (mme) (Entered: 11/19/2008)
12/09/2008	<u>371</u>	ENDORSED LETTER: addressed to Judge Charles S. Haight from Peter G. Farrell dated 12/9/08 re: Counsel for defendant requests a two day extension of of the defendants opposition which would be on 12/11/08 and plaintiffs' reply would be due 12/24/08. ENDORSEMENT: So Ordered. (Replies due by 12/24/2008. Responses due by 12/11/2008) (Signed by Judge Alvin K. Hellerstein on 12/9/08) (js) (Entered: 12/09/2008)
12/12/2008	372	DECLARATION of Peter G. Farrell. (filed by counsel for defendants) (djc) (Entered: 12/19/2008)
12/12/2008	373	MEMORANDUM OF LAW in Opposition to Class Counsel's Supplemental Motion. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New york, John V. Lindsay. (djc) (Entered: 12/19/2008)
12/29/2008	374	REPLY MEMORANDUM OF LAW in Support re: 370 MOTION to Direct. MOTION declaring that te plaintiff class is the prevailing party on its motion for injunctive relief, filed NOvember 28, 2005; MOTION for an order prus to FRCP Rule 54(d)(2)(B), designating a time within which plaintiff class counsel may submit their MOTION declaring that te plaintiff class is the prevailing party on its motion for injunctive relief, filed November 28, 2005; MOTION for an order prus to FRCP Rule 54(d)(2)(B), designating a time within which plaintiff class counsel may submit their MOTION declaring that te plaintiff class is the prevailing party on its motion for injunctive relief, filed NOvember 28, 2005; MOTION for an order prus to FRCP Rule 54(d)(2)(B), designating a time within which plaintiff class counsel may submit their MOTION declaring that te plaintiff class is the prevailing party on its motion for injunctive relief, filed NOvember 28, 2005; MOTION for an order prus to FRCP Rule 54(d)(2)(B), designating a time within which plaintiff class counsel may submit their. Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. (pl) (Entered: 12/30/2008)
12/30/2008	<u>375</u>	ENDORSED LETTER addressed to Judge Charles S. Haight from Peter G. Farrell dated 12/30/2008 re: Counsel respectfully request that Plaintiff's reply memorandum of law dated December 23, 2008 be stricken because it violates Your Honor's Individual Practice Rules and the rules against making new arguments for the first time on reply. ENDORSEMENT: The Court will consider plaintiff's reply memorandum. defendants may file and serve a sur-reply on or before January 20, 2009. Plaintiffs, who bear the burden of persuasion, may file a final brief on or before January 30, 2009. No further written submissions will be entertained by the Court. So Ordered. (Signed by Judge Charles S. Haight on 12/30/2008) (jfe) (Entered: 12/30/2008)
01/20/2009	376	DEFENDANTS' SUR-REPLY MEMORANDUM OF LAW IN OPPOSITION TO CLASS COUNSEL'S SUPPLEMENTAL MOTION. Document filed by Special Services Division, William H.T. Smith, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New york, John V. Lindsay. (dle) (Entered: 01/22/2009)
01/30/2009	377	MEMORANDUM OF LAW in response re: 376 Reply. Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. (pl) (Entered: 02/02/2009)
03/13/2009	<u>378</u>	MEMORANDUM OPINION AND ORDER#97220: In these circumstances, the following questions arise: (1) Do Corporation Counsel contend that they were under no obligation whatsoever to inform Class counsel and the Court that as of April 13, 2007 Interim Order 47 was no longer in effect, while conducting the litigation as if it was? (2) If Corporation Counsel makes the contention referred to in Question I, upon what factual circumstances, practices or procedures, rules or legal authorities, or other sources do they rely? (3) Was any consideration given by the Corporation Counsel or other NYPD or City officers or employees as to whether Class Counsel and the Court

		<p>should have been told at the time that Interim Order 22 had replaced Interim Order 47 in April 2007, or did that non-disclosure simply occur without consideration or discussion?.(4)If consideration was given or discussions held, what were the details? (The Court does not at the present see the need to reopen the record for the presentation of further affidavits or evidentiary material; Corporation Counsel may address these inquires at the oral argument in the form of representations made as an officer of the Court)While these questions are posed to counsel for one side or the other, counsel for both parties are free to comment upon any of them at the hearing. The foregoing is Ordered. So Ordered (Signed by Judge Charles S. Haight on 3/13/09) (js) Modified on 3/16/2009 (mro). (Entered: 03/13/2009)</p>
05/12/2009	379	<p>TRANSCRIPT of proceedings held on 4/22/09 before Judge Charles S. Haight. (ldi) (Entered: 05/13/2009)</p>
01/19/2010	<u>380</u>	<p>MEMORANDUM OPINION AND ORDER re:#98468 370 MOTION. For the foregoing reason, the motion of the plaintiff class for an award of attorney's fees is GRANTED. The amount to be awarded will be the subject of further submissions. Class Counsel are directed to file and serve, on or before February 12, 2010, a claim for attorneys' fees and expenses in an amount or amounts consistent with this Opinion. If Counsel claim amounts under both 42 U.S.C. § 1988 and the Court's inherent power, they must avoid double counting. The Court will enforce the Second Circuit's requirements for court-ordered compensation for attorneys: Hereafter, any attorney – whether a private practitioner or an employee of a non-profit law office – who applies for court-ordered compensation in this Circuit for work done after the date of this opinion must document the application with contemporaneous time records. These records should specify, for each attorney, the date, the hours expended, and the nature of the work done. New York State Association/or Retarded Children, Inc. v. Carey, 711 F.2d 1136, 1148 (2d Cir.1983). The NYPD and Corporation Counsel are directed to file and serve opposing papers as to the amounts claimed on or before February 26, 2010. Class Counsel may, if so advised, file and serve reply papers on or before March 5, 2010. If the Court desires oral argument, counsel will be notified. The motion of the plaintiff class for additional equitable relief is GRANTED in the manner specified in Part II.D. of this opinion. It is SO ORDERED. (Signed by Judge Charles S. Haight on 1/19/2010) (tve) Modified on 1/21/2010 (ajc). (Entered: 01/20/2010)</p>
02/05/2010	<u>381</u>	<p>ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 2/4/2010 re: Counsel writes to request adjustment in the schedule for submission of the fee application set forth in the Memorandum, Opinion and Order dated January 19, 2010. Class counsel request leave to serve and file their claim for attorney's fees and expenses on or before 2/19/2010. The NYPD and Corporation Counsel request a deadline of 3/12/2010 to respond, an class counsel request until 3/19 to reply. ENDORSEMENT: The enlargements of time agreed to by counsel are GRANTED. As for the form of the application, with particular reference to a Hensley reduction, Class Counsel may proceed as they think best in the first instance, subject to the views of Corporation Counsel, possible discovery, and the ultimate evaluation of the Court. SO ORDERED (Signed by Judge Charles S. Haight on 2/5/2010) (tve) (Entered: 02/05/2010)</p>
02/05/2010	<u>382</u>	<p>ENDORSED LETTER addressed to Judge Charles S. Haight from Peter G. Farrell dated 2/5/2010 re: We write to oppose class counsel's letter request for reconsideration of the Court's prior memorandum opinion and order dated January 19, 2010 (the "Order") wherein the Court ordered application of the Hensley procedure which requires class counsel to identify specific hours that should be eliminated from the attorney fee award. Order at 18. Class Counsel now request that they be permitted to bill for all their time – win or lose – and for the Court to then reduce the award to account for class counsel's limited success. See Class Counsel's letter dated February 4, 2010. ENDORSEMENT: The Court's prior Order by memo endorsement is VACATED. A dispute has arisen from this exchange of correspondence. Decision is reserved. The prior schedule for submissions on the fee award is also VACATED. (Signed by Judge Charles S. Haight on 2/5/10) (rw) (Entered: 02/08/2010)</p>
02/05/2010		<p>Set/Reset Deadlines: Motions due by 2/19/2010. Replies due by 3/19/2010. Responses due by 3/12/2010 (tve) (Entered: 03/02/2010)</p>
02/08/2010	<u>383</u>	<p>ORDER: Having considered the most recent correspondence of counsel, the Court reinstates its first Memo Endorsement and Order, dated February 5, 2010, placed upon</p>

