

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 13-3123; 13-3088 Caption [use short title]

Motion for: Leave to Appear Amici Curiae

Ligon v. City of New York
Floyd v. City of New York

Set forth below precise, complete statement of relief sought:

Amici identified in the attached addendum seek leave to file a
brief in support of plaintiffs-appellees' Motion for
Reconsideration by the En Bank Court relating to the Panel's
re-assignment to a different District Court Judge.

MOVING PARTY: See attached addendum

Plaintiff Defendant
Appellant/Petitioner Appellee/Respondent

OPPOSING PARTY: City of New York

Plaintiffs-Appellees and Defendant-Appellant City of New York have
consented to the filing of Amici's brief.

MOVING ATTORNEY: Brian E. Whiteley

[name of attorney, with firm, address, phone number and e-mail]

Hiscock & Barclay, LLP
One International Place, 14th Floor
Boston, MA 02110
(617) 274-2900 - bwhiteley@hblaw.com

OPPOSING ATTORNEY: Michael Cardoza

Corporation Counsel of the City of New York
100 Church Street
New York, NY 10007-2601
(212) 356-1000 - mcardoza@law.nyc.gov

Court-Judge/Agency appealed from:

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):
Yes No (explain):

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND
INJUNCTIONS PENDING APPEAL:

Has request for relief been made below? Yes No
Has this relief been previously sought in this Court? Yes No
Requested return date and explanation of emergency:

Opposing counsel's position on motion:
Unopposed Opposed Don't Know (Unopposed to motion to file; opposed to relief supported by Amici.)

Does opposing counsel intend to file a response:
Yes No Don't Know

Is oral argument on motion requested? Yes No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? Yes No If yes, enter date:

Signature of Moving Attorney: /s/ Brian E. Whiteley Date: 11/18/2013 Service by: CM/ECF Other [Attach proof of service]

ORDER

IT IS HEREBY ORDERED THAT the motion is GRANTED DENIED.

FOR THE COURT:
CATHERINE O'HAGAN WOLFE, Clerk of Court

Date: By:

ADDENDUM

The *Amici* are identified as follows:

Retired Federal Judges

Robert J. Cindrich

David H. Coar

William Royal Furgeson, Jr.

Nancy Gertner

Richard J. Holwell

Stanley Sporkin

Professors of Legal Ethics

Anita Bernstein

Carol Buckler

Monroe Freedman

Bennett L. Gershman

Bruce Green

Mark I. Harrison

Richard Klein

Myles V. Lynk

Peter Margulies

Lawrence Raful

Deborah L. Rhode

Rebecca Roiphe

W. Bradley Wendel

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion Information Statement filed through the ECF system was sent electronically to the registered participants as identified on the Notice of Electronic Filing on November 18, 2013.

/s/ Brian E. Whiteley
Brian E. Whiteley