

# **EXHIBIT F**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID FLOYD, LALIT CLARKSON, DEON DENNIS, )  
and DAVID OURLICHT, individually and on )  
behalf of a class of all others similarly )  
situated, )

Plaintiffs, )

vs. 08CV.01034  
(SAS)

THE CITY OF NEW YORK; NEW YORK CITY )  
POLICE COMMISSIONER RAYMOND KELLY, in his )  
individual and official capacity; MAYOR )  
MICHAEL BLOOMBERG, in his individual and )  
official capacity; NEW YORK CITY POLICE )  
OFFICER RODRIGUEZ, in his individual )  
capacity; NEW YORK CITY POLICE OFFICER )  
GOODMAN, in his individual capacity; NEW )  
YORK CITY POLICE OFFICER JANE DOE, in her )  
individual capacity; NEW YORK CITY POLICE )  
OFFICER ERIC HERNANDEZ, Shield # 15957, )  
in his individual capacity; NEW YORK CITY )  
POLICE OFFICER CORMAC JOYCE, Shield # )  
31274, in his individual capacity; NEW )  
YORK CITY POLICE SERGEANT JAMES KELLY, )  
Shield #92145, in his individual capacity; )  
NEW YORK CITY POLICE OFFICER LUIS )  
PICHARDO, Shield #00794, in his )  
individual capacity; NEW YORK CITY POLICE )  
OFFICER ANGELICA SALMERON, Shield # 7116, )  
in his individual capacity; NEW YORK CITY )  
POLICE MICHAEL COUSIN HAYES, Shield # )  
3487, in his individual capacity; NEW YORK )  
CITY POLICE CHRISTOPHER MORAN, in his )  
individual capacity; and NEW YORK CITY )  
POLICE JOHN DOES #1 through #11, in their )  
individual capacities; )

Defendants. )  
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DEPOSITION OF CHRISTOPHER MORAN  
New York, New York  
Monday, June 1, 2009

Reported by:  
Philip Rizzuti

1 Moran

2 incident or occasion when the supervisor would  
3 meet with the squad and say we need to  
4 increase activity in this area and why is  
5 there more activity in this area, that kind of  
6 think, that ever happen?

7 A. I don't recall.

8 Q. Is there any expectation of a  
9 certain number of UF-250's that you have to do  
10 on a monthly basis?

11 A. As far as I -- not as far as I  
12 know.

13 Q. Anybody ever tell you, you know,  
14 you need to do at least a few every month?

15 A. I don't recall that.

16 Q. Are you aware as to whether the  
17 productivity of your squad is measured by the  
18 number of UF-250's that are done?

19 MR. HAZAN: Objection.

20 A. I don't know if that is -- I don't  
21 know about that.

22 Q. When you say you don't know about  
23 it, what do you mean?

24 A. I don't know of any projections.

25 Q. Do they ever make projections in

1 Moran

2 the Police Department with respect to the  
3 performance of line officers on patrol or on  
4 foot patrol?

5 MR. HAZAN: Objection.

6 A. Not as far as I know.

7 Q. Now, simply because you have  
8 reasonable suspicion to stop somebody doesn't  
9 mean that you have reasonable suspicion to  
10 frisk them; is that correct?

11 A. Depends on the situation.

12 Q. Are there situations where you can  
13 think of where -- well withdraw.

14 Of course it always depends on the  
15 situation, but the mere fact that you have  
16 reasonable suspicion to stop someone, doesn't  
17 mean that you have reasonable suspicion to  
18 frisk them; is that right?

19 A. The person could escalate.

20 Q. I am not asking what the person  
21 could do, I am asking if you agree with me  
22 that the proposition that reasonable suspicion  
23 to stop doesn't not always equate with the  
24 reasonable suspicion to frisk?

25 A. Again it depends on the situation,