		the letter of Class Counsel dated February 4. Given the time devoted to this exchange, the Court enlarges the times specified in its prior Opinion, as follows: February 19, 2010, Class Counsel's submissions to be filed and served; March 5, 2010, City to file and serve opposing submissions; March 12, 2010, Class Counsel to file and serve reply submissions. (Signed by Judge Charles S. Haight on 2/8/2010) (tro) (Entered: 02/08/2010)
02/19/2010	384	MEMORANDUM OF LAW in Support of Fee Application. Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. (mro) (Entered: 02/22/2010)
02/19/2010	385	DECLARATION of Jethro M. Eisenstein in Support of the application of plaintiff class counsel for attorneys fees. Document filed by Robert Rusch, Annette T. Rubenstein, Mickey Sheridan, Joe Sucher, Steven Fischler, Howard Blatt, Ellie Benzoni, Barbara Handschu, Ralph DiGia, Alex McKeiver, Shaba Om, Curtis M. Powell, Abbie Hoffman, Mark A. Sagal, Michael Zumoff, Kenneth Thomas. (mro) (Entered: 02/22/2010)
03/05/2010	<u>386</u>	ENDORSED LETTER addressed to Judge Charles S. Haight from Peter G. Farrell dated 3/2/10 re: Defendant's opposition is currently due March 5, 2010. Defendants' request a one week extension until March 12, 2010 to oppose class counsel's attorney fee application. The one week extension is needed to allow defendants to respond fully to class counsel's memorandum of law, five declarations, and 20 page billing spreadsheet. Defendants have not previously requested an extension. Class counsel Jethro Eisenstein consents to this request. As a housekeeping matter, class counsel's reply, currently due March 12, 2010, should similarly be moved back one week until March 19, 2010 if the court grants this request. ENDORSEMENT: So Ordered., (Replies due by 3/19/2010., Responses due by 3/12/2010) (Signed by Judge Charles S. Haight on 3/5/10) (rjm) (Entered: 03/05/2010)
03/15/2010	387	DECLARATION of Peter Farrell in Support of defendants' opposition to plaintiffs' motion for attorney's fees. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New York, John V. Lindsay. (mbe) (Entered: 03/16/2010)
03/15/2010	388	MEMORANDUM OF LAW in Opposition to class counsel's attorney fee application. Document filed by Special Services Division, William H.T. Smith, Arthur Grubert, Michael Willis, William Knapp, Patrick Murphy, Police Department of the City of New York, John V. Lindsay. (mbe) (Entered: 03/16/2010)
03/23/2010	389	REPLY MEMORANDUM OF LAW in Support of Fee Application. Document filed by the Plaintiff Class. (mro) (Entered: 03/24/2010)
08/02/2010	<u>390</u>	MEMORANDUM OPINION AND ORDER: The Court awards fees to the five Class Counsel in the amounts as further set forth in the table in this Order. The numbers of hours claimed by the attorneys in their individual declarations are accepted as starting points, but all fees are subjected to 20% reductions, comprised of a 10% reduction for inadequate time records and a 10% reduction for duplication of effort. In addition, a 30 % reduction is imposed for partial failure in those areas of the litigation where such reduction is appropriate. The City is directed to pay these attorneys the amounts designated as "Fee Awarded" and appearing in boldface in this table. In addition, the City is directed to pay Einstein expenses incurred in a total amount of \$482.51, as described in his declaration. This modest amount is reasonable and need not be subjected to reduction analysis. The City is further directed to make these payments not later than 8/31/2010, failing which interest will begin to accrue. (Signed by Judge Charles S. Haight on 7/28/2010) (tro) (tro). Modified on 8/17/2010 (tro). (Entered: 08/16/2010)
08/27/2010	<u>391</u>	NOTICE OF APPEAL from, <u>390</u> Memorandum & Opinion; <u>380</u> Memorandum & Opinion. Document filed by Arthur Grubert, William Knapp, John V. Lindsay, Patrick Murphy, Police Department of the City of New York, William H.T. Smith, Special Services Division, Michael Willis, various unknown employees of the Police Department acting as undercover operators and informers, and the Corporation Counsel of the City of New York. Filing fee \$ 455.00, receipt number E 913121. (tp) (Entered: 08/30/2010)

08/30/2010		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>391</u> Notice of Appeal. (tp) (Entered: 08/30/2010)
08/30/2010		Transmission of Notice of Appeal to the District Judge re: <u>391</u> Notice of Appeal. (tp) (Entered: 08/30/2010)
10/21/2010	<u>392</u>	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for <u>391</u> Notice of Appeal, filed by John V. Lindsay, Arthur Grubert, Patrick Murphy, William H.T. Smith, Police Department of the City of New York, William Knapp, Michael Willis, Special Services Division USCA Case Number 10-3485, 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (nd) (tp). (Entered: 10/21/2010)
02/08/2011	<u>393</u>	MEMORANDUM: The purpose of this Memorandum is to advise the Second Circuit and the parties that (1) I have considered the Stipulation referred to supra, and (2) I approve it in its entirety. I am satisfied that the Stipulation is fair to and protective of the legitimate litigation needs and desires of both the plaintiff class and the NYPD, and would have the salutary effect of moving the case forward while reducing effort and expense. If the second of these two numbered declarations falls beyond my present declarative authority under Rule 12.1, then let it be disregarded and, faute de mieux, I shall be content with the first. In that circumstance, the second declaration should be read not as an approval that I have conferred upon the Stipulation, but an approval that I will confer on remand, which I have the presumption to urge the Court of Appeals to make. (Signed by Judge Charles S. Haight on 2/3/2011) (jpo) (Entered: 02/08/2011)
03/07/2011	<u>394</u>	ORDER of USCA (Certified Copy) as to <u>391</u> Notice of Appeal, filed by John V. Lindsay, Arthur Grubert, Patrick Murphy, William H.T. Smith, Police Department of the City of New York, William Knapp, Michael Willis, Special Services Division USCA Case Number 10-3485-cv. In light of the District Court's memorandum dated Feb. 3, 2011, IT IS HEREBY ORDERED that the Appellant's motion for limited remand pursuant to FRAP 12.1(b), is GRANTED. This Court retains jurisdiction and the parties must promptly notify the circuit clerk when the District Court has approved the proposed stipulation and order. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 03/07/2011. (nd) (Entered: 03/07/2011)
03/15/2011	<u>395</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the NYPD and counsel for the plaintiff class as follows: The Plaintiff Class and the NYPD jointly request that the Court enter an order (the "Modifying Order") modifying its rulings in Handschu X and Handschu XI by (i) vacating its finding that Plaintiff Class was the prevailing party; (ii) vacating its finding that the Office of the Corporation Counsel engaged in sanctionable conduct, and (iii) vacating the sanction imposed under the Court's inherent authority upon the Office of the Corporation Counsel. In all other respects, Handschu X and Handschu XI remain in full force and effect. In the event that the Court does not modify its orders as requested by the parties in this paragraph, this Stipulation shall be null and void in its entirety, as further set forth in this Stipulation and Order. (Signed by Judge Charles S. Haight on 3/14/2011) (mro) (Entered: 03/15/2011)
04/08/2011	<u>396</u>	MANDATE of USCA (Certified Copy) as to <u>391</u> Notice of Appeal, filed by John V. Lindsay, Arthur Grubert, Patrick Murphy, William H.T. Smith, Police Department of the City of New York, William Knapp, Michael Willis, Special Services Division USCA Case Number 10-3485. On consideration, of the parties' stipulation approved by the District Court and filed with that court on March 15, 2011, this appeal is hereby DISMISSED. Should either party wish to appeal from the District Court's further resolution of the dispute regarding the breadth of the injunction, as provided in paragraph 3 of the stipulation, that party must do so by filing a new notice of appeal. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 04/07/2011. (nd) (Entered: 04/08/2011)
06/17/2011	<u>397</u>	DEFENDANTS' BRIEF IN SUPPORT OF THEIR POSITION THAT THE NOTICE REQUIREMENT IN HANDSCHU X RELATES TO CHANGES IN INTERIM ORDER 22 AND THE NYPD'S POLICY OF VIDEOTAPING AT DEMONSTRATIONS. Document filed by William Knapp, John V. Lindsay, Patrick Murphy, Police Department of the City of New York, William H.T. Smith, Special Services Division, Michael Willis.(mbe) (Entered: 06/20/2011)

