

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

DAVID FLOYD, *et al.*,

Plaintiffs-Appellees,

-against-

CITY OF NEW YORK, *et al.*,

Defendants-Appellants.

Docket No. 13-3088

**UNOPPOSED MOTION OF PROFESSORS STACY CAPLOW, ERWIN
CHEMERINSKY, BRETT DIGNAM, LAURA K. DONOHUE, ERIC M.
FREEDMAN, AMANDA FROST, BRANDON GARRETT, JAMAL
GREENE, JONATHAN HAFETZ, AZIZ HUQ, KARL MANHEIM, CARLIN
MEYER, JAMES SAMPLE, ADAM STEINMAN, COLIN STARGER,
KENDALL THOMAS, AND STEPHEN VLADECK FOR LEAVE TO FILE
BRIEF AS *AMICI CURIAE* IN SUPPORT OF PLAINTIFFS-APPELLANTS'
MOTION FOR EN BANC REHEARING**

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*Attorneys for Amici Curiae Law Professors and Scholars
with Expertise Concerning Appellate Jurisdiction*

Pursuant to Federal Rule of Appellate Procedure 29(b) counsel for prospective *amici curiae* respectfully move for leave to file the attached Brief of *Amici Curiae* Professors Erwin Chemerinsky, Brett Dignam, Laura K. Donohue, Eric M. Freedman, Brandon Garrett, Jamal Greene, Jonathan Hafetz, Aziz Huq, Karl Manheim, Carlin Meyer, James Sample, Adam Steinman, Colin Starger, Kendall Thomas and Stephen Vladeck in Support of Plaintiffs-Appellees' Motion for En Banc Rehearing. *Amici* have sought and obtained consent from all parties.

Amici are law professors and scholars who teach and write in the areas of civil procedure and federal courts. They have a professional interest in issues relating to the jurisdiction of the courts of appeals. They seek to offer this Court their professional academic perspective on that issue in this case.

Based on the interest of *amici* and the importance and relevance of the matters asserted to the disposition of this case, *amici* respectfully request that the Court grant its motion.

CONCLUSION

For the reasons set forth above, *amici* respectfully request that this Court grant their motion for leave to file a brief of *amici curiae*.

Dated: November 13, 2013
New York, New York

EMERY CELLI BRINCKERHOFF
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/s/

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