

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ADRIAN SCHOOLCRAFT,

Plaintiff,

-against-

**PLAINTIFF'S
FRCP 26(A)(1)
INITIAL DISCLOSURES
10 CV 6353**

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, LIEUTENANT THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOFF, Tax Id. 894025, Individually and in his Official Capacity, SGT.FREDERICK SAWYER, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LIEUTENANT RAFAEL MASCOL, Tax Id. 901927, Individually and in his Official Capacity, LIEUTENANT TIMOTHY CAUGHEY, Tax Id. 885374, Individually and in his Official Capacity, SERGEANT STEVEN WEISS Tax Id. 924615, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 30004, Individually and in her Official Capacity, DEPUTY COMMISSIONER PAUL BROWN, Individually and in his Official Capacity, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "NYPD defendants"), JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in her Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

Defendants.
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PLEASE TAKE NOTICE that plaintiff Adrian Schoolcraft, pursuant to Federal Rule of Civil Procedure 26(a)(1), upon information and belief, hereby submits his initial disclosure as follows:

- (a) **Individuals Likely to Have Discoverable Information:** Plaintiff Adrian Schoolcraft, Larry Schoolcraft, Deputy Chief Michael Marino, Deputy Inspector Steven Mauriello, Lieutenant Theodore Lauterborn, Lieutenant Joseph Goff, Sgt. Frederick Sawyer, Sergeant Kurt Duncan, Lieutenant Christopher Broschart, P.O. Arthur Sadowski, P.O. Raymond Miller, Lieutenant Rafael Mascol, Lieutenant Gene Delafuente, Lieutenant Timothy Caughey, Sergeant Steven Weiss, Sgt. Raymond Stukes, Sergeant Shantel James, Sergeant Rasheena Huffman, P.A.A. "Jane" Boston, Commissioner Raymond Kelly, Deputy Commissioner Paul Browne, Assistant Chief Patrol Borough Brooklyn North Gerald Nelson, Captain Brandon Del Pozo, Chief of the Internal Affairs Bureau Charles Campisi, Chief Michael Scagnelli, P.O. David Velez, Sergeant Roger Lurch, Sgt. Andrew Cunningham, Sgt. John Deodato, Jr., Lt. David Durk (ret'd), Captain Alex Perez, Catherine Lamstein, Ph.D., Joseph Cuffio, M.D., Isak Isakov, M.D., Lilian Aldana-Bernier, M.D., Ted Stretmoyer and Carol Stretmoyer.
- (b) **Relevant documents:** Plaintiff's hospital records from Jamaica Hospital Medical Center (Exhibit A), Audio Recording of the "Home Invasion" into Adrian Schoolcraft's home on October 31, 2009 (Exhibit B), Audio Recording of the conversation between Larry Schoolcraft and Captain Theodore Lauterborne on October 31, 2009 (Exhibit C); and Arbitrator Bonnie Weinstock's decision from In the Matter of P.B.A. v. City of New York, Case # A-10699-04, striking down the NYPD's quota policy as unlawful (Exhibit D).
- (c) **Itemized Damages:**
N/A
- (d) **Insurance:** There are no insurance agreements relevant to this action.

Dated: New York, New York
May 11, 2011

BY: 

JON L. NORINSBERG (norinsberg@aol.com)
Attorney for Plaintiff
225 Broadway, Suite 2700
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BY: 

GERALD COHEN (gcohen@cohenfitch.com)
JOSHUA FITCH (jfitch@cohenfitch.com)
Attorneys for Plaintiff
225 Broadway, Suite 2700
New York, N.Y. 10007
(212) 374-9115

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Plaintiff,

-against-

THE CITY OF NEW YORK, DEPUTY CHIEF
MICHAEL MARINO, Tax Id. 873220, Individually
and in his Official Capacity, ASSISTANT CHIEF
PATROL BOROUGH BROOKLYN NORTH
GERALD NELSON, Tax Id. 912370, Individually
and in his Official Capacity, DEPUTY INSPECTOR
STEVEN MAURIELLO, Tax Id. 895117,
Individually and in his Official Capacity, CAPTAIN
THEODORE LAUTERBORN, Tax Id. 897840,
Individually and in his Official Capacity,
LIEUTENANT JOSEPH GOFF, Tax Id. 894025,
Individually and in his Official Capacity, SGT.
FREDERICK SAWYER, Shield No. 2576,
Individually and in his Official Capacity,
SERGEANT KURT DUNCAN, Shield No. 2483,
Individually and in his Official Capacity,
LIEUTENANT CHRISTOPHER BROSCART,
Tax Id. 915354, Individually and in his Official
Capacity, LIEUTENANT TIMOTHY CAUGHEY,
Tax Id. 885374, Individually and in his Official
Capacity, SERGEANT SHANTEL JAMES, Shield
No. 3004 and P.O.'s "JOHN DOE" #1-50,
Individually and in their Official Capacity (the name
John Doe being fictitious, as the true names are
presently unknown) (collectively referred to as
"NYPD defendants"), JAMAICA HOSPITAL
MEDICAL CENTER, DR. ISAK ISAKOV,
Individually and in his Official Capacity, DR.
LILIAN ALDANA-BERNIER, Individually and in
his Official Capacity and JAMAICA HOSPITAL
MEDICAL CENTER EMPLOYEE'S "JOHN DOE"
1-50, Individually and in their Official Capacity (the
name John Doe being fictitious, as the true names are
presently unknown),

Defendants.
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**CITY DEFENDANTS'
INITIAL DISCLOSURES
PURSUANT TO RULE
26 (A)(1) OF THE
FEDERAL RULES OF
CIVIL PROCEDURE**

10 CV 06005 (RWS)

Defendants the City of New York, Deputy Chief Michael Marino, Assistant Chief Gerald Nelson, Deputy Inspector Steven Mauriello, Captain Theodore Lauterborn, Lieutenant Joseph Goff, Sgt. Frederick Sawyer, Sergeant Kurt Duncan, Lieutenant Christopher Broschart, and Sergeant Shantel James, (collectively referred to herein as "City Defendants") by their attorney, Michael A. Cardozo, Corporation Counsel of the City of New York, provide plaintiff with initial disclosures pursuant to Federal Rule of Civil Procedures 26(a)(1) as follows:

Initial Disclosure - Rule 26 (a)(1)(A):

(A) the name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information;

Response to Initial Disclosure under Rule 26 (a)(1)(A):

The following individuals may have discoverable information which defendant may use to support the defenses in this action:

Sgt. Steven Weiss, 81 Precinct; Lt. Timothy Caughey, Integrity Control Officer, 81 Precinct; Captain Theodore Lauterborn, 81 Precinct; Deputy Inspector Steven Mauriello, 81 Precinct; Sgt. Rasheena Huffman, 81 Precinct; Deputy Chief Michael Marino, Executive Officer, Patrol Borough Brooklyn North Investigations Unit ("PBBNIU"); Dr. Catherine Lamstein, Psychological Evaluation Section; Lt. Christopher Broschart, 81 Precinct; Deputy Inspector Keith Green, 104 Precinct; Assistant Chief Gerald Nelson, Commanding Officer, PBBNIU; Sgt. Kevin Scanlon, 104 Precinct; Sgt. Kurt Duncan, PBBNIU; Lt. William H. Gough, PBBNIU; Sgt. Raymond Hawkins, PBBNIU; Detective Michael Barbara, Emergency Services Unit ("ESU"); Lt. Thomas J. Crawford, 81 Precinct; Lt. Elise Hanlon, FDNY Emergency Medical Specialist ("EMS").

The individuals listed above are or were employees of the New York City Police Department ("NYPD") and should be contacted only through the Office of the Corporation Counsel.

Initial Disclosure - Rule 26 (a)(1)(B):

(B) a copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment;

Response to Initial Disclosure under Rule 26 (a)(1)(B):

Defendants have produced plaintiff's Command Personnel File, and will produce plaintiff's disciplinary file and the Internal Affairs Bureau ("IAB") file from the New York City Police Department, and other documents which may, or may not, be used by defendant to support the defenses in this action.

Defendants reserve the right to amend production under Rule 26 (a)(1)(B).

Initial Disclosure - Rule 26 (a)(1)(C):

(C) a computation of any category of damages claimed by the disclosing parties, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered;

Response to Initial Disclosure under Rule 26 (a)(1)(C):

This initial disclosure is not applicable to the defendants.

Initial Disclosure - Rule 26 (a)(1)(D):

(D) for inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment;

Response to Initial Disclosure under Rule 26 (a)(1)(D):

This initial disclosure is not applicable to the defendant as the City of New York is self insured.

Dated: New York, New York
October 13, 2011

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendant
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By: 

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Attorneys for Lillian Aldana-Bernier
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New York, New York 10004

10 CV 6005 (RWS)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADRIAN SCHOOLCRAFT,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.