06/17/2011	398	DECLARATION of Peter Farrell. Document filed by William Knapp, John V. Lindsay, Patrick Murphy, Police Department of the City of New York, William H.T. Smith, Special Services Division, Michael Willis. (mbe) (Entered: 06/20/2011)
06/30/2011	<u>399</u>	ENDORSED LETTER: addressed to Judge Charles S. Haight from Peter G. Farrell dated 5/18/2011 re: request that Your Honor endorse the following proposed briefing schedule with respect to the parties' disagreement regarding the breadth of the injunctive order contained in Handschu X and as contemplated for submission to Your Honor in 3 of the March 15, 2011 Stipulation and Order. I have spoken with plaintiffs' counsel Jethro Eisenstein and we have agreed that plaintiffs and defendants would each submit their position on or before June 17, 2011 and that each party's response, if any, to the other's June 17, submission would be due on or before July 1, 2011. We believe this simultaneous briefing circumstances involved's approach. Is the fairest as it gives each side equal say under the circumstances involved ENDORSEMENT: The Court approves the briefing the briefing schedule contained in the last paragraph of this letter. That approval was previously communicated orally by Chambers to counsel. To the extent that certain dates in the schedule antedated the data of this Order, the order takes effect nunc pro tunc. So Ordered., (Responses due by 7/1/2011) (Signed by Judge Charles S. Haight on 6/27/2011) (js) Modified on 6/30/2011 (js). (Entered: 06/30/2011)
07/01/2011	400	DEFENDANTS' BRIEF in further support of their position that the Notice Requirement in Handschu X relates to changes in interim Order 22 and the NYPD's Policy of videotaping at demonstrations. Document filed by Defendants.(mro) (Entered: 07/05/2011)
07/21/2011	<u>401</u>	ORDER The District Court's rulings in Handschu X and Handschu XI are hereby modified to: (i) vacate the finding that Plaintiff class was the prevailing party; (ii) vacate the finding that the Office of the Corporation Counsel engaged in sanctionable conduct; and (iii) vacate the sanction imposed under the Court's inherent authority upon the Office of the Corporation Counsel. In all other respects, Handschu X and Handschu XI remain in full force and effect. (Signed by Judge Charles S. Haight on 7/18/11) (cd) (Entered: 08/05/2011)
10/27/2011	402	MOTION for Leave to Conduct Discovery. Document filed by Barbara Handschu et al.(cd) (Entered: 10/27/2011)
10/27/2011	403	MEMORANDUM OF LAW in Support re: 402 MOTION for Discovery. Document filed by Barbara Handschu et al. (cd) (Entered: 10/27/2011)
11/14/2011	<u>404</u>	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 10/25/2011 re: Counsel proposed the following briefing schedule: defendants will serve and file their opposition to the motion of the plaintiff class for discovery on or before 12/9/11. The plaintiff class will serve and file its reply on or before 12/23/11. ENDORSEMENT: So Ordered. Set Deadlines/Hearing as to 402 MOTION for Discovery. :(Responses due by 12/9/2011, Replies due by 12/23/2011.) (Signed by Judge Charles S. Haight on 11/9/2011) (jfe) (Entered: 11/14/2011)
12/12/2011	<u>405</u>	ENDORSED LETTER addressed to Judge Charles S. Haight, Jr. from Peter G. Farrell dated 12/6/11 re: Counsel for the defendants writes on behalf of the parties to jointly request an adjournment of the current briefing schedule; the current schedule has defendants' opposition papers due 12/9 and class counsel's reply due 12/23. ENDORSEMENT: The current briefing schedule is adjourned nunc pro tunc and sine die, pending counsels' further advice to the Court. So ordered. (Signed by Judge Charles S. Haight on 12/12/2011) (mro) (Entered: 12/12/2011)
04/04/2012	<u>406</u>	ENDORSED LETTER addressed to Judge Charles S. Haight from Peter G. Farrell dated 3/30/2012 re: The parties request that the briefing schedule on class counsel's motion remain stayed. ENDORSEMENT: The Court approves this sensible approach and commends counsel. Class counsel's pending motion and its briefing schedule are stayed pending the Court's further order. (Signed by Judge Charles S. Haight on 4/3/2012) (lmb) (Entered: 04/04/2012)
11/28/2012	<u>407</u>	MEMORANDUM OPINION AND ORDER: #102626 This opinion should not be construed as determinative of any future motion by Class Counsel, in proper form and adequately supported, to expand or enlarge the NYPD's obligations to inform Class Counsel of what the NYPD is about (consistent, of course, with security

		considerations). The opinion does no more than explain why, on this record and procedural posture, the Court REJECTS Class Counsel's interpretation of the injunction contained in Handschu X, and ACCEPTS the interpretation contended for by Corporation Counsel. The Court sees no need to alter the wording of that injunction. If any future reader is in doubt about what its language means, this opinion should furnish sufficient enlightenment. The foregoing is SO ORDERED. (Signed by Judge Charles S. Haight on 11/26/2012) (mro) (Main Document 407 replaced on 11/28/2012) (mro). Modified on 11/29/2012 (jab). (Entered: 11/28/2012)
02/04/2013	408	MOTION for Injunctive Relief and for Appointment of An Auditor or Monitor.Document filed by the Plaintiff Class.(mro) (Entered: 02/05/2013)
02/04/2013	409	MEMORANDUM OF LAW in Support re: 408 MOTION for Injunctive Relief and for Appointment of An Auditor or Monitor. Document filed by the Plaintiff class. (mro) (Entered: 02/05/2013)
02/25/2013	<u>410</u>	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 2/22/2013 re: I have conferred with Peter Farrell, Esq., the attorney for the defendants, and we jointly propose the following briefing schedule for t he motion of the plaintiff class that was filed on February 4, 2013., Defendants will respond to the motion on or before April 19, 2012 and the plaintiff class will reply three weeks after the response has been served and no later than May 10, 2013. We request that this schedule be approved by the court. ENDORSEMENT: I commend counsel on this sensible schedule. The Court approves the suggestions and requests in this letter in their entirety. The litigation will proceed accordingly. SO ORDERED., (Responses due by 4/19/2013, Replies due by 5/10/2013.) (Signed by Judge Charles S. Haight on 2/25/2013) (ama) (Entered: 02/26/2013)
02/25/2013	<u>411</u>	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 2/04/2013 re: Finally, on behalf of the plaintiff class we withdrawn the motion for leave to conduct discovery brought on by notice of motion dated October 25, 2011. ENDORSEMENT: Counsel have withdrawn the discovery motion which is Doc. 402. Accordingly, the motion is DENIED as Moot. SO ORDERED. (Signed by Judge Charles S. Haight on 2/25/2013) (ama) (Entered: 02/26/2013)
04/04/2013	<u>412</u>	ENDORSED LETTER addressed to Judge Charles S. Haight, Jr. from Peter G. Farrell dated 4/4/2013 re: Defendants' opposition is currently due April 19th and plaintiffs' reply is due May 10th. We request that the due date for both the opposition and reply be extended three weeks. Accordingly, defendants' opposition will be due May 10, 2013 and plaintiffs' reply will be due May 31, 2013. We request that this schedule be approved by the Court. ENDORSEMENT: So Ordered. (Signed by Judge Charles S. Haight on 4/4/2013) (mt) (Entered: 04/05/2013)
04/04/2013		Set/Reset Deadlines: Responses due by 5/10/2013; Replies due by 5/31/2013. (mt) (Entered: 04/05/2013)
05/09/2013	<u>413</u>	ENDORSED LETTER addressed to Judge Charles S. Haight, Jr. from Peter G. Farrell dated 5/9/2013 re: Defendants' opposition is currently due May 10 and Class Counsel's reply is due May 31. We respectfully request that the due date for both the opposition and reply be extended one week to May 17, 2013 and June 7, 2013, respectively. ENDORSEMENT: So Ordered. (Signed by Judge Charles S. Haight on 5/9/2013) (mt) (Entered: 05/09/2013)
05/09/2013		Set/Reset Deadlines: Responses due by 5/17/2013 Replies due by 6/7/2013. (mt) (Entered: 05/09/2013)
05/17/2013	414	DEFENDANTS' BRIEF IN OPPOSITION TO CLASS COUNSEL'S MOTION FOR INJUNCTIVE RELIEF AND APPOINTMENT OF A MONITOR. Document filed by the defendants. (mro) (Entered: 05/20/2013)
05/17/2013	415	DECLARATION of David Cohen. Document filed by the defendants. (mro) (Entered: 05/20/2013)
05/17/2013	416	DECLARATION of Thomas Galati. Document filed by the defendants. (mro) (Entered: 05/20/2013)
05/17/2013	417	DECLARATION of Stephen Hoban. Document filed by the defendants. (mro) (Entered: 05/20/2013)

