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November 12, 2013

Catherine O'Hagan Wolfe
Clerk of the Court
United States Court of Appeals
For the Second Circuit
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: Floyd, et. al. v. The City of New York
Dkt. No. 13-3088(L)

Dear Ms. Wolfe:

This office represents the defendant-appellant, the City of New York, in the above-referenced appeal. We oppose the request by plaintiffs for an extension of time to file a response to the City's motion to modify this Court's October 31, 2013 order to the extent of vacating the district court's August 12, 2013 Remedies and Liability Orders.

We are responding, at the panel's request, on a tight timetable regarding the en banc and reconsideration motions; it makes sense for all of these motions to be decided expeditiously and together. Further, the City's motion to vacate does not rely on an exhaustive review of the record, but cites almost exclusively the district court's opinion, and so an exhaustive review of the record is not required to respond to it. Finally, plaintiffs have already responded to motions to intervene in the district court, so their need to do so in the court of appeals should not prevent them from responding to the City's motion on a timetable parallel to plaintiffs' motions.

Very truly yours,

Celeste L. Koeleveld

cc: All Counsel by ECF