

Zuckerman, Mark (Law)

From: Andrew Case <acase@latinojustice.org>
Sent: Friday, March 15, 2024 4:55 PM
To: Mechanick, Chase (LAW); Meena Oberdick
Cc: Zuckerman, Mark (Law)
Subject: RE: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

Chase,

I notified my client by email that he should bring ID and he has informed me that he will not agree to that, but can identify himself by other means, including through showing his videos. I am sorry I spoke too soon on the phone but after a call with Sean he cannot consent to being forced to show ID to law enforcement. I'm around for a few more minutes if you'd like to talk on the phone.

Andrew

Andrew Case | Supervising Counsel
(He/Him/His)
D: 212.739.7506



Charity Navigator Four Star Charity 2023



Candid Platinum Transparency Seal on Guidestar 2023

E-mails from LatinoJustice PRLDEF may contain confidential and privileged materials; they are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited and may be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attachments. After informing the sender you received the e-mail in error, please delete the e-mail, all attachments, and any copies of them. Thank you.

From: Andrew Case
Sent: Friday, March 15, 2024 4:49 PM
To: Mechanick, Chase (LAW) <cmechani@law.nyc.gov>; Meena Oberdick <moberdick@latinojustice.org>
Cc: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>
Subject: RE: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

Thank you Chase. I have informed my client to be sure to bring ID when he presents at precincts to exercise his right to record.

Thank you,

Andrew

From: Mechanick, Chase (LAW) <cmechani@law.nyc.gov>
Sent: Friday, March 15, 2024 4:47 PM
To: Andrew Case <acase@latinojustice.org>; Meena Oberdick <moberdick@latinojustice.org>
Cc: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Subject: Re: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

Hi Andrew,

Just to memorialize my understanding, Mr. Reyes will provide photo ID when he arrives at any precincts while this appeal is pending.

Have a good weekend,
Chase

From: Mechanick, Chase (LAW) <cmechani@law.nyc.gov>

Date: Friday, March 15, 2024 at 4:40 PM

To: Andrew Case <acase@latinojustice.org>, Meena Oberdick <moberdick@latinojustice.org>

Cc: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Subject: Re: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

Many thanks, Andrew. We're going to try you now at the number below.

As to the oral argument, hate to be a nitpick, but your words (at 15:08) were: "We also think there are prudential concerns there in terms of identifying him and so on." But let's discuss over the phone, as you proposed.

Chase

From: Andrew Case <acase@latinojustice.org>

Date: Friday, March 15, 2024 at 3:53 PM

To: Mechanick, Chase (LAW) <cmechani@law.nyc.gov>, Meena Oberdick <moberdick@latinojustice.org>

Cc: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Subject: RE: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

Chase and Mark,

I am happy to talk on the phone between now and 5pm. I have texted with Sean and he is not willing to provide notice prior to going to a precinct. As you may recall, when the city first sought a two-week implementation stay, he consented on the condition that he be allowed to record in the 075 for one day. The city nevertheless sought an order barring even that. (The recording itself went off without incident.)

I can speak on the phone about possible identification, although given how well known Mr. Reyes is to the department I don't see why it's necessary.

My concerns about the prudential implementation was not about whether the NYPD would recognize Mr. Reyes but about what would happen when other people try to record based on the fact that the court's holding that the policy is unlawful was left undisturbed.

Let me know if you'd like to talk,

Andrew

Andrew Case | Supervising Counsel
(He/Him/His)
D: 212.739.7506



Charity Navigator Four Star Charity 2023



Candid Platinum Transparency Seal on Guidestar 2023

E-mails from LatinoJustice PRLDEF may contain confidential and privileged materials; they are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited and may be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attachments. After informing the sender you received the e-mail in error, please delete the e-mail, all attachments, and any copies of them. Thank you.

From: Mechanick, Chase (LAW) <cmechani@law.nyc.gov>

Sent: Friday, March 15, 2024 3:32 PM

To: Andrew Case <acase@latinojustice.org>; Meena Oberdick <moberdick@latinojustice.org>

Cc: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Subject: Re: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

Hi Andrew and Meena,

To effectively implement the order, which has now been narrowed to a single individual, officers will need to be able to confirm Reyes' identity. We have no basis to presume that Mr. Reyes will be known to the officers who interact with him. In fact, both parties noted at oral argument that there are likely to be some issues identifying Mr. Reyes when he seeks to record while the stay is in effect as to the rest of the public.