05/17/2013	418	DECLARATION of Brian Michael Jenkins. Document filed by the defendants. (mro) (Entered: 05/20/2013)
05/17/2013	419	DECLARATION of Peter G. Farrell. Document filed by the defendants. (mro) (Entered: 05/20/2013)
05/21/2013	<u>420</u>	ENDORSED LETTER addressed to Charles S. Haight from Peter G. Farrell dated 5/16/2013 re: Defendants write to request permission to file an opposition brief not to exceed 35 pages. ENDORSEMENT: So Ordered, nunc pro tunc. (Signed by Judge Charles S. Haight on 5/20/2013) (tro) (Entered: 05/23/2013)
06/05/2013	<u>421</u>	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 6/5/13 re: Counsel writes to request that the deadline for submission of reply papers to the Motion for Injunction Relief be extended to 6/28/13. ENDORSEMENT: So ordered. Set Deadlines/Hearing as to 408 MOTION for Injunctive Relief and for Appointment of An Auditor or Monitor:(Replies due by 6/28/2013.) (Signed by Judge Charles S. Haight on 6/5/2013) (mro) Modified on 6/7/2013 (mro). (Entered: 06/06/2013)
06/28/2013	422	RESPONSE in Support re: 408 MOTION for Injunctive Relief and for Appointment of An Auditor or Monitor. Document filed by Ellie Benzoni, Howard Blatt, Ralph DiGia, Steven Fischler, Barbara Handschu, Abbie Hoffman, Alex McKeiver, Shaba Om, Curtis M. Powell, Annette T. Rubenstein, Robert Rusch, Mark A. Sagal, Mickey Sheridan, Joe Sucher, Kenneth Thomas, Michael Zumoff. (ft) (Entered: 07/02/2013)
08/22/2013	<u>423</u>	ORDER: The Motion of Class Counsel for Injunctive Relief and For Appointment of an Auditor or Monitor [Doc. 408] will be called for oral argument at 10:30 a.m. on Tuesday, October 1, 2013 at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, N.Y. in a Courtroom to be designated. (Oral Argument set for 10/1/2013 at 10:30 AM before Judge Charles S. Haight.) (Signed by Judge Charles S. Haight on 8/22/2013) (mro) (Entered: 08/22/2013)
08/29/2013	<u>424</u>	MEMORANDUM: Counsel for the plaintiff class move for equitable relief against what counsel perceive to be violations by defendant NYPD of the current Handschu Guidelines, specifically, "surveillance and investigation of Muslim communities in the New York area as detailed in the moving papers." Plaintiffs Main Brief at 2. The NYPD, resisting the motion, responds that "[i]n fact, the NYPD rigorously complies with the requirements of the Guidelines and has a number of internal controls in place to ensure that compliance." Defendants' Brief at 2. With the broad boundaries of dispute thus drawn, the NYPD turns to a particular criticism of the documents Class Counsel submit in support of the present motion. The NYPD prefaces that criticism by saying: Members of the Legal Matters Unit participate in the daily activities of the Intelligence division with the purpose of facilitating the Intelligence Division's compliance with the Modified Handschu Guidelines including, inter alia, the authorization of investigations... The NYPD then turns to the documents submitted by Class Counsel, and dismisses them for this reasons, among others: First, none of the NYPD documents submitted by Class Counsel were intended to set forth the basis or predicate for an investigation... It would seem difficult, if not impossible, to evaluate a particular investigation's compliance with the Guidelines without examining the Investigative Statement purporting to justify the investigation: a difficulty shared by skeptics such as Class Counsel, and a neutral and disinterested person such as a District Judge. However, questions of security and sensitive information clearly arise. In these circumstances, Class Counsel and Corporation Counsel are directed to confer with each other prior to the October 1 hearing about how discovery into and proof of the Investigative Statements might be arranged, and report to the Court if any understandings are reached or recommendations formulated before the hearing. It seemed better to place the Court's preliminary thoughts on the question before counsel before the hearing. Counsel will of course be aware that they are at liberty to disagree with any aspect of the Court's thinking, as expressed in this Memorandum. Counsel have not been inhibited in the past in their criticism of the Court, and that healthy exchange of views should continue. The foregoing is SO ORDERED. (Signed by Judge Charles S. Haight, Jr. on 8/29/2013) (ja) Modified on 9/4/2013 (ja). Modified on 9/5/2013 (ja). (Entered: 09/04/2013)
10/01/2013		Minute Entry for proceedings held before Judge Charles S. Haight: Oral Argument held on 10/1/2013 re: 408 MOTION for Injunctive Relief and for Appointment of An Auditor or Monitor. Court reserves decision. (rjm) (Entered: 10/02/2013)

10/10/2013	<u>425</u>	TRANSCRIPT of Proceedings re: HEARING held on 10/1/2013 before Judge Charles S. Haight. Court Reporter/Transcriber: Eve Giniger, (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 11/4/2013. Redacted Transcript Deadline set for 11/15/2013. Release of Transcript Restriction set for 1/11/2014.(Rodriguez, Somari) (Entered: 10/10/2013)
10/10/2013	<u>426</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a HEARING proceeding held on 10/1/13 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...(Rodriguez, Somari) (Entered: 10/10/2013)
01/30/2014	<u>427</u>	MEMORANDUM AND ORDER: In this totality of circumstances, the Court directs that counsel for the parties continue their dialogue with each other. Counsel are further directed to write letters simultaneously to the Court, not later than March 14, 2014. Those letters should describe the then existing status of the case, identify any pending disputes, set forth their contentions with respect to any disputes, and offer suggestions for the further governance of the case. If counsel wish to obtain the Court's intervention prior to that date, they know how to ask for it. (Signed by Judge Charles S. Haight on 1/30/2014) (mro) (Entered: 01/30/2014)
03/17/2014	<u>428</u>	ENDORSED LETTER addressed to Jethro M. Eisenstein from Peter G. Farrell dated 3/14/2014 re: Counsel writes in response to the 3/14/2014 letter. ENDORSEMENT: In the Court's opinion this letter, read together with the letters referenced therein – Corporation Counsel letter dated October 8, 2013 and Class Counsel letter dated March 14, 2014 – set forth a sensible, practical and pragmatic method for advancing the litigation. Accordingly, the agreements between counsel evidenced by these letters are SO ORDERED by the Court. (Signed by Judge Charles S. Haight on 3/17/2014) (tn) (Entered: 03/17/2014)
08/20/2014	<u>429</u>	ENDORSED LETTER addressed to Judge Charles S. Haight and Judge Joan M. Azrack from Peter G. Farrell dated 8/20/2014 re: The parties respectfully request that the Courts endorse or "so order" the above provisions. ENDORSEMENT: The within Provisions, intended to facilitate a Settlement Process, are sensible, practical, even-handed, and well suited to that solitary purpose. The Court approves them. (Signed by Judge Charles S. Haight on 8/20/2014) (tn) (Entered: 08/20/2014)
08/05/2015	<u>430</u>	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 8/5/2015 re: The parties respectfully request that the Court endorse or "so order" the above modification to the parties' confidentiality agreement so that the Settlement terms may be publicly filed and disclosed when the settlement becomes final. ENDORSEMENT: The Court commends counsel on their continuing and successful efforts to reach sensible and mutually acceptable agreements in this complex and important case. By this endorsement, the Court signifies its approval of the modification identified in the margin of page 2 of the within letter. (Signed by Judge Charles S. Haight, Jr. on 8/5/2015) (lmb) (Entered: 08/06/2015)
01/11/2016	<u>431</u>	MEMORANDUM AND ORDER: The Court directs that counsel for the parties confer and agree, if possible, upon: (a) the contents of the notice to class members with respect to the proposed Stipulation of Settlement, and (b) the manner or manners in which the notice will be disseminated to class members. If disputes arise which cannot be resolved or compromised, the Court will resolve the issues by means of a telephone conference with counsel. The date of the hearing should be left blank in the text of the notice. That date will be filled in by the Court when the agreed or adjudicated text of the notice is at hand. The hearing will take place in the United States Courthouse at 500 Pearl Street, New York, NY 10007, beginning at 10:00 a.m. on the designated day. Counsel should submit the proposals called for by this Order as promptly as their schedules allow, and in no event later than January 27, 2016. (As further set forth in this Order.) (Signed by Judge Charles S. Haight on 1/11/2016) (kko) (Entered: 01/12/2016)