Defendants.

**CITY DEFENDANTS' INITIAL DISCLOSURES
PURSUANT TO RULE 26 (A)(1) OF THE
FEDERAL RULES OF CIVIL PROCEDURE**

MICHAEL A. CARDOZO

Corporation Counsel of the City of New York
Attorney for City Defendants
100 Church Street, Room 2-124
New York, New York 10007-2601

Of Counsel: Donna A. Canfield
Tel.: 212-788-8703

LM No.: 2010-016064

Service of which is hereby acknowledged:

....., N.Y. Dated:

Signed:

Print Name:

Attorney for:

LAW OFFICE OF
NATHANIEL B. SMITH
ATTORNEY AT LAW
111 BROADWAY
NEW YORK, NEW YORK 10006

NATHANIEL B. SMITH

TEL: (212) 227-7062
FAX: (212) 346-4665

September 12, 2014

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Walter Aloysius Kretz, Jr.
Scoppetta Seiff Kretz & Abercrombie
444 Madison Avenue, 30th Floor
New York, NY 10022

*Schoolcraft v. The City of New York, et al.,
10-cv-6005 (RWS)*

Dear Counsel:

Based on our discussions on September 10, 2014, I have scheduled the following depositions of the plaintiff's experts: (1) Dr. Lubit for September 23, 2014 (the entire day); Dr. Eterno for September 26, 2014 (the entire day); and Dr. Halpern-Ruder for September 30, 2014 (the entire day). Based on their fees (set forth in our supplemental disclosures) and based on Rule 26, please remit to me three checks payable to "Nathaniel B. Smith, Esq." which I will

deposit into my IOLA account on behalf of each expert. My tax identification number is 13-4065879.

The amount of each check must include compensation for the time for the deposition; the time reasonably required of the expert to prepare for the deposition; the expert's reasonable travel time (at one-half the hourly rate) and any out-of-pocket expenses. *See* Fed. R. Civ. Pro. 26(b)(4)(c); *Cary Oil Co. v. MG Ref & M Ktg, Inc.*, 2003 U.S. Dist. Lexis 6267 (S.D.N.Y. April 15, 2003) ("The district courts in the Second Circuit have consistently held that [a reasonable amount of] time spent by an expert preparing for his deposition is compensable under Rule 26(b)(4)(c)") (citing *New York v. Solvent Chemical Co., Inc.*, 210 F.R.D. 462, 471 (W.D.N.Y. 2002)).

Accordingly, please tender the following.

1. A check in the total amount of \$8,500 for Dr. Lubit for his testimony (\$7,000 at \$3,500 per half day); for his preparation time (\$1,500 for 3 hours at \$500 per hour); and for his travel time (\$250). Any balance will be remitted to the payor.
2. A check in the total amount of \$3,600 for Dr. Halpern-Ruder for his testimony (\$2,100 for seven hours at \$300 per hour); for his preparation time (\$600 for 3 hours at \$200 per hour); for his travel time (\$700 for seven hours of travel time at \$100 per hour); and \$200 for out-of-pocket travel expenses for his travel by train from Providence, Rhode Island to New York City. Any balance will be remitted to the payor.
3. A check in the total amount of \$2,950 for Dr. Eterno for his testimony (\$2,100 for seven hours at \$300 per hour); for his preparation time (\$600 for three hours at \$200 per hour); and his travel time (\$250 for 2.5 hours at \$100 per hour).

Thank you for your prompt attention to this. Please note that we require that these funds be deposited in my account *before* the expert's appearance.

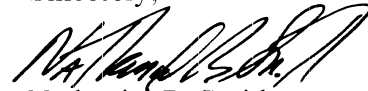
* * *

In addition, pursuant to the plaintiff's obligation to supplement his disclosures and pursuant to Judge Sweet's Order, dated August 29, 2014, I am providing the following information: (a) since the plaintiff was last deposed he has received no additional wages or other income from employment and has not received any additional governmental benefits other than those associated with his position as a Police Officer with the NYPD or his benefits as a military veteran; (b) since the plaintiff was last deposed the only relevant medical or mental health visits or discussions that he has had are those set forth in the Expert Reports by Dr. Lubit and Dr. Halpern-Ruder, which were served on you last month; and (c) the following individuals who may have information relevant to this action (i) the individuals identified in paragraph 6 of Plaintiff's February 7, 2014 Supplemental Discovery Demands and in paragraph 2 of Plaintiff's

LAW OFFICE OF
NATHANIEL B. SMITH

Supplemental Interrogatories* ; and (ii) the individuals identified in the QAD Report (NYC 5153-5248); (iii) Police Officer Philip Fioranelli, who worked at the 81st Precinct under Defendant Mauriello's command and was assigned to the Queens Court Section (*See* NYC 5211); (iv) Tyrell or Tyron Gardenhire; and (v) Sergeant Pierre Hyppolite (917-232-7119).

Sincerely,



Nathaniel B. Smith

Encl.
cc:
All Counsel
(by email)

* Craig Matthews; James Griffin; Adyhl Polanco; Pedro Serrano; Eileen Barry; Daisy Boria; Robert Leuci; Jeffery Baird; Willis Crosland; Clifford Rigaud; Paula White-Ruiz; and Joseph Gray.



THE CITY OF NEW YORK
LAW DEPARTMENT
 100 CHURCH STREET
 NEW YORK, NEW YORK 10007

MICHAEL A. CARDOZO
 Corporation Counsel

SUZANNA P. METTHAM
 Assistant Corporation Counsel
 E-mail: spublick@law.nyc.gov
 Phone: (212) 356-2372
 Fax: (212) 788-9776

November 20, 2013

BY HAND DELIVERY

Nathaniel Smith
 Attorney for Plaintiff
 111 Broadway, Suite 1305
 New York, New York 10006

Re: Schoolcraft v. The City of New York, et al.
 10 CV 6005 (RWS)

Dear Counsel:

In accordance with City Defendants' continuing discovery obligations under Fed. R. Civ. P. 26(e) and in response to certain of plaintiff's myriad discovery demands, enclosed please additional documents and recordings as described below. Documents bearing Bates Nos. NYC00010461-NYC00010700 and NYC00010911-NYC00011636 are being produced subject to the Confidentiality Stipulation and Protective Order, endorsed by the Court on October 5, 2012. City Defendants note that pursuant to the agreement among the parties, the names and contact information regarding victims, witnesses, and perpetrators of crimes and civilian complaints have been redacted so that many of these records could be produced confidentially, as opposed to being produced under the Attorneys' Eyes Only Stipulation.

<u>Document Description</u>	<u>Bates Stamp</u>	<u>Confidentiality</u>
1. Results of QAD CPR Test No. 09-5564	NYC00010461	Confidential
2. BCATs Printout from Log No. 04-19065	NYC00010462	Confidential
3. BCATs Printout from Log No. 06-05894	NYC00010463	Confidential
4. BCATs Printout from Log No. 07-31193	NYC00010464	Confidential
5. BCATs Printout from Log No. 05-51282	NYC00010465	Confidential
6. Investigative File relating to M No. 09-0106, IAB Log No. 09-02351	NYC00010466- NYC00010698	Confidential

<u>Document Description</u>	<u>Bates Stamp</u>	<u>Confidentiality</u>
7. Memorandum Requesting Transfer of Captain Theodore Lauterborn dated October 30, 2009	NYC00010699	Confidential
8. CD Containing Recording Related to QAD CPR Test No. 09-5564	NYC00010700	Confidential
9. Photographs Taken at the Inspection of the 81 st Precinct on September 19, 2013	NYC00010701- NYC00010862	Not Confidential
10. Photographs Taken at the Manhattan Property Clerk on October 3, 2013	NYC00010863- NYC00010910	Not Confidential
11. Written communications to and from Police Commissioner Kelly regarding Adrian Schoolcraft	NYC00010911- NYC00010954	Confidential
12. CCRB Case No. 2004-00668	NYC00010955- NYC00011068	Confidential
13. CCRB Case No. 2004-01843	NYC00011069- NYC00011126	Confidential
14. CCRB Case No. 2004-06126	NYC00011127- NYC00011230	Confidential
15. CCRB Case No. 2006-04258	NYC00011231- NYC00011399	Confidential
16. CCRB Case No. 2007-12053	NYC00011400- NYC00011595	Confidential
17. NYPD Documentation of Crime Complaints reported and/or investigated by Adrian Schoolcraft in 2009, that were later upgraded to higher charges	NYC00011596- NYC00011628	Confidential
18. Recordings from Investigative File relating to M No. 09-0106, IAB Log No. 09-02351	NYC00011629- NYC00011635	Confidential
19. Recording of Interview of D.C. of Fulton County D.S.S. Anne Solar by IAB Sgt Defrabrizio	NYC00011636	Confidential

