

<b>USDC SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> <b>DOC #:</b> _____ <b>DATE FILED:</b> <u>2/4/2021</u>
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JAMES LASTRA,

Plaintiff,

- against -

CITY OF NEW YORK, et al.,

Defendants.  
-----X

16-CV-3088 (JGK) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

The Court is in receipt of Plaintiff's email to defense counsel dated February 3, 2021 (attached). The parties shall NOT send to, email, or file with the Court communications between counsel. Plaintiff must submit any correspondence to the Court through the pro se office by emailing to Temporary\_Pro\_Se\_Filing@nysd.uscourts.gov.

SO ORDERED.



\_\_\_\_\_  
ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
February 4, 2021

Copies transmitted to all counsel of record and to pro se Plaintiff James Lastra.

**From:** [Jamie L. Pellegrino, Nicolette \(Law\)](#)  
**To:** [Lehrburger NYSD Chambers; Temporary Pro Se Filing NYSD](#)  
**Cc:** [Lehrburger NYSD Chambers; Temporary Pro Se Filing NYSD](#)  
**Subject:** Re: Lastra v. City of NY, et al. - Courtesy Copy  
**Date:** Wednesday, February 3, 2021 3:35:43 PM

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**CAUTION - EXTERNAL:**

Ms. Pellegrino,

Did you call me before sending this letter?

No . You did not. Did you leave a voicemail for me ?

No you did not. There is a prerequisite to confer with me before submitting a letter to the judge. You did not comply.

I provided information to Mr. Gertz, Mr. Jaffe and to yourself at the teleconference . I have not violated any order because you are in custody of all the information that defense counsel Gertz had and Mr. Jaffe.

As I stated at previous court conferences and in previous letters to the Court as well as emails to Mr. Gertz esq. , -- that officer in the photo had threatened to arrest me again in 2016 when I was directed by my former attorney Geoffrey Schotter Esq. to photograph the outside of Precinct PSA 8 for the lawsuit.

I reiterated at the previous conference and to you multiple times that Mr. Gertz knows who that officer is because said officer in photo told Mr. Gertz he wanted to arrest me for taking a photo of the precinct in 2016.

I actually MET THAT OFFICER A SECOND TIME ON THAT DAY of 2016 when as I was taking photos.

Said officer in the photo directed the other officers at the PSA 8 Precinct to stop me from taking photos outside with my " point and shoot camera" and to ARREST ME for exercising my 1st Amendment rights on public property.

That was during the litigation in 2016 . The officers that were there on that day REFUSED to carry out his unlawful order and asked said commanding officer on what grounds was he directing them to arrest me. He had no grounds and they did not carry out his order. Nevertheless the officers at PSA8 that refused his order to arrest me requested me to just leave - So I did leave.

I did leave and Mr. Gertz subsequently spoke to me regarding this matter and Gertz agreed to produce that same officers name to me because he was involved in the events of the litigation for the date of 2014. He was named as a John Doe in the original complaint.

Where is his name ? You had all the information you needed as noted in my email above and at the Court conference. Moreover I recorded my telephone conversation with Mr. Gertz regarding same 2016 event described above , so that phone conversation with Gertz is memorialized RECORDED BY ME ON AUDIO and may be used for further legal action.

The only one in violation of an order to produce John Doe officers is you . You have custody and control of all the John Doe's, not plaintiff..

And again you deliberately failed to confer before with me as mandated by FRCP and judicial individual practices, before submitting your erroneous letter to the Court.

James Latra  
PLAINTIFF

929 523-7319

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**From:** Pellegrino, Nicolette (Law) <npellegr@law.nyc.gov>

**Sent:** Thursday, January 28, 2021 5:37 PM

**To:** 'Jamie L.' <jsavak@hotmail.com>

**Subject:** Lastra v. City of NY, et al. - Courtesy Copy

Good Evening,

Attached please find a courtesy copy of the Defendants' January 28, 2021 letter.

Sincerely,

**Nicolette Pellegrino**

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Special Federal Litigation Division  
New York City Law Department  
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New York, NY 10007  
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