

Exhibit C

Breslow, Stephanie

From: Breslow, Stephanie
Sent: Friday, February 10, 2012 5:10 PM
To: Darius Charney
Cc: Grossman, Heidi; Donahue, Linda
Subject: Immediate need for Fagan's revised coding instructions for analysis in 2/2/12 Declaration
Importance: High
Attachments: Coding instructions cover letter 1.26.11.pdf; Coding instructions cover letter 4.13.11.pdf; Coding instructions cover letter 9.23.11.pdf

Counsel:

Further to Defendants' Request for Production of Documents (Experts) at 1(b) and plaintiffs' ongoing discovery obligations, as well as the Stipulation of confidentiality executed on 1/26/11, Defendants request immediate production of the complete set of "corrected" coding instructions employed by Prof. Fagan in re-running his "Classification of Stops Recorded on UF250 Forms," described in his 2/02/12 Declaration at paragraphs 14-18. The revised coding instructions are referenced by Prof. Fagan in paragraph 17, in which he describes a new category of "justified" stops.

In addition to the immediate production of this particular set of coding instructions, we further note that Defendants' Request for Production of Documents (Experts) of December 22, 2010, called for production of: "All documents on which Jeffrey Fagan relied in preparing his two reports submitted in this case, including but not limited to . . . (b) all coding instructions used in statistical analyses" (at 1(b)). Pursuant to that request, your ongoing discovery obligations, and the confidentiality stipulation, defendants have received from you the following sets of instructions on the dates indicated below (copies of the cover letters used to transmit these coding sets are attached hereto for your convenience):

1/26/11:

- PL-EX 00852- AZip file containing (i) coding instructions which Professor Fagan used to recode data in the CRMSUSP field of the UF250 database in order to generate the crime-specific counts of stops which he used in the statistical analyses reflected in his two expert reports, and (ii) various New York City Housing Authority data used by Professor Fagan in performing the statistical analyses reflected in his expert reports.
- PL-EX 00853- coding instructions for recoding crime complaints into the aggregate crime categories used by Professor Fagan in his expert reports.

4/13/11

- A copy of the code used by Professor Fagan to identify the NYPD commands that were involved in patrol functions (PL-EX 00918-927).

9/23/11

- CD bates-stamped PL-EX00931, which contains the computer coding instructions used to by Professor Jeffrey Fagan to conduct the analysis reflected on pp. 49-50 of his October 15, 2010 Expert Report.

Please confirm that there are no other sets of coding instructions utilized by Prof. Fagan in conducting his analyses reflected in his Reports and affidavits in this case which are responsive to Defendants' Request (1(b)) above, and which have not been provided to defendants (apart from any such coding instructions already

2/16/2012

included in Prof. Fagan's Reports) . Kindly advise of your answer no later than 12:00 p.m. on Monday, Feb. 13.

Thank you for your prompt attention.

Regards,

Stephanie M. Breslow
Assistant Corporation Counsel
New York City Law Department
Special Federal Litigation Division
100 Church Street, Room 3-187
New York, New York 10007
(tel.) 212-788-1575
(fax) 212-788-9776

2/16/2012



January 26, 2011

Via Hand Delivery and Electronic Mail

Arthur Larkin
Senior Counsel
New York City Law Department
100 Church Street, Room 3-180
New York, NY 10007

Re: ***Floyd v. The City of New York***
08 Civ. 01034 (SAS)

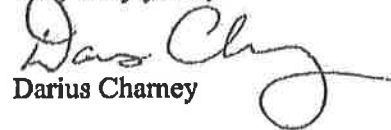
Dear Mr. Larkin:

Enclosed please find a CD containing documents responsive to Requests # 1(a) and (b) of Defendants' Request for Production of Documents (Experts). The documents on the CD are bates stamped PL-EX 00852-853, and include the following:

- PL-EX 00852- A Zip file containing (i) coding instructions which Professor Fagan used to recode data in the CRIMSUSP field of the UF250 database in order to generate the crime-specific counts of stops which he used in the statistical analyses reflected in his two expert reports, and (ii) various New York City Housing Authority data used by Professor Fagan in performing the statistical analyses reflected in his expert reports.
- PL-EX 00853- coding instructions for recoding crime complaints into the aggregate crime categories used by Professor Fagan in his expert reports.

It is Plaintiffs' position that both of the aforementioned coding instructions are proprietary and, pursuant to the Stipulation signed by the parties earlier today, must be kept confidential and returned to Plaintiffs at the conclusion of this litigation.

Very truly yours,


Darius Charney

Encl.



April 13, 2011

Via Hand Delivery and Electronic Mail

Arthur G. Larkin
Senior Counsel
New York City Law Department
100 Church Street, Room 3-180
New York, NY 10007

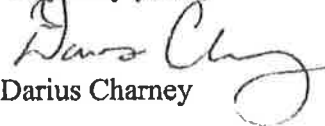
**Re: *Floyd v. The City of New York*
08 Civ. 01034 (SAS)**

Dear Mr. Larkin:

In response to your letter of February 18, 2011, enclosed please find a CD containing documents which are Bates-stamped PL-EX 00854-00930. These materials include:

- Copies of the syllabi for courses taught by Professor Jeffrey Fagan between 2007 and the present (PL-EX 00854-917);
- A copy of the code used by Professor Fagan to identify the NYPD commands that were involved in patrol functions (PL-EX 00918-927);
- A signed copy of the retainer agreement between Professor Fagan and Plaintiffs' Counsel (PL-EX 00928-930)

Very truly yours,


Darius Charney

Encl.

Cc: Eric Hellerman (*via email*)
Taylor Hoffman (*via email*)



September 23, 2011

Via Hand Delivery

Heidi Grossman
Linda Donahue
Assistant Corporation Counsel
New York City Law Department
100 Church Street, Room 3-158
New York, NY 10007

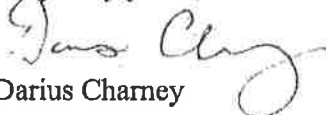
Re: *Floyd v. City of New York*, 08 Civ. 1034(SAS)

Dear Counsel:

Enclosed please find a CD bates-stamped PL-EX00931, which contains the computer coding instructions used to by Professor Jeffrey Fagan to conduct the analysis reflected on pp. 49-50 of his October 15, 2010 Expert Report.

Feel free to contact me if you have any questions.

Very truly yours,



Darius Charney

Encl.

Cc: All counsel (*via email*)(*letter only*)