Supplemental Rule 26(e) Disclosures

In accordance with City Defendants' continuing obligation under F.R.C.P. 26(a)(1) and 26(e), City Defendants identify the following additional individuals likely to have discoverable information relevant to disputed facts that the disclosing party may use to support its claims or defenses and individuals whose identities are responsive to prior interrogatories interposed by plaintiff.¹

1. Sergeant Alroy Scott, New York City Police Department, 49th Precinct, 2121 Eastchester Road, Bronx, New York, 10461, *Internal Affairs Bureau investigator who interviewed plaintiff and other officers regarding plaintiff's allegations of retaliation;*
2. Police Administrative Aide Monique Carter, New York City Police Department, 26th Precinct, 520 West 126th Street, New York, New York 10027, *NYPD administrative aide whom plaintiff alleges told him that Sergeant Weiss and Lieutenant Caughey improperly accessed Sergeant Weiss's civilian complaint records;*
3. Lieutenant David Cagno, New York City Police Department, 60th Detective Squad, 2951 West 8th, Brooklyn, New York 11224, *Internal Affairs Bureau investigator who interviewed plaintiff and other officers regarding plaintiff's allegations of retaliation;*
4. Sergeant Nicholas Spataro, New York City Police Department, Quality Assurance Division, 300 Gold Street, Brooklyn, New York 11201, *Quality Assurance Division investigator who interviewed plaintiff and other officers regarding plaintiff's allegations of crime complaint manipulation;*
5. Sergeant William Meyer, New York City Police Department, 72nd Precinct, 830 4th Avenue, Brooklyn, New York 11232, *former supervisor of plaintiff who evaluated plaintiff in plaintiff's 2006 Performance Evaluation, and who issued plaintiff a command discipline in 2009;*
6. Lieutenant Harold Jones, New York City Police Department 81st Precinct, 30 Ralph Avenue, Brooklyn, New York 11221, *NYPD police officer who issued plaintiff a command discipline in 2007;*
7. Police Officer Robert Deck, New York City Police Department, 81st Precinct, 30 Ralph Avenue, Brooklyn, New York 11221, *NYPD police officer whom plaintiff approached in October 2009 to inquire about Police Officer Deck's interview by the Quality Assurance Division;*
8. Sergeant Marie Devino, New York City Police Department, Patrol Borough Brooklyn North, 179 Wilson Avenue, Brooklyn, New York 11237, *Patrol Borough Brooklyn North Personnel Officer with whom plaintiff discussed the appeal of his 2008 Performance Evaluation;*

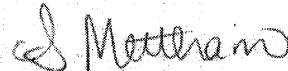
¹ Please note that any communication with any New York City Police Department employee, or any New York City agency or agent regarding this matter or the underlying incident should be made through counsel.

9. Police Officer Fadil Astor, New York City Police Department, 315 Hudson Street, 3rd Floor, New York, New York 10013, *former partner of Adrian Schoolcraft, whom plaintiff accused of stating in 2005 "why don't we just partner up or else, something the effect, we are going to have to work with one of these niggers" and whom plaintiff contacted regarding misconduct allegations in 2009;*
10. Lieutenant Jack Cambria, New York City Police Department, 1 Police Plaza, Room 1312, New York, New York, 10038, *member of the NYPD that was present during and/or has knowledge of, the removal of Adrian Schoolcraft from his apartment on October 31, 2009 (responsive to Interrogatory No. 1 from Plaintiff's First Set of Interrogatories);*
11. Police Officer Edward A. Zuno, New York City Police Department, 104th Precinct, 64-2 Catalpa Avenue, Queens, New York 11385, *member of the NYPD that reported to the vicinity of Adrian Schoolcraft's apartment on October 31, 2009 (responsive to Interrogatory No. 2 from Plaintiff's Second Set of Interrogatories);*
12. Police Officer William R. Arata, New York City Police Department, 104th Precinct, 64-2 Catalpa Avenue, Queens, New York 11385, *member of the NYPD that reported to the vicinity of Adrian Schoolcraft's apartment on October 31, 2009 (responsive to Interrogatory No. 2 from Plaintiff's Second Set of Interrogatories);*
13. Police Officer Alison Potokin, New York City Police Department, *retired, member of the NYPD that reported to the vicinity of Adrian Schoolcraft's apartment on October 31, 2009 (responsive to Interrogatory No. 2 from Plaintiff's Second Set of Interrogatories);*
14. Sergeant Margaret K. Roach, New York City Police Department, Medical Division, 1 Lefrak City Plaza, 59-17 Junction Boulevard, Corona, New York 11368, *member of the NYPD that traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York (responsive to Interrogatory No. 18 from Plaintiff's First Set of Interrogatories);*
15. Sergeant Frank Baer, New York City Police Department, Medical Division, 1 Lefrak City Plaza, 59-17 Junction Boulevard, Corona, New York 11368, *member of the NYPD that traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York (responsive to Interrogatory No. 18 from Plaintiff's First Set of Interrogatories);*
16. Dr. John Daly, New York City Police Department, Medical Division, 1 Lefrak City Plaza, 59-17 Junction Blvd., Corona, New York 11368, *member of the NYPD that traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York (responsive to Interrogatory No. 18 from Plaintiff's First Set of Interrogatories);*
17. Lieutenant Aldia Hudnell, *retired, member of the NYPD that traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York (responsive to Interrogatory No. 18 from Plaintiff's First Set of Interrogatories);*
18. Sergeant Michael T. Minogue, New York City Police Department, Patrol Borough Brooklyn North, 179 Wilson Avenue, Brooklyn, New York 11237, *member of the NYPD that traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York (responsive to Interrogatory No. 18 from Plaintiff's First Set of Interrogatories);*
19. Sergeant Lorraine Newland, *retired, New York City Police Department, member of the NYPD that traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York (responsive to Interrogatory No. 18 from Plaintiff's First Set of Interrogatories);*

20. Sergeant Victor Steele, New York City Police Department, 179 Wilson Avenue, Brooklyn, New York 11237, *member of the NYPD that traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York (responsive to Interrogatory No. 18 from Plaintiff's First Set of Interrogatories);*
21. Sergeant JaneMarie Molina, New York City Police Department, 179 Wilson Avenue, Brooklyn, New York 11237, *member of the NYPD that traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York (responsive to Interrogatory No. 18 from Plaintiff's First Set of Interrogatories).*

Encl.

Sincerely yours,



Suzanna Publicker Mettham
Assistant Corporation Counsel
Special Federal Litigation Division

cc:

Gregory John Radomisli (By Hand Delivery)
MARTIN CLEARWATER & BELL LLP
Attorneys for Jamaica Hospital Medical Center
220 East 42nd Street 13th Floor
New York, NY 10017

Brian Lee (By First-Class Mail)
IVONE, DEVINE & JENSEN, LLP
Attorneys for Dr. Isak Isakov
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Lake Success, New York 11042

Bruce M. Brady (By Hand Delivery)
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New York, New York 10004

Walter Aloysius Kretz, Jr. (By Hand Delivery)
SEIFF KRETZ & ABERCROMBIE
Attorney for Defendant Mauriello
444 Madison Avenue, 30th Floor
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9/27/11

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ADRIAN SCHOOLCRAFT,

Plaintiff,

-against-

THE CITY OF NEW YORK, DEPUTY CHIEF
MICHAEL MARINO, Tax Id. 873220, Individually
and in his Official Capacity, ASSISTANT CHIEF
PATROL BOROUGH BROOKLYN NORTH
GERALD NELSON, Tax Id. 912370, Individually
and in his Official Capacity, DEPUTY INSPECTOR
STEVEN MAURIELLO, Tax Id. 895117,
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and P.O.'s "JOHN DOE" #1-50, Individually and in
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(collectively referred to as "NYPD defendants"),
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ISAK ISAKOV, Individually and in his Official
Capacity, DR. LILIAN ALDANA-BERNIER,
Individually and in his Official Capacity and
JAMAICA HOSPITAL MEDICAL CENTER
EMPLOYEE'S "JOHN DOE" # 1-50, Individually
and in their Official Capacity (the name John Doe
being fictitious, as the true names are presently
unknown),

Defendants.
-----X

**MUNICIPAL
DEFENDANTS'
RESPONSES AND
OBJECTIONS TO
PLAINTIFF'S FIRST
SET OF
INTERROGATORIES**

10 CV 06005 (RWS)

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Municipal defendants, The City of New York, Deputy Chief Michael Marino, Assistant Chief Patrol Borough Brooklyn North Gerald Nelson, Deputy Inspector Steven Mauriello, Captain Theodore Lauterborn, Lieutenant Joseph Goff, Sgt. Frederick Sawyer, Sergeant Kurt Duncan, Lieutenant Christopher Broschart, and Sergeant Shantel James (collectively "Municipal Defendants"), respond and object to plaintiff's First Set of Interrogatories as follows:

GENERAL STATEMENT

1. By responding to any request set forth in plaintiff's First Set of Interrogatories, Municipal defendants do not concede the materiality or relevance of the subject to which it refers. Municipal Defendants' responses are made expressly subject to, and without waiving or intending to waive, any questions or objections as to the competency, relevancy, materiality, privilege, or admissibility as evidence or for any other purpose, of any of the documents produced, of the subject matter thereof, or of any information provided, in any proceeding including the trial of this action or any subsequent proceeding.

