

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BARBARA HANDSCHU, RALPH DIGIA,  
ALEX McKEIVER, SHABA OM, CURTIS  
M. POWELL, ABBIE HOFFMAN, MARK  
A. SEGAL, MICHAEL ZUMOFF,  
KENNETH THOMAS, ROBERT RUSCH,  
ANETTE T. RUBENSTEIN, MICHEY  
SHERIDAN, JOE SUCHER, STEVEN  
FISCHLER, HOWARD BLATT and  
ELLIE BENZONE, on behalf of themselves  
and all others similarly situated,

71 Civ. 2203 (CSH)

NOTICE OF MOTION FOR  
INJUNCTIVE RELIEF  
AND FOR APPOINTMENT  
OF AN AUDITOR OR  
MONITOR

Oral Argument Requested

Plaintiffs,

-against-

SPECIAL SERVICES DIVISION, a/k/a  
BUREAU OF SPECIAL SERVICES,  
WILLIAM H.T. SMITH, ARTHUR  
GRUBERT, MICHAEL WILLIS,  
WILLIAM KNAPP, PATRICK  
MURPHY, POLICE DEPARTMENT  
OF THE CITY OF NEW YORK,  
JOHN V. LINDSAY and various unknown  
employees of the Police Department acting  
as under-cover operators and informers,

Defendants.

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MADAMS OR SIRs:

PLEASE TAKE NOTICE that upon the accompanying  
Declaration of Paul G. Chevigny dated January 22, 2013, the  
Declaration of Shamiur Rahman dated October 28, 2012, the  
Declaration of Faiza Ali dated January 18, 2013, the  
Declaration of Linda Sarsour dated January 18, 2013, the  
Declaration of Bernard Haykel dated December 7, 2012, the  
deposition of Chief Thomas Galati dated June 28, 2012, the  
exhibits annexed hereto and the accompanying Memorandum of

Law, counsel for the plaintiff Class will move this Court, at a time and place to be designated by the Court, for the following relief against the New York Police Department (NYPD):

a) pursuant to Rule 65 of the Federal Rules of Civil Procedure, an injunction against the policy and practice of retaining records concerning visits to public places made by the Zone Assessment Unit, the Demographics Unit or any other unit of the NYPD where no information has been obtained that relates to potential unlawful or terrorist activity, in violation of Section VIII A (2) of the Modified Handschu Guidelines;

b) pursuant to Rule 65 of the Federal Rules of Civil Procedure, an injunction against the policy and practice of surreptitiously joining, visiting and infiltrating organizations or institutions including organizations associated with Islam, and keeping records of such investigative activities, in the absence of "reasonable indications" or "indication" of terrorist or unlawful activity, in violation of Sec. V(B), Sec. V(C) and V(D) of the Modified Handschu Guidelines;

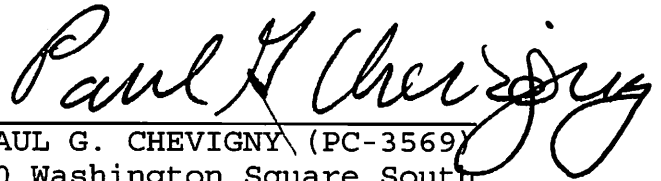
c) pursuant to Rule 706 of the Federal Rules of Evidence, or alternatively pursuant to Rule 53, F.R.C.P., an order appointing an auditor or monitor to supervise compliance by the NYPD, its employees and agents with the

injunctive orders made herein mandating obedience to the Modified Handschu Guidelines in investigations of political activity by members of the plaintiff class; and

d) for such other and further relief as to this Court seems just and proper.

Dated: New York, New York  
January 22, 2013

Yours, etc.



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