In order for things to proceed as smoothly as possible, I think it would be helpful to come to an agreement amongst ourselves so that the district court doesn't have to get involved in the fine-tuning process. We'd like Mr. Reyes to provide at least 24 hours' notice to the NYPD's legal bureau about where he plans to record, so that when he arrives, the officers will be in a position to allow him to record once he presents photo identification.

If you have other ideas, let's please discuss. I'll be available for the rest of the day and over the weekend to further correspond on this.

Thanks,
Chase

From: Andrew Case <acase@latinojustice.org>

Date: Friday, March 15, 2024 at 3:21 PM

To: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Cc: Mechanick, Chase (LAW) <cmechani@law.nyc.gov>, Meena Oberdick <moberdick@latinojustice.org>

Subject: RE: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

You don't often get email from acase@latinojustice.org. [Learn why this is important](#)

He is pretty well known to the department and will likely travel with a copy of the injunction, as he has in the past.

Andrew Case | Supervising Counsel

(He/Him/His)

D: 212.739.7506



Charity Navigator Four Star Charity 2023



Candid Platinum Transparency Seal on Guidestar 2023

E-mails from LatinoJustice PRLDEF may contain confidential and privileged materials; they are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited and may be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attachments. After informing the sender you received the e-mail in error, please delete the e-mail, all attachments, and any copies of them. Thank you.

From: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Sent: Friday, March 15, 2024 2:43 PM

To: Andrew Case <acase@latinojustice.org>

Cc: Mechanick, Chase (LAW) <cmechani@law.nyc.gov>; Meena Oberdick <moberdick@latinojustice.org>

Subject: RE: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

Andrew,

Given the Second Circuit's decision, what are your thoughts on some parameters that will enable NYPD precincts to know that Mr. Reyes is coming, as opposed to someone else?

Thanks,

Mark

From: Andrew Case <acase@latinojustice.org>

Sent: Friday, March 15, 2024 12:52 PM

To: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Cc: Mechanick, Chase (LAW) <cmechani@law.nyc.gov>; Meena Oberdick <moberdick@latinojustice.org>

Subject: [EXTERNAL] Fwd: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@oti.nyc.gov as an attachment (Click the More button, then forward as attachment).

Mark and Chase,

Back when we first filed at the second circuit we agreed that the city would have 48 hours to implement after any order and we of course will honor that. Sean will not film in lobbies before Sunday at 12:40 pm.

Let me know if you'd like to discuss anything regarding the case.

Best,

Andrew

Andrew Case | Supervising Counsel

(He/Him/His)

D: 212.739.7506



Charity Navigator Four Star Charity 2023



Candid Platinum Transparency Seal on Guidestar 2023

E-mails from LatinoJustice PRLDEF may contain confidential and privileged materials; they are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited and be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attachments. After informing the sender you received the e-mail in error, please delete the e-mail, all attachments, and any copies of them. Thank you.

From: ACMS@ca2.fedcourts.us

Date: March 15, 2024 at 12:41:57 PM EDT

To: Andrew Case <acase@latinojustice.org>

Subject: Reyes v. City of New York 23-7640 - 048 - Motion Order Granting to Hold in Abeyance FILED

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

United States Court of Appeals for the Second Circuit

Notice of Docket Activity

The following transaction was entered on 03/15/2024 12:33:20 PM EDT and filed on 03/15/2024

Case Name: Reyes v. City of New York

Case Number: 23-7640

Docket Text:

MOTION ORDER, granting motion for stay of preliminary injunction, except to the extent the preliminary injunction applies to Appellee, for whom the preliminary injunction will remain in effect pending further order of this Court, entry 8, on behalf of Appellant City of New York, by JAC, RCW, RJL, FILED. [Entered: 03/15/2024 12:40 PM]

Document: Motion Order Granting to Hold in Abeyance

Notice will be electronically mailed to:

Richard Paul Dearing : Assistant Corporation Counsel; nycfedapp@law.nyc.gov,
rdearing@law.nyc.gov

Chase Henry Mechanick : Assistant Corporation Counsel; cmechani@law.nyc.gov

Meena Oberdick : Assistant Counsel; moberdick@latinojustice.org

Claude S. Platten : Assistant Corporation Counsel; cplatten@law.nyc.gov,
nycfedapp@law.nyc.gov

Andrew Case : Supervisory Attorney; acase@latinojustice.org

Case participants listed below will not receive this electronic notice:

▪