2. Municipal Defendants object to the First Set of Interrogatories to the extent that they demand documents or information that are protected by the attorney-client, work-product, deliberative process and/or other applicable privilege, or which constitute material prepared for litigation purposes.

3. Inadvertent production of any document or information that is privileged, was prepared in anticipation of litigation, or is otherwise immune from discovery, shall not constitute a waiver of any privilege or of another ground for objecting to discovery with respect to that document or any other document, or its subject matter, or the information contained therein, or of the Municipal defendants' rights to object to the use of any such document or the information during any proceeding in this litigation or otherwise.

4. The fact that Municipal defendants object to any particular document demand should not be construed to mean that documents responsive to such document demand exist. Similarly, the statement that Municipal defendants will produce documents in response to a particular document demand should not be construed to mean that documents of a type in a category described in the request in fact exist. Furthermore, the production of any documents that are otherwise subject to an objection is not a waiver of any objection as to any other document not produced.

5. Municipal Defendants object to the First Set of Interrogatories to the extent it purports to impose obligations on Municipal defendants beyond those required by the Federal Rules of Civil Procedure and Local Civil Rules for the Southern District of New York.

6. Municipal Defendants object to the First Set of Interrogatories to the extent it seeks documents or information that are not in their possession, custody or control.

7. Municipal Defendants object to the First Set of Interrogatories insofar as it seeks information that is confidential or otherwise protected from disclosure pursuant to New York law.

8. Municipal Defendants object to the First Set of Interrogatories insofar as it includes abbreviations and proper names that have not been defined and, as such, makes the Demands vague, ambiguous, and susceptible to multiple and varying interpretations and constructions.

9. Municipal Defendants hereby reserve the right to amend, modify, correct and supplement their responses hereto in a manner consistent with the Federal Rules of Civil Procedure.

10. The foregoing objections are hereby incorporated into each and every response set forth below.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify all NYPD and/or FDNY employees who were present during, and/or have knowledge of, the removal of Adrian Schoolcraft from his apartment on October 31, 2009.

OBJECTION AND RESPONSE TO REQUEST NO. 1:

Municipal defendants object to this interrogatory request on the grounds that it is over broad with respect to scope, assumes facts not yet admitted, and seeks information that is not relevant to the claims or defenses in this action or likely to lead to the discovery of admissible evidence. Consistent with these objections and construing this interrogatory to seek the identity of NYPD personnel who may have knowledge of plaintiff's refusal to obey lawful orders on October 31, 2009, and his subsequent transport to Jamaica Hospital Medical Center, Municipal defendants respond as follows:

Sergeant Rasheena Huffnan, Captain Theodore Lauterborn, Deputy Inspector Steven Mauriello, Lieutenant Christopher Broschart, Deputy Chief Michael Marino, Deputy Inspector Keith Green, Sergeant Kurt Duncan, Assistant Chief Gerald Nelson, Sergeant Kevin Scanlon, Lt. Thomas Crawford, Lt. William H. Gough, Sgt. Raymond Hawkins, Detective Michael Barbara, and Lt. Jack Cambria.

INTERROGATORY NO. 2:

Identify all NYPD and/or FDNY employees who were present during, and/or have knowledge of, Adrian Schoolcraft's confinement at Jamaica Hospital from October 31, 2009 through November 6, 2009.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 2:

Municipal defendants object to this interrogatory request on the grounds that it is over broad with respect to scope, assumes facts not yet established, and seeks information that is not relevant to the claims or defenses in this action or likely to lead to the discovery of admissible evidence.

Consistent with these objections and construing this interrogatory to seek the identity of NYPD personnel who transported plaintiff to Jamaica Hospital and NYPD personnel who were assigned to plaintiff during the time plaintiff was a patient at Jamaica Hospital, Municipal defendants respond as follows:

Sergeant Frederick Sawyer, Police Officer Miller, Sergeant Shantel James, Police Officer Sadowski, and Lt. Christopher Broschart.

INTERROGATORY NO. 3:

Identify any reports prepared by the NYPD relating to the incident which is the subject of this lawsuit.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 3:

Municipal defendants object to this interrogatory request on the grounds that it is vague, ambiguous, overly broad with respect to time and scope and to the extent that it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Municipal defendants also object to the extent the information is protected under the law enforcement, attorney work product, material prepared in anticipation of litigation and/or confidential material privilege.

Consistent with these objections and construing and limiting this request to seek the identity of NYPD investigations initiated as a result of plaintiff's refusal to obey a lawful

order on October 31, 2009, Municipal defendants identify the investigation initiated by Group 1 of the NYPD Internal Affairs Bureau ("IAB") and the Brooklyn North Investigative Unit ("BNIU").

INTERROGATORY NO. 4:

Identify any property or personal effects seized by the NYPD from Adrian Schoolcraft's residence on October 31, 2009.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 4:

Municipal defendants object to this interrogatory request on the grounds that it assumes facts not in evidence.

Consistent with these objections, and construing this request as seeking property and/or personal effects that the NYPD retrieved from the plaintiff arising from the October 31, 2009 incident, Municipal defendants refer plaintiff to documents Bates Stamped D000500-D000504, which will be produced pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review.

INTERROGATORY NO. 5:

Identify any medical records maintained by the NYPD regarding Adrian Schoolcraft's mental status and/or physical health.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 5:

Municipal defendants object to this interrogatory request on the grounds that it is overly broad with respect to time and scope, vague and ambiguous as to medical records and to

the extent that it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence.

Consistent with these objections and construing this request to seek the identity of documents related to plaintiff's fitness for police duties, pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review, Municipal defendants will produce documents bearing the Bates stamp D000239-D000246, D000248-D000249, D000253-D000316, for information that may be responsive to this request.

INTERROGATORY NO. 6:

Identify any documents that refer or related to the NYPD's decision to take away Adrian Schoolcraft's gun and shield in April 2009.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 6:

Municipal defendants object to this interrogatory request on the grounds that it is overly broad with respect to scope.

Consistent with these objections and construing and limiting this request to seek documents related to plaintiff's fitness for police duties and the removal of plaintiff's gun and shield, pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review, Municipal defendants will produce documents bearing Bates stamp D000039-D000040 and D000294-D000316, for information that may be responsive to this request. Municipal defendants also refer plaintiff to documents Bates stamped PG000056-PG000059 and PG000114-PG000121 produced herein for information responsive to this request.

INTERROGATORY NO. 7:

Identify any IAB investigations that were launched in response to the allegations of Adrian Schoolcraft.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 7:

Municipal defendants object to this interrogatory request on the grounds that it is vague, ambiguous as to “the allegations of Adrian Schoolcraft,” overbroad with respect to time and scope, assumes facts not established or admitted, to the extent that it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence, and to the extent that it seeks information protected by the public interest/law enforcement privilege.

Consistent with these objections and construing and limiting this request to seek documents related to the IAB investigation related to plaintiff’s allegations of misconduct at the 81 Precinct, the information plaintiff seeks is an open investigation regarding allegations of misconduct at the 81 Precinct and the IAB investigative file is subject to the protections of the law enforcement privilege.

INTERROGATORY NO. 8:

Identify any QAD investigations that were launched in response to the allegations of Adrian Schoolcraft.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 8:

Municipal defendants object to this interrogatory request on the grounds that it is vague, ambiguous as to the “QAD investigations” overbroad with respect to time and scope, assumes facts not established or admitted, to the extent that it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of

admissible evidence, and to the extent that it seeks information protected by the public interest/law enforcement privilege.

Consistent with these objections and construing and limiting this request to seek documents related to the QAD investigation into 81st Precinct Crime Reporting following plaintiff's 2009 general allegations pertaining to improper crime reporting in the 81st Precinct, pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review, Municipal defendants will produce documents Bates stamped D000508-D000602 for information that may be responsive to this request.

INTERROGATORY NO. 9:

Identify any documents that were used by the NYPD to conclude that plaintiff's work performance for the year 2008 was a "2.5" out of a possible "5.0".

OBJECTION AND RESPONSE TO INTERROGATORY NO. 9:

Municipal defendants object to this interrogatory request on the grounds that it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence.