01/12/2016	432	NOTICE OF MOTION FOR APPROVAL OF SETTLEMENT to Approve approval of settlement. Document filed by the Plaintiff Class. (spo) (Entered: 01/12/2016)
01/12/2016	433	MEMORANDUM OF PLAINTIFF CLASS COUNSEL IN SUPPORT OF MOTION FOR APPROVAL OF SETTLEMENT in Support re: 432 MOTION to Approve approval of settlement. MOTION for Settlement. (spo) (Entered: 01/12/2016)
01/29/2016	<u>434</u>	MEMORANDUM AND ORDER: The Court has considered the joint proposals of Class Counsel and Corporation Counsel with respect to (a) the contents of a notice to class members concerning the Proposed Stipulation of Settlement, and (b) the manner in which that notice will be disseminated to class members. Counsel communicated these proposals in Mr. Eisenstein's letter dated January 27, 2016 and enclosure, which were submitted in obedience to the Court's Memorandum and Order dated January 11, 2016. The Court makes these comments and directions: I agree that use should be made of the four newspapers mentioned on page 2 of counsel's letter: the New York Times, New York Daily News, El Diario, and New York Amsterdam News. Publication should also be made through the additional newspapers listed thereafter. What is unclear is the number of publications in these newspapers counsel propose. Counsel say in their letter at 2 that "the notice be published two times in the newspapers identified," and then in the next paragraph express the parties' belief "that publication in two successive weeks will be sufficient." Does this mean that the notice will be published once a week during two successive weeks (a total of two publications in each newspaper), or that the notice will be published every day during the two successive weeks (a total of ten to fourteen publications in each newspaper, depending on whether it has weekend editions). Counsel are directed to clarify this point, by a follow-up joint letter if possible. As for the date of the hearing, it cannot be set until the duration of the notice publication period has been determined. The Court may decide – putting it no higher than that – to require publication over a period longer than two successive weeks. In any event, conceptually there should be an interval between the last notice publication date and the hearing date of sufficient duration to allow class members receiving their first notice of the settlement by means of the last publication enough time to consider the matter and decide what, if anything, to do about it. Counsel are further directed to suggest to the Court how long that interval, between the last date of publication and the date of the hearing, should be. The Court will make a final Order on these issues when the further responses of counsel are at hand. If it appears that a telephone conference would be useful, Chambers will contact counsel. (Signed by Judge Charles S. Haight on 1/29/2016) (tn) (Entered: 01/29/2016)
02/10/2016	<u>435</u>	MEMORANDUM AND ORDER: that the Court hereby APPROVES THE REVISED NOTICE OF HEARING AS TO FORM AND CONTENT. It remains to consider the precise manner and time of publication of the Notice in local newspapers, and to set the dates of the hearing and pre-hearing submissions. These subjects are discussed in Class Counsel's letters to the Court dated January 27, 2016 and February 5, 2016, which express the joint views of all counsel of record. The letters will be docketed. The Court has considered them carefully, and makes the following directions. Counsel's February 5 Letter suggests publication of the revised Notice of Hearing in ten specified newspapers. Publication will be in English, except where a different language is more appropriate, as indicated in the February 5 Letter. The Court APPROVES these suggestions. The Court's direction is that with respect to the present Notice, publication in the enumerated newspapers be once per week for three weeks. Date of first publication: March 2, 2016 (Wednesday of the week of February 29). Last day of publication: March 18, 2016 (Friday of the week of March 14). Date of hearing: April 19–20, 2016 (two hearing days set aside in case of need). The hearing will begin at 10:00 a.m. on April 19 at the 500 Pearl Street Courthouse, in a courtroom to be designated later. Deadline for giving comments: April 5, 2016. Counsel are directed to complete the Notice of Hearing in a manner consistent with this Order, and commence publication. Counsel should not hesitate to express any concerns to the Court about the structure or consequences of this Order, which can be amended in case of need (an unnecessary aside, since the inhibition of counsel has not been a problem in this case). (Settlement Conference set for 4/19/2016 at 10:00 AM before Judge Charles S. Haight.) (Signed by Judge Charles S. Haight on 2/10/2016) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(tn) (Entered: 02/10/2016)
02/10/2016	<u>436</u>	AMENDED ORDER re: <u>435</u> Order: Responding to Class Counsel's email of today at 3:14 p.m., the Court's Memorandum and Order dated February 10,2016 [Doc. 435] is

		amended, so as to provide that publication of the Notice of Hearing in the Arabic language newspaper Aramica on March 9 and March 23, 2016, will be sufficient. All other directions in the Order [Doc. 435] remain in full force and effect. The Court will accept a March 23, 2016 final date for this newspaper publication, even though that date is a few days after the Order's specified last day of publication (March 18) and a few days less than thirty days before the date of the hearing (April 19). (Signed by Judge Charles S. Haight on 2/10/2016) (tn) (Entered: 02/10/2016)
03/30/2016	<u>437</u>	MEMORANDUM AND ORDER: On March 30, 2016, there was delivered by FedEx to the Court's chambers a letter dated March 28 from the Law Firm of Omar T. Mohammedi, LLC, of New York City. I read Mr. Mohammedi's letter as a representation that he and his firm are retained and authorized by these particular individuals and entities to speak on their behalf in this matter. All they need do is make their points and objections in a timely letter to the Clerk. At the hearing, these attorneys may then apply to the Court for an order keeping the record on the fairness hearing open attorneys may then apply to the Court for an order keeping the record on the fairness hearing open for an additional period of time, and state the reasons for the request. The Court will carefully consider such a submission, together with any other comments, pro or con, that other attendees may make with respect to an extension of the hearing and time for decision to August, the time frame suggested by the letter in question. (Signed by Judge Charles S. Haight on 3/30/2016) (tn) (Entered: 04/01/2016)
04/04/2016	<u>438</u>	LETTER addressed to Judge Charles S. Haight from Hina Shamsi dated 3/31/2016 re: We write concerning Mr. Omar Mohammedi's recent letter to the Court in the above-captioned matter, and in light of the Court's March 30, 2016 order, which "read Mr. Mohammedi's letter as a representation that he and his firm are retained and authorized by these particular individuals and entities to speak on their behalf in this matter.". (tn) (Entered: 04/07/2016)
04/07/2016	<u>439</u>	MEMORANDUM AND ORDER: Mr. Mulqueen's letter to the Court dated April 1, 2016 usefully clarifies the representation status between the Mohammedi law firm and the list of organizations forwarded by that firm with its letter of March 28, 2016. For the reasons stated in the Court's Memorandum and Order dated March 30, 2016 [Doc. 437], the letters of counsel cannot be regarded as the requisite formal motion to intervene required by Fed. R. Civ. P. 24. However, as that Memorandum pointed out at page 3, the organizations the Mohammedi law firm represents are entitled to be heard, through counsel, at the fairness hearing. The Court construes Mr. Mohammedi's letter dated March 28, 2016 as the notice of intent to comment required by the Order scheduling the fairness hearing. At the hearing, counsel for these organizations may, if so advised, reiterate the request that the hearing in its entirety be adjourned from April 19, 2016 to a date in August. If Class Counsel and Corporation Counsel agree with that position, they should say so forthwith. If they do not agree, they should be prepared to address the issue when the hearing begins on April 19. In that event, counsel proposing the settlement are directed to file, not later than April 14, 2016, written reasons for opposing the requested adjournment. Unless a subsequent order of the Court provides to the contrary, the fairness hearing will commence as scheduled on April 19, 2016, and proceed in a manner consistent with this order, prior orders and decisions, and the established practices and procedures of the Court. (Signed by Judge Charles S. Haight on 4/7/2016) (tn) (Entered: 04/07/2016)
04/11/2016	<u>440</u>	LETTER addressed to Clerk's Office from April Denise Williams dated 4/4/2016 re: Handschu settlement. (tro) (Entered: 04/12/2016)
04/12/2016	<u>441</u>	LETTER addressed to Judge Charles S. Haight from Victor A. Kovner (member of the class), dated 4/5/2016 re: Handschu settlement. (tro) (Entered: 04/12/2016)
04/12/2016	<u>442</u>	LETTER addressed to Judge Charles S. Haight from Kelly Wallace dated 4/19/2016 re: Handschu settlement. (tro) (Entered: 04/12/2016)
04/14/2016	<u>443</u>	COMMENTS compiled by and received from Class Counsel. (kko) (Entered: 04/14/2016)
04/15/2016	<u>444</u>	MEMORANDUM: Responding to Class counsel's letter dated April 15, 2016, the Court makes these directions with respect to the fairness hearing that will begin on April 19, 2016. Owing to the exigencies of time, these directions are being communicated by e-mail, a copy of which will be docketed. 1. The hearing will commence with statements by counsel of record in the two underlying cases:

		<p>Handschu and Raza. By virtue of complexity and vintage, Handschu is the lead case and I will hear first from Class Counsel. I will then hear from counsel for the Raza plaintiffs. Finally in this category, I will hear from Corporation Counsel, on behalf of all defendants in both cases. Presumably, each of these attorneys will speak in favor of the proposed settlement and amendments to the Handschu Guidelines. 2. As requested, I will then hear from a Raza plaintiff – class member. Counsel suggest that I hear "from the plaintiffs in the Raza case," phrasing the suggestion in the plural. We will have many individuals who wish to speak, and I direct that the Raza plaintiffs select one individual from their number who can speak for all (presumably in favor of the settlement). 3. The next item on the agenda will be oral comments by individuals in the large-size courtroom. (The Marshals are arranging for an overflow courtroom with TV piped in, but what follows in this paragraph applies to those in the main courtroom). I will tell the attendees preliminarily that the Court will continue the hearing on April 20 if necessary to accommodate them; that they can rely on their earlier written statements, which the Court will carefully consider, so that they need not speak; and the Court will keep the record open for an additional 30 days so that additional written statements can be submitted (no guarantee that there will be another hearing, I am for the present reserving on that). Having said all that, I will ask anyone who wishes to speak to raise his or her hand. When the hands go up, I will tell them that the only statements relevant to the hearing are those that directly address the fairness and reasonableness of the proposed settlement and Guidelines amendments, and the Court cannot hear or respond to personal grievances or complaints about unrelated subjects, however sincerely felt. I will also say that owing to the number of people who wish to be heard, each speaker should keep his or her remarks as brief as possible. I will then begin to call speakers up, beginning with those in the front pews, and work my way back through the room. If we go over into the next day, I will instruct those who wish to return and have not yet spoken to look around and come back to the same pew they are leaving, much in the fashion of instructions we give to jurors departing at the end of a trial or selection day. I am not in a position to continue the hearing for a third consecutive day during the week. These comments comprise my present planning. Suggestions from counsel are welcome. (Signed by Judge Charles S. Haight on 4/15/2016) (tn) (Entered: 04/18/2016)</p>
04/19/2016	<u>445</u>	LETTER addressed to Judge Charles S. Haight from Wylie Stecklow dated 04/19/2016 re: Respectfully Objecting to the Proposed Handschu Guidelines pursuant to the April 15, 2016 Order of this Court – Docket #444,. Document filed by Wylie Stecklow. (Attachments: # <u>1</u> Exhibit 1: November 2011 Stratfor Email, # <u>2</u> Exhibit April 2008 Deputy Commissioner's Intelligene Briefing relased by AP)(Stecklow, Wylie) (Entered: 04/19/2016)
04/19/2016	<u>446</u>	LETTER addressed to Judge Charles S. Haight from David A. Thompson dated 04/19/2016 re: Respectfully Objecting to the Proposed Handschu Guidelines pursuant to the April 15, 2016 Order of this Court – Docket #444,. Document filed by David Allen Thompson.(Stecklow, Wylie) (Entered: 04/19/2016)
04/19/2016	<u>447</u>	LETTER addressed to Judge Charles S. Haight from Michael A. Hardy dated 04/19/2016 re: Respectfully Objecting to the Proposed Handschu Guidelines pursuant to the April 15, 2016 Order of this Court – Docket #444. Document filed by Michael A. Hardy.(Stecklow, Wylie) (Entered: 04/19/2016)
04/19/2016	<u>448</u>	LETTER addressed to Judge Charles S. Haight from Robin Wilson dated 04/19/2016 re: Respectfully Objecting to the Proposed Handschu Guidelines pursuant to the April 15, 2016 Order of this Court – Docket #444. Document filed by Robin Wilson.(Stecklow, Wylie) (Entered: 04/19/2016)
04/19/2016	<u>449</u>	LETTER addressed to Judge Charles S. Haight from Kurt Opprecht dated 04/19/2016 re: Respectfully Objecting to the Proposed Handschu Guidelines pursuant to the April 15, 2016 Order of this Court – Docket #444. Document filed by Kurt Opprecht.(Stecklow, Wylie) (Entered: 04/19/2016)
04/19/2016	<u>450</u>	LETTER addressed to Judge Charles S. Haight from Savitri D. dated 04/19/2016 re: Respectfully Objecting to the Proposed Handschu Guidelines pursuant to the April 15, 2016 Order of this Court – Docket #444. Document filed by Savitri D..(Stecklow, Wylie) (Entered: 04/19/2016)

04/19/2016	451	DECLARATION of Peter G. Farrell re: <u>436</u> Order, <u>435</u> Order. (tn) (Entered: 04/20/2016)
04/19/2016		Minute Entry for proceedings held before Judge Charles S. Haight: Fairness Hearing held on 4/19/2016. Hearing to resume Wednesday, April 20, 2016 at 10:00 a.m. (tn) (Entered: 04/20/2016)
04/20/2016		Minute Entry for proceedings held before Judge Charles S. Haight: Fairness Hearing held on 4/20/2016. Court reserves decision as to all matters. (tn) (Entered: 04/20/2016)
04/27/2016	<u>452</u>	RULING ON FORM OF FURTHER PROCEEDINGS IN FAIRNESS HEARING: that the Court directs that additional comments concerning the proposed settlement, pro or con, may be filed with the Clerk of the Court on any date prior to and including May 26, 2016. The Court will conduct a further fairness hearing on June 1, 2016, at 10:00 a.m. in the United States Courthouse, 500 Pearl Street. Individuals wishing to be heard should file a notice to that effect with the Clerk not later than May 26. These dates are preemptory and cannot be extended. The case will then be regarded as ripe for decision. (Fairness Hearing set for 6/1/2016 at 10:00 AM before Judge Charles S. Haight.) (Signed by Judge Charles S. Haight on 4/27/2016) (tn) (Entered: 04/27/2016)
04/28/2016	453	NOTICE of All who wish to comment on the proposed Settlement Agreement during the extension period before the final fairness hearing of June 1, 2016 may do so, prior to and including May 26, 2016, either by sending their comments, pro or con, to the email address of handschusettlement@gmail.com, or by filing their comments with the Clerk of the Court at the address: Handschu Settlement, C/O Clerk's Office, United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York NY 10007. (spo) (Entered: 04/28/2016)
05/05/2016	<u>454</u>	TRANSCRIPT of Proceedings re: hearing held on 4/19/2016 before Judge Charles S. Haight. Court Reporter/Transcriber: Sonya Ketter Huggins, (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 5/31/2016. Redacted Transcript Deadline set for 6/9/2016. Release of Transcript Restriction set for 8/8/2016.(McGuirk, Kelly) (Entered: 05/05/2016)
05/05/2016	<u>455</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a hearing proceeding held on 4/19/16 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: 05/05/2016)
05/05/2016	<u>456</u>	TRANSCRIPT of Proceedings re: hearing held on 4/20/2016 before Judge Charles S. Haight. Court Reporter/Transcriber: Sonya Ketter Huggins, (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 5/31/2016. Redacted Transcript Deadline set for 6/9/2016. Release of Transcript Restriction set for 8/8/2016.(McGuirk, Kelly) (Entered: 05/05/2016)
05/05/2016	<u>457</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a trial proceeding held on 4/20/16 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: 05/05/2016)
05/24/2016	<u>458</u>	LETTER addressed to Judge Charles S. Haight from Erik McGregor dated 05/24/2016 re: Respectfully Objecting to the Proposed Handschu Guidelines pursuant to the April 15, 2016 Order of this Court - Docket #444.. Document filed by Erik McGregor.(Stecklow, Wylie) (Entered: 05/24/2016)
05/25/2016		NOTICE re: <u>452</u> Order: As set forth in Doc. 452, the Court previously ordered that "additional comments concerning the proposed settlement, pro or con, may be filed with the Clerk of the Court on any date prior to and including May 26, 2016."

