

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOSE COLON,
Plaintiff,

– against –

THE CITY OF NEW YORK et al.,
Defendants.

ORDER

09-CV-8

MAXIMO COLON,
Plaintiff,

– against –

THE CITY OF NEW YORK et al.,
Defendants.

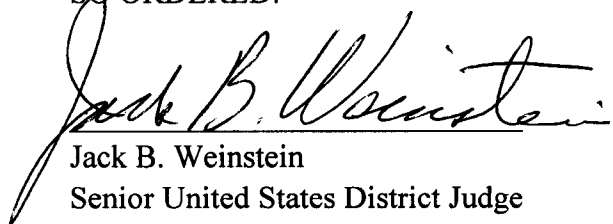
09-CV-9

JACK B. WEINSTEIN, Senior United States District Judge:

Defendants’ motions for summary judgment on Plaintiffs’ claims under New York and federal law are denied. It appears highly unlikely that there can be a basis for recovery, but the seriousness of the allegations, in light of the public interest in the transparency of, and confidence in, the Police Department, requires a public trial.

Plaintiffs having been informed of the high probability that they cannot establish their case, the losing parties or party will be assessed costs and disbursements.

SO ORDERED.


Jack B. Weinstein
Senior United States District Judge

Dated: August 20, 2010
Brooklyn, New York