Consistent with these objections, pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review, Municipal defendants will produce documents Bates stamped D000070-D000072, D000099-D000122, D000317-D000321, for information that may be responsive to this request.

INTERROGATORY NO. 10:

Identify any documents that refer or related to the NYPD's placement of plaintiff Adrian Schoolcraft into the NYPD's Performance Monitoring Program.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 10:

Municipal defendants object to this interrogatory request on the grounds that it is overly broad with respect to time, and seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Municipal defendants also object to the extent the request seeks attorney-client, work product, or other applicable privilege.

Consistent with these objections and construing this request to seek documents concerning plaintiff's placement in Level I Performance Monitoring on or about October 14, 2009 and plaintiff's placement in Level II Performance Monitoring on or about November 4, 2009, pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review, Municipal defendants will produce plaintiff's NYPD Employee Management Division ("EMD") file bearing the Bates stamp D000057-D000188 and D000317-D000404, for information that may be responsive to this request.

INTERROGATORY NO. 11:

Identify any NYPD documents which state that an officer's summons activity may be used as a basis for evaluating an officer's productivity and/or overall job performance.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 11:

Municipal defendants object to this interrogatory request on the ground that it is overly broad with respect to time and to the extent it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence.

Consistent with these objections and construing this request to seek information regarding police officer evaluations, plaintiff is referred to the documents bearing the Bates stamp PG000060-PG000077 and PG000088-PG000089 produced herein for information that may be responsive to this request.

INTERROGATORY NO. 12:

Identify any documents that refer or relate to productivity standards, productivity goals and/or other numerical goals relating to the issuance of summons by a police officer on a monthly, quarterly and/or yearly basis.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 12:

Municipal defendants object to this interrogatory request on the grounds that it is overly broad with respect to time and scope, assumes facts not established or admitted, and to the extent that it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence.

Consistent with these objections and construing and limiting this interrogatory to seek the NYPD Patrol Guide concerning police officer performance evaluations plaintiff is referred to Municipal Defendants' objection and response to Interrogatory No. 11. Municipal defendants also refer plaintiff to documents Bates stamped D00057-D000188, to be produced pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review, for information that may be responsive to this request.

INTERROGATORY NO. 13:

Identify any documents concerning the NYPD's rules, regulations, policies, procedures and/or guidelines regarding the issuances of summons by NYPD officers.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 13:

Municipal defendants object to this interrogatory request on the grounds that it is vague and ambiguous, overly broad with respect to time and scope, and to the extent it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence.

Consistent with these objections and construing and limiting this interrogatory to seek the NYPD Patrol Guide concerning the various sections of law under which a summons may be served, plaintiff is referred to the documents bearing the Bates stamp PG000552-PG000657 produced herein, for information that may be responsive to this request.

INTERROGATORY NO. 14:

Identify any communications between Raymond Kelly and Mayor Bloomberg regarding the incident which is the subject of this lawsuit, from October 31, 2009 to present.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 14:

Municipal defendants object to this interrogatory on the grounds that it is overly broad with respect to time and scope, assumes facts not admitted or established, and to the extent it seeks information protected by the attorney-client and/or law enforcement privilege.

Consistent with these objections and construing and limiting this request to seek written communication(s) between Raymond Kelly and Mayor Bloomberg concerning plaintiff's refusal to obey a lawful order, Municipal defendants continue to search NYPD records and will produce such communications, to the extent written communication(s) exist, pursuant to the

terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review.

INTERROGATORY NO. 15:

Identify any communications between Raymond Kelly and Paul Brown regarding the incident which is the subject of this lawsuit, from October 31, 2009 to the present.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 15:

Municipal defendants object to this interrogatory on the grounds that it is overly broad with respect to time and scope, assumes facts not otherwise established or admitted, and seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence.

Consistent with these objections and construing and limiting this request to seek written communication(s) between Raymond Kelly and Paul Brown concerning plaintiff's refusal to obey a lawful order, Municipal defendants continue to search NYPD records and will produce such communications, to the extent written communication(s) exist, pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review.

INTERROGATORY NO. 16:

Identify any communications between Raymond Kelly and other members of the NYPD regarding the incident which is the subject of this lawsuit, from October 31, 2009 to the present.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 16:

Municipal defendants object to this interrogatory on the grounds that it is overly broad with respect to time and scope, assumes facts not otherwise established or admitted, seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence, and to the extent it seeks documents that are exempt from disclosure pursuant to attorney-client, attorney work product, or other applicable privilege.

Consistent with these objections and construing and limiting this request to seek written communication(s) between Raymond Kelly and other NYPD personnel concerning plaintiff's refusal to obey a lawful order, Municipal defendants continue to search NYPD records and will produce such communications, to the extent written communication(s) exist, pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review.

INTERROGATORY NO. 17:

Identify any disciplinary proceedings that have been brought against defendants Michael Marino, Steven Mauriello and/or Gerald Nelson.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 17:

Municipal defendants object to this interrogatory on the grounds that it is overly broad with respect to time and scope, assumes facts not established or admitted, and to the extent it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence.

Consistent with these objections and construing this request to seek the identity of any formal disciplinary action instituted against Michael Marino, Steven Mauriello and/or Gerald Nelson after October 31, 2009, Municipal defendants will produce documents bearing the Bates

stamp D000442-D000444 pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review.

INTERROGATORY NO. 18:

Identify any and all members of the New York City Police Department that have traveled upstate to Adrian Schoolcraft's residence in Johnstown, New York, as set forth in paragraphs 205 through 210 of the Amended Complaint.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 18:

Municipal defendants object to this interrogatory on the ground that it assumes facts not otherwise established or admitted, and to the extent it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence. Municipal defendants also object to this request to the extent the information is protected by the law enforcement or other applicable privilege.

Consistent with these objections, and construing this request to seek information related to the NYPD's efforts to locate plaintiff after plaintiff went Absent Without Leave ("AWOL"), due to an ongoing open investigation with respect to plaintiff's current AWOL status, the Internal Affairs Bureau ("IAB") and Brooklyn North Investigative Unit ("BNIU") files on this matters are being withheld under the law enforcement privilege.

Notwithstanding the above, Municipal defendants will produce documents Bates stamped D000263-D000267, for information that may be responsive to this request pursuant to the terms of a so-ordered Protective Order, a proposed copy of which has previously been produced to plaintiff's counsel for review.

INTERROGATORY NO. 19:

Identify any and all members of the New York City Police Department that spoke with plaintiff's landlord(s), Carol and Ted Stretmoyer, at 8260 88th Place, Glendale, New York on October 31, 2009, or at any time thereafter.

OBJECTION AND RESPONSE TO INTERROGATORY NO. 19:

Municipal defendants object to this interrogatory on the grounds that it is overbroad with respect to time and scope, assumes facts not otherwise established or admitted, and to the extent it seeks information not relevant to the claims or defenses of any party, nor reasonably calculated to lead to the discovery of admissible evidence.

Consistent with these objections, and construing this request to seek NYPD personnel who spoke to plaintiff's landlord regarding the plaintiff, Municipal defendant identifies Lt. Broschart.

Dated: New York, New York
September 27, 2011

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Municipal Defendants
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By: 

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August 19, 2013

BY HAND DELIVERY

Nathaniel Smith
 Attorney for Plaintiff
 111 Broadway, Suite 1305
 New York, New York 10006

Re: Schoolcraft v. The City of New York, et al.
 10 CV 6005 (RWS)

Dear Counsel:

In accordance with City Defendants' continuing discovery obligations, enclosed please additional documents and recordings from the IAB Case File as described below. Documents bearing Bates Nos. NYC00010096-NYC00010226 are being produced subject to the Confidentiality Stipulation and Protective Order, endorsed by the Court on October 5, 2012.