		However, in response to numerous requests from members of the Muslim community, the Court has decided to also accept written comments on the proposed settlement at the June 1 hearing. (tn) (Entered: 05/25/2016)
05/26/2016	<u>459</u>	RULING ON FAIRNESS HEARING PROCEDURES. The Court is in the process of conducting a fairness hearing with respect to a proposed settlement of issues between the plaintiff Class and the City which arise out of NYPD conduct relating to the Muslim community. The hearing began on April 19, 2016 and was continued on April 20. In a ruling dated April 27, 2016 [Doc. 452], the Court directed that the hearing be continued for an additional day: June 1, 2016. In that ruling, the Court recognized that "[t]he fully informed opinions of members of the Muslim community are important elements in a judicial evaluation of whether the proposed settlement is fair and reasonable for everyone living in or coming to the City, and for those whose duty it is to protect them." Slip. Op. [Doc. 452], at 6. The continued date and the extension of the hearing are intended to accomplish that purpose. In order that the June 1 hearing be accomplished in an orderly fashion, the April 27 ruling and a subsequent text order on April 28 [Doc. 453] provided that individuals wishing to be heard at the hearing must file a notice to that effect with the Clerk not later than May 26, 2016, and send their comments "prior to and including May 26, 2016" to the Clerk or the e-mail address set up by Class counsel, and as further set forth in this Ruling on Fairness Hearing Procedures. The June 1 continuation of the fairness hearing will take place in accordance with this Ruling and the Court's prior orders. At the conclusion of the public comments, the attorneys for the Class and the City will be given an opportunity to be heard. This is fair, because the parties are the proponents of the settlement, and are entitled to respond to any criticisms. It is SO ORDERED. (Signed by Judge Charles S. Haight on 5/26/2016) (rjm) (Entered: 05/26/2016)
05/27/2016	<u>460</u>	LETTER addressed to Judge Charles S. Haight from David A. Thompson, Esq. dated May 26, 2016 re: Objections to proposed settlement. Document filed by David Allen Thompson.(Thompson, David) (Entered: 05/27/2016)
06/01/2016		Minute Entry for proceedings held before Judge Charles S. Haight: Fairness Hearing held on 6/1/2016. Court reserves decision; Expedited Transcript fees are to be paid by the City. (tn) (Entered: 06/02/2016)
06/10/2016	<u>461</u>	LETTER addressed to Lori Dora from Bill of Rights Defense Committee/Defending Dissent Foundation dated 5/26/2016 re: comments on proposed settlement. (tn) (tn). (Entered: 06/13/2016)
06/17/2016	<u>462</u>	TRANSCRIPT of Proceedings re: HEARING held on 6/1/2016 before Judge Charles S. Haight. Court Reporter/Transcriber: Karen Gorlaski, (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 7/11/2016. Redacted Transcript Deadline set for 7/21/2016. Release of Transcript Restriction set for 9/19/2016.(McGuirk, Kelly) (Entered: 06/17/2016)
06/17/2016	<u>463</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a HEARING proceeding held on 6/1/16 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: 06/17/2016)
08/31/2016	<u>464</u>	MEMORANDUM FOLLOWING FAIRNESS HEARING: The decision on whether the Court will approve or disapprove the proposed settlement, and its reasons for that decision, are sub judice. As an enclosure to a letter dated August 24, 2016, Class Counsel sent to the Court a copy of a report dated August 23, 2016 from the Office of the Inspector General for the NYPD. The report is titled "An Investigation of NYPD's Compliance with Rules Governing Investigations of Political Activity." The "Rules" referred to in that title are the Modified Handschu Guidelines currently in effect, which as noted are the subject matter of the proposed settlement. Class Counsel also sent to the Court a copy of the NYPD's written response to the Inspector General's report. Copies of Class Counsel's August 24 letter were sent to the Corporation Counsel and to Plaintiffs' counsel in Raza. Class Counsel state in their August 24 letter to the Court:

		"Plaintiff[s] counsel in Raza and counsel for the plaintiff class in Handschu do not agree with all the findings of the Inspector General or with the positions taken by the NYPD in response. We stand by the positions we have previously expressed. Nonetheless, all the parties in Handschu and in Raza continue to endorse and support the proposed settlement that is pending before you for approval." The Inspector General's report and the NYPD's response are pertinent to the issues explored during the fairness hearing, although not dispositive of them. The Court has hand marked these documents "Court Exhibit 1" and "Court Exhibit 2" as of this date, and will include them in the material in the record of the hearing to be considered. That designation, of course, is solely for the purpose of identification of these documents; no other import should be inferred from it. (Signed by Judge Charles S. Haight on 8/30/2016) (tn) (Entered: 08/31/2016)
10/28/2016	465	RULING ON PROPOSED SETTLEMENT AGREEMENT denying 432 Motion to Approve; denying 432 Motion for Settlement: For the foregoing reasons, the proposed settlement is DISAPPROVED, without prejudice to resubmission after the parties and counsel have had an opportunity to consider this Ruling. If the case has not been resolved prior to that time, counsel are directed to advise the Court of the status of the case by letter, not later than December 9, 2016. (Signed by Judge Charles S. Haight on 10/28/2016) (tn) (Entered: 10/31/2016)
11/18/2016	466	ENDORSED LETTER addressed to Judge Charles S. Haight from Peter G. Farrell dated 11/9/2016 re: defendants request the motion for reconsideration due date be extended to one week thereafter – December 16, 2016. ENDORSEMENT: Application granted with respect to time for defendants to move for reconsideration. SO ORDERED, nunc pro tunc. (Motions due by 12/16/2016.) (Signed by Judge Charles S. Haight on 11/18/2016) (tn) (Entered: 11/22/2016)
12/09/2016	467	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 12/7/2016 re: request that the time for Defendants to make a motion for reconsideration be extended until 1/27/2017. ENDORSEMENT: The enlargements of time prayed for in this letter are GRANTED in the interest of justice. (Motions due by 1/27/2017.) (Signed by Judge Charles S. Haight on 12/9/2016) (tn) (Entered: 12/12/2016)
01/24/2017	468	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 1/19/2017 re: request that the time for Defendants to make a motion for reconsideration be extended to 3/3/2017. ENDORSEMENT: The extension mutually prayed for is GRANTED for good cause shown. While the Court continues unabated in its appreciation of the skill and dedication of counsel for all parties, I must also recall that, during the fairness hearing, many members of the Muslim community expressed heartfelt desires that some action be taken sooner rather than later. I am mindful of the Court's obligation to these Class members. I do not say that the extension granted herewith is preemptory. I do not want to have to say that. (Signed by Judge Charles S. Haight on 1/23/2017) (tn) (Entered: 01/24/2017)
01/24/2017		Set/Reset Deadlines: Motions due by 3/3/2017. (tn) (Entered: 01/24/2017)
02/28/2017	469	ENDORSED LETTER addressed to Judge Charles S. Haight from Jethro M. Eisenstein dated 2/24/2017 re: request for an extension of the reporting date and the deadline for defendants to move for reconsideration to March 6, 2017. ENDORSEMENT: Extensions granted for good cause shown. Reporting date extended to and including March 6, 2017. Reconsideration motion due by and including March 13, 2017. (Signed by Judge Charles S. Haight on 2/28/2017) (tn) (Entered: 02/28/2017)
02/28/2017		Set/Reset Deadlines: Motions due by 3/13/2017. (tn) (Entered: 02/28/2017)
03/09/2017	470	DECLARATION of Jethro M. Eisenstein. Document filed by Ellie Benzoni, Howard Blatt, Ralph DiGia, Steven Fischler, Barbara Handschu, Abbie Hoffman, Alex McKeiver, Shaba Om, Curtis M. Powell, Annette T. Rubenstein, Robert Rusch, Mark A. Sagal, Mickey Sheridan, Joe Sucher, Kenneth Thomas, Michael Zumoff. (cla) (Entered: 03/09/2017)
03/13/2017	471	RULING AND ORDER ON PROPOSED REVISED SETTLEMENT AGREEMENT re: 470 Declaration, filed by Mickey Sheridan, Robert Rusch, Barbara Handschu, Abbie Hoffman, Alex McKeiver, Mark A. Sagal, Shaba Om, Joe Sucher, Annette T.

