



THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel

Peter G. Farrell
Senior Counsel
Tel: (212) 442-4687
Fax: (212) 788-9776

July 5, 2013

BY ECF

Honorable Joan M. Azrack
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Raza et al v. City of New York et al, 13 Civ. 3448 (PKC)(JMA)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department and represent defendants in the above-referenced matter. I write to respectfully request a 60 day enlargement of time to answer or otherwise respond to plaintiffs' complaint. Plaintiffs' counsel Hina Shamsi, Esq. does not object to a 45 day extension but does object to a 60 day extension. This is defendants' first request for an enlargement of time to respond to the complaint.

The six plaintiffs, represented by the American Civil Liberties Union and the New York Civil Liberties Union among others, brought this action pursuant to §1983 and allege that they have been surveilled by the Intelligence Division of the New York City Police Department ("NYPD") solely because of their religion and that this surveillance has violated the equal protection clause of the Fourteenth Amendment along with the Free Exercise and Establishment Clauses of the First Amendment. The additional time is needed primarily to investigate the allegations particular to these six plaintiffs and also to assess whether an answer or a responsive motion is warranted. Moreover, the requested extension takes into account the other demands on the NYPD's Intelligence Division, which plays a central role in the City's counter-terrorism efforts.

Additional time is also needed because there are other demands on my time in the next 60 days. I am the lead attorney not only in this case, but also in two other matters that involve similar allegations, but with different plaintiffs. The other two cases are *Handschu v. Special*

Services Division 71 Civ. 2203, currently pending before the Honorable Charles S. Haight in the Southern District of New York, and *Hassan et. al. v. City of New York*, 12 Civ. 3401, currently pending before the Honorable William J. Martini in the United States District Court of New Jersey. Given my involvement in all three related matters, it is essential that I be involved in developing defendants' response in this case. During the month of August, however, I am scheduled to be on trial beginning August 12, 2013 in the case of *Afom Uzoukwo v. City of New York* 10 Civ. 4960 before the Honorable Ronnie Abrams in the Southern District of New York and have a pre-trial conference in that matter on August 2, 2013. In addition, I have several days of summer vacation planned in July and August.

Under all of the circumstances, defendants respectfully submit that our request for 60 days is reasonable. Accordingly, defendants respectfully request that their time to respond to the complaint be extended 60 days from July 11, 2013 until September 9, 2013. Thank you for your consideration of this request.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Peter G. Farrell", written in a cursive style.

Peter G. Farrell
Senior Counsel

cc by ECF: Hina Shamsi, Esq.
Nusrat J. Choudhury, Esq.
Patrick Toomey, Esq.
Ramzi Kassem, Esq.
Diala Shamas, Esq.
Arthur N. Eisenberg, Esq.
Mariko Hirose, Esq.