	<u>Document Description</u>	<u>Bates Stamp</u>	<u>Confidentiality</u>
1.	CD of 122B - Mauriello	NYC00010096	Confidential
2.	CD from Tape Containing Recordings from IAB Log 09-55071 PBBNIU Callout 09-082	NYC00010097	Confidential
3.	CD of PG of Lauterborn Side B, att. 149 (second half of recording on NYC 3801	NYC00010098	Confidential
4.	CD Containing 229A PG of Sgt. Weiss; 18A Schoolcraft Interview (Sides A and B), 21A PG of PO Carter; 22A PG of PO Vanbrackle; 23A PG of PO Dillard; 29A Interview of Larry Schoolcraft	NYC00010099	Confidential
5.	CD Containing 164A - Sawyer	NYC00010100	Confidential
6.	CD Containing 160B - Huffman	NYC00010101	Confidential

<u>Document Description</u>	<u>Bates Stamp No.</u>	<u>Confidentiality</u>
7. CD Containing 120A - Broschart	NYC00010102	Confidential
8. CD Containing 128A, Side A - Lauterborn	NYC00010103	Confidential
9. CD Containing 128A, Side B - Lauterborn	NYC00010104	Confidential
10. Documents from the NYPD Employee Relations Division Regarding Adrian Schoolcraft	NYC00010105- NYC00010106	Confidential
11. Additional Documents and Closing Memo from IAB Investigation M09-1973	NYC00010107- NYC00010226	Confidential

Clarifications Regarding Prior City Defendants' Productions

City Defendants note that the attachments to IAB Worksheets 43A, 66A, and 88B were not produced separately, as these CDs contain the recordings of Adrian Schoolcraft attached elsewhere in the IAB case file and previously produced in the CD bearing Bates Nos. NYC7494 and in the CDs of recordings produced by plaintiff. City Defendants are withholding as privileged the attachment to IAB Worksheet 136A as it is an interview with an unrelated non-party witness, discussing an arrest of his that was sealed under the provisions of N.Y. Crim. P. Law § 160.50 and/or 160.55. The CD bearing Bates No. NYC 3801 was previously identified on the Cover Letter dated October 9, 2012 as the attachment to IAB Worksheet No. 128; however, it is actually the attachment to IAB Worksheet 149. City Defendants also note that there was an accidental overlap of documents bearing Bates Nos. NYC 8231-NYC 8232. These Bates Nos. were first attached to privileged documents not produced to plaintiff, and then unintentionally reused as the first two pages of Schoolcraft's Minor Violations Log, which were produced on February 25, 2013.

Supplemental Rule 26(e) Disclosures


In accordance with City Defendants' continuing obligation under F.R.C.P. 26(e), City Defendants identify the following additional individuals likely to have discoverable information relevant to disputed facts that the disclosing party may use to support its claims or defenses:

1. Detective Specialist Russell Thatcher, Shield No. 688, New York City Police Department, Emergency Services Section 10, 167-05 Union Street, Queens, New York 11354.¹

Encl.

¹ Please note that any communication with any New York City Police Department employee, or any New York City agency or agent regarding this matter or the underlying incident should be made through counsel.

Sincerely yours,



Suzanna Publicker Mettham
Assistant Corporation Counsel
Special Federal Litigation Division

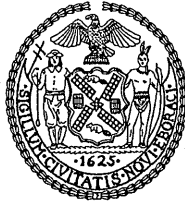
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August 27, 2012

VIA FIRST-CLASS MAIL

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Re: Schoolcraft v. The City of New York, et al.
10 CV 6005 (RWS)

Dear Mr. Norinsberg:

In accordance with City Defendants' continuing obligation under F.R.C.P. 26(e), City Defendants identify the following individuals likely to have discoverable information relevant to disputed facts that the disclosing party may use to support its claims or defenses:¹

1. Police Officer Yadira Rodriguez, Shield No. 18561, New York City Police Department, 81st Precinct, 30 Ralph Avenue Brooklyn, New York 11221;
2. Police Officer Craig Rudy, Shield No. 133, New York City Police Department, 81st Precinct, 30 Ralph Avenue Brooklyn, New York 11221;
3. Police Officer Arthur Sadowski, Shield No. 7135, New York City Police Department, 81st Precinct, 30 Ralph Avenue Brooklyn, New York 11221;
4. Emergency Medical Technician Paramedic Guillermo Villaverde, #4736, New York City Fire Department;

¹ City Defendants further incorporate by reference all individuals identified by plaintiff and co-defendants in their respective initial disclosures.

5. Emergency Medical Technician Paramedic Melissa Ovalle, #4851, New York City Fire Department;
6. Lieutenant Jean Delafuente, New York City Police Department, Harbor Unit, Brooklyn Army Terminal Pier 1, 140 58th Street, Brooklyn, New York 11220;
7. Sergeant Thomas Glaudino, Shield No. 906343, New York City Police Department, Emergency Services Unit, Floyd Bennett Field, Brooklyn, New York 11234;
8. Detective Jorge Salazar, Shield No. 1253, New York City Police Department, Emergency Service Squad 9, 167-02 Baisley Boulevard, Queens, New York 11434;
9. Detective Robert Yaeger, Shield No. 5676, New York City Police Department, Emergency Service Squad 9, 167-02 Baisley Boulevard, Queens, New York 11434.

Sincerely yours,



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September 16, 2013

BY HAND DELIVERY

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Re: Schoolcraft v. The City of New York, et al.
10 CV 6005 (RWS)

Dear Counsel:

Enclosed please find a copy of City Defendants' Objections and Responses to Plaintiffs' Second Set of Interrogatories and Third Set of Document Requests dated August 16, 2013, and responsive documents thereto bearing Bates Nos. NYC00010227-NYC00010367 and NYC00010416-NYC00010417.¹

I also write in response to your letter dated August 30, 2013, requesting (1) that the City Defendants "re-consider" their position regarding the designation of documents subject to the Attorneys' Eyes Only Confidentiality Stipulation and Order bearing Bates Nos. NYC0004588-NYC0006112; (2) requesting "the return of all of the plaintiff's personal property that was confiscated by the NYPD" as itemized within the voucher that bears Bates No. D000500; and (3) requesting the removal of redactions to documents bearing Bates Nos. D000029-30; D000247-252; NYC0004700-NYC0004716, NYC0004723-NYC0004738, NYC0004754-NYC0004756, NYC0004787, NYC0004792-NYC0004830, NYC0004838-NYC0004871; NYC000C8596-NYC0008597, NYC0008702-NYC0008714, NYC0009123-NYC0009132, and NYC0009368-NYC0009671. Defendants continue to assert the objections set forth in response to Plaintiff's First Set of Interrogatories and Request for the Production of Documents, Plaintiff's Second Request for the Production of Documents, and Plaintiff's Second Set of Interrogatories and Third Request for the Production of Documents. Notwithstanding, and

¹ Documents bearing Bates Nos. NYC00010227-NYC00010332 are being produced subject to the Confidentiality Stipulation and Protective Order, endorsed by the Court on October 5, 2012; and documents bearing Bates Nos. NYC00010416-NYC00010417 are being produced subject to the Attorneys' Eyes Only Confidentiality Stipulation and Protective Order, endorsed by the Court on October 5, 2012.

without waiving any of those objections, City Defendants respond to plaintiff's August 30th letter as set forth below.

Designation of Attorney's Eyes Only Documents

Plaintiff's August 30, 2013 letter requested that the City Defendants agree to remove the Attorneys' Eyes Only ("AEO") designation from those documents bearing Bates Nos. NYC0004588-NYC0006112. As you are no doubt aware, the Attorneys' Eyes Only Confidentiality Stipulation and Order as endorsed by the Court on October 3, 2012 requires plaintiff within 60 (sixty) days of receipt to identify *in writing* any documents to which plaintiff objected to the use of the Attorneys' Eyes Only designation. The documents to which you are opposing were produced nearly a year ago, on October 9, 2012. Therefore, plaintiff's nine-month belated objection to the AEO designation is improper according to the agreed-upon and so ordered Stipulation and Protective Order. Notwithstanding, City Defendants agree to reclassify the following documents as Confidential (as opposed to Attorneys' Eyes Only Confidential): NYC0004587-NYC0004656, NYC0004762-NYC0004786, NYC0004838-NYC0005151, NYC0005339-NYC0005362, NYC0005365-NYC0005374, NYC0005377-NYC0005391, NYC0005394-NYC0005396, NYC0005399-NYC0005423, NYC0005425-NYC0005443, NYC0005450, NYC0005452-NYC0005255, NYC0005459-NYC0005460, NYC0005466, NYC0005468-NYC0005469, NYC0005471-NYC0005472, NYC0005480-NYC0005493, NYC0005496-NYC0005511, NYC0005626-NYC0005640, NYC0005648-NYC0005649, NYC0005654, NYC0005657-NYC0005711, NYC0005713-NYC0005760, NYC0005767-NYC0005803, NYC0005813-NYC0005839, NYC0005841-NYC0005842, NYC0005845-NYC0005880, NYC0005884-NYC0005887, NYC0005889, NYC0005893-NYC0005895, NYC0005897-NYC0005907, NYC0005909-NYC0005916, NYC0005920-NYC0005922, NYC0005924, NYC0005932-NYC0005948, NYC0005964-NYC0005966, NYC0005969-NYC0005975, NYC0005981-NYC0005985, NYC0005987-NYC0005988, NYC0005990, NYC0005995-NYC0005999, NYC0006001-NYC0006003, NYC0006005, NYC0006008-NYC0006011, NYC0006016, NYC0006018-NYC0006024, NYC0006028-NYC0006038, NYC0006040-NYC0006050, NYC0006078-NYC0006105.

