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June 10, 2014

VIA ECF

Hon. Analisa Torres
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *Floyd v. City of New York*, 08 Civ. 1034
Ligon v. City of New York, 12 Civ. 2274**

Dear Judge Torres:

On behalf of all of the parties in the above-captioned cases, I write pursuant to section III.J. of Your Honor's Individual Practices in Civil Cases to notify the Court that it has now been 60 days since the parties' joint motion to modify the Court's August 12, 2013 Remedial Order and 88 days since the police unions' renewed motions to intervene were fully briefed, and to respectfully request that the Court grant the parties' joint motion and deny the police unions' motions as soon as the Court's schedule permits.

As this Court is aware, on February 21, 2014, the United States Court of Appeals for the Second Circuit remanded the *Floyd* and *Ligon* actions to this Court to oversee settlement negotiations between the parties and to resolve the police unions' motions to intervene. *See Floyd* Dkt # 426 at 8; *Ligon* Dkt # 166 at 8. Thereafter, by letter dated March 4, 2014, the parties jointly notified this Court that they had reached an agreement in principle for fully resolving the appeals in both cases. Under this agreement, the parties would jointly move the Court for a single modification to the August 12, 2013 Remedial Order, namely, the setting of a three-year term for the Court-appointed monitor conditioned upon the City's substantial compliance with all Court-ordered injunctive relief, and, upon Court approval of that modification, the City would immediately move to withdraw its Second Circuit appeals with prejudice and then commence, along with the *Floyd* and *Ligon* Plaintiffs, the Court-appointed monitor and facilitator, and many other stakeholders on the stop-and-frisk issue in New York City, the consultative process for developing injunctive remedies set forth in the Court's August 12 Remedial Order. *See Floyd* Dkt # 440; *Ligon* Dkt #169. The parties in both actions filed their joint motion for modification on April 3, 2014, and it was fully briefed as of April 10, 2014. *See Floyd* Dkt ## 456-460; *Ligon* Dkt # 188-190, 192-194. In addition, the police unions renewed their intervention motions, originally filed with the Court in September 2013, for the purpose of continuing the *Floyd* and *Ligon* appeals in the City's absence, and those motions were fully briefed on March 14, 2014. *See Floyd* Dkt ## 451, 453; *Ligon* Dkt # 184.

As this Court is also aware, the Second Circuit's October 31, 2013 stay of the Remedial Order, *see* Floyd Dkt # 417; *Ligon* Dkt # 156, has prevented the City, the *Floyd* and *Ligon* plaintiffs, and other important stop-and-frisk stakeholders from commencing the Court-ordered remedial process for more than seven months. The parties believe it essential to move forward as quickly as possible with the remedial process, given the importance of stop-and-frisk reform and the current commitment of many stakeholders to participate in the remedial process.

Thank you for your time and consideration.

Respectfully submitted,

/s/
Darius Charney
Counsel for Floyd Plaintiffs

Cc: All Counsel (*via* ECF)