		<p>Rubenstein, Curtis M. Powell, Ralph DiGia, Steven Fischler, Kenneth Thomas, Michael Zumoff, Howard Blatt, Ellie Benzoni: For the foregoing reasons, the Revised Settlement Agreement described in the Eisenstein Declaration executed on March 6, 2017 [Doc. 470] is APPROVED by the Court. The Revised Handschu Guidelines, which contain all the changes proposed by the parties, are attached as Tab C to the Eisenstein Declaration. Those Guidelines are also APPROVED by the Court. They are incorporated by reference in this Ruling and Order. This Ruling is marked "SO ORDERED" by the Court for the purpose, inter alia, of ensuring that the undertakings specified in the Guidelines, including the appointment, funding, and support of the Civilian Representative, will be faithfully performed by the party or parties concerned. This follows the Court's prior practice of making Guidelines revisions and related directions orders of the Court. The foregoing is SO ORDERED. (Signed by Judge Charles S. Haight on 3/13/2017) (tn) (Entered: 03/13/2017)</p>
03/27/2017	<u>472</u>	<p>STIPULATION OF SETTLEMENT AND ORDER: IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows: It is the policy of the NYPD that investigations involving political activity conform to the guarantees of the U.S. and New York state constitutions, including the U.S. Constitution's guarantee of equal protection. It is also the policy of the NYPD that care be exercised in the conduct of those investigations so as to protect constitutional rights, including the right to be free from investigation in which race, religion, or ethnicity is a substantial or motivating factor. Defendants will remove the "Radicalization in the West" report from the NYPD website; as set forth herein. The City of New York hereby agrees to pay Plaintiffs' Counsel the sum of \$361,730.26 in full satisfaction of all claims for costs, expenses and attorneys' fees. Class Counsel hereby agree and represent that no other claims for attorneys' fees, costs or expenses arising out of the Handschu Motion or the Discovery Motion shall be made by or on behalf of Class Counsel against Defendants in any application for attorneys' fees, costs or expenses at any time, and Class Counsel shall release and discharge Defendants for all claims for attorneys' fees, costs, and expenses arising out of the Handschu Motion or the Discovery Motion. Class Counsel shall each execute and deliver to defendants' attorneys all documents necessary to effect this settlement, including, without limitation, General Releases based on the terms of paragraph 13, and plaintiffs' attorneys shall also execute and deliver W-9's. The sole authority to allege that the NYPD has violated the Revised Handschu Guidelines remains with Class Counsel, and nothing in this Stipulation shall be construed to mean otherwise. The sole Court empowered to hear a complaint that there has been a violation of the Revised Handschu Guidelines remains the presiding Judge of the Handschu litigation in the United States District Court for the Southern District of New York (the "Handschu Court"), and the parties reserve their right to appeal from any determination made by that court. Upon approval of this Stipulation by this Court, the Handschu Motion is dismissed against Defendants with prejudice. (Signed by Judge Charles S. Haight on 3/27/2017) (mro) (Entered: 03/28/2017)</p>
03/27/2017	<u>473</u>	<p>EXHIBIT A: Revised Handschu Guidelines. (mro) (Entered: 03/28/2017)</p>
03/27/2017	<u>474</u>	<p>EXHIBIT B: Court's Ruling and Order 3-13-17. (mro) (Entered: 03/28/2017)</p>
05/01/2018	<u>475</u>	<p>MEMORANDUM AND ORDER: In these circumstances, counsel for the parties are directed to inform the Court by letter with respect to the date by which the Court may expect to receive the first annual report of the CR. Counsel's letters should reach the Court no later than May 11, 2018, and as further set forth herein. (Signed by Judge Charles S. Haight on 5/1/2018) (ras) Modified on 5/1/2018 (ras). (Entered: 05/01/2018)</p>
05/25/2018	<u>476</u>	<p>MEMORANDUM AND ORDER: Pursuant to paragraph VI(5)(k) of the "Revised Handschu Guidelines" [Doc. 473], the Court hereby provides NOTICE that it has received the annual report of the Civilian Representative ("CR"), Stephen Robinson, which shall be maintained confidentially and under seal until further order of the Court. Within twenty-one (21) days of this Notice – on or before Friday, June 15, 2018, the New York City Police Department ("NYPD") must "notify the Court (i) whether [the report] contains privileged information or information that is prohibited for disclosure as set forth in VI(5)(j); (ii) if it believes such information can be protected through redaction of the document; or (iii) if it asserts the need to maintain the entire document confidentially and under seal." Doc. 473, at 14. "The Court shall adjudicate the propriety and scope of any such invocation," id., and in any event the Court will proceed in the manner described in paragraph VI(5)(k) of the Revised</p>

		Guidelines. (Signed by Judge Charles S. Haight on 5/25/2018) (jwh) (Entered: 05/25/2018)
06/07/2018	<u>477</u>	MEMORANDUM AND ORDER: Accordingly, pursuant to section VI(5)(k) of the Revised Handschu Guidelines, the Court hereby directs the Clerk to file the "First Annual Report of the Civilian Representative" on the public case docket and to serve a copy of said report by first class mail upon Class Counsel: Mr. Jethro Eisenstein, Profeta & Eisenstein, 45 Broadway, New York, New York, 10006. It is SO ORDERED. (Signed by Judge Charles S. Haight on 6/7/2018) (Attachments: # <u>1</u> Exhibit 1)(anc) (Entered: 06/07/2018)
06/07/2018	<u>478</u>	FIRST ANNUAL REPORT OF THE CIVILIAN REPRESENTATIVE TO THE NEW YORK CITY POLICE DEPARTMENT'S HANDSCHU COMMITTEE. (anc) (Entered: 06/07/2018)
06/07/2018		Transmission to Docket Assistant Clerk. Transmitted re: <u>477</u> Order and <u>478</u> FIRST ANNUAL REPORT OF THE CIVILIAN REPRESENTATIVE TO THE NEW YORK CITY POLICE DEPARTMENT'S HANDSCHU COMMITTEE to the Docket Assistant Clerk for case processing. (anc) (Entered: 06/07/2018)
06/07/2018		Mailed a copy of <u>478</u> FIRST ANNUAL REPORT OF THE CIVILIAN REPRESENTATIVE TO THE NEW YORK CITY POLICE DEPARTMENT'S HANDSCHU COMMITTEE, <u>477</u> Order to Mr. Jethro Eisenstein, Profeta & Eisenstein, 45 Broadway, New York, New York, 10006. (rro) (Entered: 06/07/2018)
05/23/2019	<u>479</u>	MEMORANDUM AND ORDER: In a Memorandum and Order filed on May 1, 2018 [Doc. 475], 2018 WL 2223113 (S.D.N.Y.), the Court called attention to Section VI(5)(i) of the then-recently promulgated Revised Handschu Guidelines, which provides that "the Civilian Representative shall file an annual report with the Court related to his or her actions and observations as a member of the Handschu Committee." That provision, for a mandatory annual report by the Civilian Representative ("CR"), came into effect as the result of the Court's Ruling on March 13, 2017, which approved the Revised Handschu Guidelines. Hon. Stephen C. Robinson had been named by the Mayor as the CR in MARCH 2017, but it was not clear at that time when the first annual report would be due. The Court's Order on May 1, 2018 directed the parties to consider that question. It appears that the parties engaged in a joint calculation on that question. That appears from a document captioned "First Annual Report of the Civilian Representative to the New York City Police Department's Handschu Committee." Judge Robinson signed that Report and dated it May 15, 2018. Its opening paragraph states: "This Report covers the work of the Handschu Committee from March 2017 to March 2018." The Court had and has no occasion to question the calculation of the time period covered by the CR's first annual report, and in fact accepted it. We now find ourselves in the month of May 2019, which suggests that the second annual report is now due (if not somewhat overdue). That report does not seem to have come to the Court's hand. Counsel are directed to inquire and inform the Court as to when it may expect to receive the current annual report of the Civilian Representative. It is SO ORDERED. (Signed by Judge Charles S. Haight on 5/23/2019) (mml) (Entered: 05/23/2019)
06/28/2019	<u>480</u>	MEMORANDUM AND ORDER: The Court has now received from Civilian Representative Robinson the CR's Second Annual Report, produced pursuant to Section VI(5)(i) of the Guidelines. The 12-page, single-spaced Report covers the work of the Handschu Committee from March 2018 to March 2019. CR Robinson signed the Report on June 24, 2019. The Court received the Report as an attachment to an e-mail sent on that date. In these circumstances, the Court makes this Order: 1. The Court hereby provides NOTICE that it has received the Second Annual Report of Stephen C. Robinson, the Civilian Representative on the Handschu Committee. The Report will be maintained confidentially and under seal until further Order of the Court. 2. On or before July 19, 2019, the New York City Police Department ("NYPD") must, if so advised, notify the Court in writing of any contentions or requests it makes pursuant to Section VI(5)(k) of the Revised Handschu Guidelines. (Signed by Judge Charles S. Haight on 6/28/2019) (mro) (Entered: 06/28/2019)
07/17/2019	<u>481</u>	MEMORANDUM AND ORDER: Accordingly, pursuant to section VI (5)(k) of the Revised Handschu Guidelines, the Court hereby directs the Clerk to file the "Second Annual Report of the Civilian Representative" on the public case docket and to serve a

		copy of said report by first class mail upon Class Counsel: Mr. Jethro Eisenstein Profeta & Eisenstein 45 Broadway 22nd Floor New York, New York 10006. It is SO ORDERED. (And as further set forth in this Order.) (Signed by Senior United States District Judge Charles S. Haight, Jr. on 7/17/2019) (Attachments: # <u>1</u> Exhibit Letter to Court)(jca) Transmission to Docket Assistant Clerk for processing. (Entered: 07/17/2019)
07/17/2019	<u>482</u>	SECOND ANNUAL REPORT OF THE CIVILIAN REPRESENTATIVE TO THE NEW YORK CITY POLICE DEPARTMENT'S HANDSCHU COMMITTEE. (jca) (Entered: 07/17/2019)
07/17/2019		Mailed a copy of <u>481</u> Order, to Mr. Jethro Eisenstein Profeta & Eisenstein 45 Broadway 22nd Floor New York, New York 10006. (vba) (Entered: 07/17/2019)