Moreover, even though plaintiff's August 30, 2013 letter only referenced documents bearing Bates Nos. NYC0004588-NYC0006112, City Defendants have undertaken their own review and further agree to reclassify the documents bearing Bates Nos. NYC0003789-NYC0003821, NYC0007492-NYC0007494, NYC0007496, NYC0007561, NYC0007568, NYC0007747, NYC0007752-NYC0007754, NYC0007760, NYC0007763 as Confidential (as opposed to Attorneys' Eyes Only Confidential).

Defendants will not agree to remove the Attorneys' Eyes Only designation from the remaining documents, which include personnel and disciplinary matters regarding defendant police officers to which plaintiff has no reason to review; confidential information regarding non-party arrestees whose records may be sealed pursuant to NYS Penal Law §§ 160.50 and/or 160.55, and which nevertheless implicate the privacy and security concerns of non-parties to this action; and documents regarding financial and other inquiries into non-parties to this action, which implicate the privacy and security concerns of those non-parties.

Evidence Held Within the Voucher Bearing Bates No. D000500

In your August 30, 2013 letter, you demand "the return of all of the plaintiff's personal property that was confiscated by the NYPD" as itemized within the voucher that bears

Bates No. D000500. Your letter indicates that plaintiff's personal recording device was vouchered under that Bates range. That is incorrect. As indicated in my April 26, 2013 letter in response to your Notice of Inspection, the previously produced Property Clerk Invoice No. K319299 found under Bates Nos. D000500-D000501, included, *inter alia*, the rifle and papers removed from plaintiff's apartment. However, City Defendants note that plaintiff denied being the lawful owner of that rifle at his deposition. City Defendants therefore cannot return the firearm to plaintiff. Moreover, to the extent that plaintiff alleges that he should have the Complaint Reports, or "61s" returned to him, City Defendants once again state that this paperwork is the property of the NYPD, and plaintiff cannot hold a claim on it.

To the extent plaintiff's letter seeks the return of plaintiff's recording device, which is found under Property Clerk Invoice No. 1000259089, bearing Bates Nos. NYC0008408-NYC0008409,² City Defendants note that this item is evidence in the ongoing New York City Police Department administrative trial against plaintiff, and thus cannot be returned to plaintiff at this time. Again, though, plaintiff is invited to inspect these items at the Manhattan Property Clerk's Office at 1 Police Plaza on a date to be agreed upon by counsel. City Defendants merely demand that plaintiff describe exactly what type of inspection of property is requested with regard to this item of evidence no less than two weeks before the inspection, so that proper prior approval may be obtained from the New York City Police Department Property Clerk's Office.

Plaintiff's Objections to Certain Redactions

D000029-30: The information redacted from these two pages include medical information regarding a non-party to this action, and will thus not be removed.

D000247-252: The document bearing Bates Nos. D000247-249 clearly contains redactions made to obscure notes of communications with NYPD Agency Attorney Krista Ashbery in October 2010, a full year after the alleged incident involving Adrian Schoolcraft. These redactions are properly made on the basis of attorney-client and attorney work-product privileges, and will not be removed. City Defendants note that while the document bearing Bates Nos. D000250-252 were redacted in their entirety, these documents were later produced *unredacted* under Bates Nos. NYC0002895-NYC0002897, therefore, removal of the redactions of these pages is unwarranted.

NYC0004700-NYC0004716, NYC0004723-NYC0004738, NYC0004754-NYC0004756, NYC0004787, NYC0004792-NYC0004830: These documents encompass the CCRB Histories, the Central Personnel Indices, and the IAB Comprehensive Resumes for defendants Mauriello, Lauterborn, and Caughey. When these documents were produced on October 9, 2012, the cover letter specifically stated that "for the documents provided under the assorted confidentiality designations, incidents reflecting charges of misconduct that predate the incident by more than ten years, and incidents that do not involve allegations of a similar nature to the allegations against the individual defendant officers in the complaint (Excessive Force, Unlawful Search and Seizure, Failure to Intervene, False Arrest, Malicious Abuse of Process, and Involuntary

²Defendants again note that this item was previously stored in the Internal Affairs Bureau ("IAB") Group 1 case file, and documentation regarding that storage can be found, *inter alia*, under Bates Nos. NYC0004457, NYC0004458, and NYC0004461-NYC0004463.

Commitment) or false statements have been redacted." Therefore, only allegations that are of similar to the allegations specifically lodged against each individual defendant made within the ten year period prior to the incident on October 31, 2009 have been produced. Moreover, City Defendants have redacted private and sensitive information, including medical histories, regarding the individual defendants which is protected from disclosure by, *inter alia*, HIPAA and the law enforcement privilege. Notwithstanding and without waiving or in any way limiting these objections or the General Objections set forth in response to Plaintiff's First Set of Interrogatories and Request for the Production of Documents, Plaintiff's Second Request for the Production of Documents, and Plaintiff's Second Set of Interrogatories and Third Request for the Production of Documents, attached hereto are less redacted versions of NYC0004723, NYC0009368, NYC0004793-NYC0004803, and NYC0004708-NYC0004709, bearing Bates Nos. NYC00010368-NYC00010415, which are being produced subject to the Attorneys' Eyes Only Confidentiality Stipulation and Protective Order, endorsed by the Court on October 5, 2012.

NYC0004838-NYC0004871: The IAB Comprehensive Resume for plaintiff had been redacted as it contains unrelated allegations of misconduct that included victims' names and contact information, and the names and contact information of other police officers who were alleged to have engaged in misconduct with plaintiff. However, based on your request, attached hereto are less redacted versions of NYC0004838-NYC0004871, with the witness and complainant information redacted, bearing Bates Nos. NYC00010370-NYC00010403, which are being produced subject to the Confidentiality Stipulation and Protective Order, endorsed by the Court on October 5, 2012.

NYC0008596-NYC0008597, NYC0009123-NYC0009132, and NYC0009368-NYC0009671: City Defendants have redacted all information that was gained by the Queens County District Attorney's Office solely through the use of a Grand Jury Subpoena, based on the doctrine of Grand Jury Secrecy, therefore, these redactions will not be removed. See, e.g., N.Y. Crim. Proc. Law § 190.25; Rehberg v. Paulk, 132 S. Ct. 1497, 2012 U.S. Lexis 2711, at *32 (2012).

NYC0008702-NYC0008714: Plaintiff incorrectly assumes that because these pages are blank, City Defendants must have redacted *something* from them. These were blank pages received from the Queens County District Attorney and dutifully produced without redaction.

Witness Identification

In accordance with City Defendants' continuing obligation under F.R.C.P. 26(e), City Defendants identify the following individual likely to have discoverable information relevant to disputed facts that the disclosing party may use to support its claims or defenses:³

1. Sergeant Robert Krohley, Shield No. 4535, New York City Police Department, 69th Precinct, 9720 Foster Avenue, Brooklyn, New York 11236.

³ City Defendants further incorporate by reference all individuals identified by plaintiff and co-defendants in their respective initial disclosures.

Should you have any questions, please do not hesitate to contact me.

Sincerely yours,



Suzanna Publicker Mettham
Assistant Corporation Counsel
Special Federal Litigation Division

Enc.

cc:

Gregory John Radomisli (By Hand Delivery)
MARTIN CLEARWATER & BELL LLP
Attorneys for Jamaica Hospital Medical Center
220 East 42nd Street 13th Floor
New York, NY 10017

Brian Lee (By First-Class Mail)
IVONE, DEVINE & JENSEN, LLP
Attorneys for Dr. Isak Isakov
2001 Marcus Avenue, Suite N100
Lake Success, New York 11042

Bruce M. Brady (By Hand Delivery)
CALLAN, KOSTER, BRADY & BRENNAN, LLP
Attorneys for Lillian Aldana-Bernier
1 Whitehall Street
New York, New York 10004

Walter A. Kretz, Jr. (By Hand Delivery)
SEIFF KRETZ & ABERCROMBIE
Attorney for Defendant Mauriello
444 Madison Avenue, 30th Floor
New York, NY 10022



THE CITY OF NEW YORK
LAW DEPARTMENT
 100 CHURCH STREET
 NEW YORK, NEW YORK 10007

MICHAEL A. CARDOZO
 Corporation Counsel

SUZANNA PUBLICKER METTHAM
 Assistant Corporation Counsel
 E-mail: smettham@law.nyc.gov
 Phone: (212) 356-2372
 Fax: (212) 788-9776

December 18, 2013

BY HAND DELIVERY

Nathaniel Smith
 Attorney for Plaintiff
 111 Broadway, Suite 1305
 New York, New York 10006

Re: Schoolcraft v. The City of New York, et al.
 10 CV 6005 (RWS)

Counsel:

In accordance with City Defendants' continuing discovery obligations under Fed. R. Civ. P. 26(e) and in response to certain of plaintiff's myriad discovery demands, enclosed please additional documents and recordings as described below. Documents bearing Bates Nos. NYC00011637-NYC00011647 are being produced subject to the Confidentiality Stipulation and Protective Order, endorsed by the Court on October 5, 2012. City Defendants note that pursuant to the agreement among the parties, the names and contact information regarding victims, witnesses, and perpetrators of crimes and civilian complaints have been redacted so that records could be produced confidentially, as opposed to being produced under the AEO Stipulation.

<u>Document Description</u>	<u>Bates Stamp</u>	<u>Confidentiality</u>
1. IAB Attachment 21B	NYC00011637- NYC00011640	Confidential
2. IAB Attachment 22B	NYC00011641- NYC00011644	Confidential
3. IAB Attachment 23A	NYC00011645- NYC00011647	Confidential
4. Plaintiff Activity from the NYPD Crime Data Warehouse from 2003-2009	NYC00011648- NYC00011676	Not Confidential
5. Duty Charts for Patrol Borough Brooklyn North 2009	NYC00011677- NYC00011826	Not Confidential
6. PBBNIU Recording Log 09-276, Side A	NYC00011827	Confidential
7. PBBNIU Recording Log 09-276, Side B	NYC00011828	Confidential

Enclosed please also find the original transcript and signature page for Captain Theodore Lauterborn.

Additionally, City Defendants write regarding City Defendants' Responses to Plaintiff's Third Set of Document Requests, in an attempt to confer in good faith regarding outstanding electronic discovery. In furtherance of City Defendants' already stated objections to Document Requests Nos. 3 and 4, City Defendants state that we are unable to comply with these Requests as currently written. However, if plaintiff is able to narrow the Requests, for example, by limiting the individuals for whom you seek e-mail communications, we will endeavor to search further. To the extent you have identified individuals, please also explain why you believe that Paul Browne's electronic communications are relevant to this action. As Document Requests Nos. 3 and 4 include overbroad time periods, City Defendants also believe the relevant time period should be the one first proposed by plaintiff in his First and Second Set of Document Requests, which was "October 31, 2009 to the present." Please let me know if you will consent to that temporal limitation. Finally, City Defendants state, upon information and belief, that retired Chief Joseph Esposito has no relevant emails.

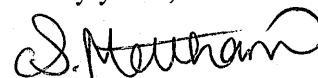
Supplemental Rule 26(e) Disclosures

In accordance with City Defendants' continuing obligation under F.R.C.P. 26(a)(1) and 26(e), City Defendants identify the following individual whose identity is responsive to Interrogatory No. 2 in Plaintiff's Second Set of Interrogatories:¹

1. Police Officer Mark Cruz, New York City Police Department, 81st Precinct, 30 Ralph Avenue, Brooklyn, New York, 11221, *Lt. Broschart's driver on October 31, 2009.*

Encl.

Sincerely yours,



Suzanna Publicker Mettham
Assistant Corporation Counsel
Special Federal Litigation Division

cc:

Gregory John Radomisli (By Hand Delivery w/o Lauterborn Transcript)
MARTIN CLEARWATER & BELL LLP
Attorneys for Jamaica Hospital Medical Center
220 East 42nd Street 13th Floor
New York, NY 10017

¹ Please note that any communication with any New York City Police Department employee, or any New York City agency or agent regarding this matter or the underlying incident should be made through counsel.

Brian Lee (By First-Class Mail w/o Lauterborn Transcript)
IVONE, DEVINE & JENSEN, LLP
Attorneys for Dr. Isak Isakov
2001 Marcus Avenue, Suite N100
Lake Success, New York 11042

Bruce M. Brady (By Hand Delivery w/o Lauterborn Transcript)
CALLAN, KOSTER, BRADY & BRENNAN, LLP
Attorneys for Lillian Aldana-Bernier
1 Whitehall Street
New York, New York 10004

Walter A. Kretz , Jr. (By Hand Delivery w/o Lauterborn Transcript)
SCOPPETTA SEIFF KRETZ & ABERCROMBIE
Attorney for Defendant Mauriello
444 Madison Avenue, 30th Floor
New York, NY 10022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RBM
8/8/14

Mauriello
Supp Resp w/
Authentication

-----X
ADRIAN SCHOOLCRAFT,

10 Civ. 6005 (RWS)

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.
-----X

DEFENDANT STEVEN MAURIELLO'S FIRST SUPPLEMENTAL RESPONSE
TO PLAINTIFF'S COUNTERCLAIM DISCOVERY DEMANDS

Defendant Steven Mauriello, by his attorneys, Scoppetta Seiff
Kretz & Abercrombie, supplements his responses to plaintiff's Counterclaim
Discovery Demands as follows:

SUPPLEMENTAL RESPONSES TO DOCUMENT REQUESTS

DOCUMENT REQUEST 26. All documents pertaining to the allegations
in paragraph 13 of the Counterclaims that Defendant Mauriello has "suffered
damage to his career and reputation, his employment relationship with the
NYPD has suffered, he will continue to suffer financial loss in the future, he
has undeservedly suffered public humiliation and scorn, and has been caused
to suffer extreme emotional distress."

Response: The documents responsive to this request include
the media reports produced to date by plaintiff and the City Defendants, the
media reports produced with Steven Mauriello's original response to this
request, Steven Mauriello's W-2 statements produced with his original


Marie Devino, NYPD
Raymond Diaz, NYPD (retired)
Dr. George Dolger
C. Drakasis, NYPD
Kurt Duncan, NYPD
Joseph Ferrara, NYPD (retired)
Kevin Finnegan, NYPD
Joseph Fox, NYPD
William Gaspari, NYPD
Robert Gianelli, NYPD (retired)
Carlos Gomez, NYPD
Edgar Gonzalez, NYPD
William Gough, NYPD
Keith Green, NYPD
David Grossi, NYPD (retired)
James Hall, NYPD (retired)
Elise Hanlon, FDNY
Emily Harris, NYPD
Raymond Hawkins, NYPD
Scott Henderson, NYPD
Rasheena Huffman, NYPD
Will Jenkins, NYPD
Donna Jones, NYPD
Ruby Marin Jordan, NYPD
Thomas Korakis, NYPD (retired)
Dr. Catherine Lamstein-Reiss, NYPD
Theodore Lauterborn, NYPD
Michael Lenihan, NYPD
Louis Luciani, NYPD
Jeff Maddrey, NYPD
Michael Marino, NYPD
Jessica Marquez
Rafael Mascol, NYPD
Angelo Mauriello
Lisa Lynn Mauriello
William Meyer, NYPD
Michael Miller, NYPD
William Milone, NYPD
Richard Mohabir, NYPD
Owen Monaghan, NYPD

Thomas Moran, NYPD
Gerald Nelson, NYPD
Larry Nikunen, NYPD
Kathleen O'Connor, former NYPD
Corey Pegeus, NYPD (retired)
Tonya Potts
Michael Purpi, NYPD
Thomas Reyes, NYPD
Roy Richter, CEA
Annette Robinson
Yadira Rodriguez, NYPD
Douglas Rolston, NYPD
P.O. Rudy, NYPD
Salvatore Sangianetti
Antoinette Santana, NYPD
Linda Saunders
Frederick Sawyer, NYPD
Dr. Ira Schwartz
Julie Schwartz, former NYPD
Alroy Scott, NYPD
Shaundel Seymour, NYPD
Wendell Seymour, NYPD
Steven Silks, NYPD
Kimberly Smith, NYPD
Nicholas Spataro, NYPD
Raymond Stukes, NYPD
Jason Surillo, NYPD
Daryl Sweeney
Dr. Roman Urbanczyk
Dominic Valenti, NYPD
Albert Vann
Fernando Vasco, NYPD
Pelocka Vinns, NYPD
Peter Viscomi, NYPD
Anne Coveney Waldron, NYPD
Steven Weiss, NYPD
Bernard Whalen, NYPD
David Wittman, NYPD
Patrick Wynn, NYPD

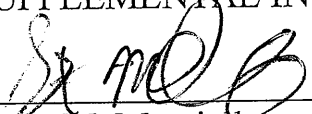
Any known addresses of the non-NYPD witnesses will be provided.

Dated: New York, New York
August 4, 2014

SCOPPETTA SEIFF KRETZ & ABERCROMBIE
Attorneys for Steven Mauriello

By: 
Walter A. Kretz, Jr. (WK-4645)
444 Madison Avenue, 30th Floor
New York, NY 10022

AS TO SUPPLEMENTAL INTERROGATORY RESPONSES:


Steven M. Mauriello

Sworn to before me this
4th day of August, 2014


Notary Public

WALTER A. KRETZ, JR.
Notary Public, State of New York
No. 02KR4945274
Qualified in Suffolk County
Commission Expires 02/03/15