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**By ECF & By Hand**

Hon. Lewis A. Kaplan  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Five Borough Bicycle Club, et al. v. City of New York, et al.  
07 CV 2448 (LAK)

Dear Judge Kaplan:

This office represents the defendants in the above entitled action. Defendants write in reply to plaintiffs' opposition to defendants' motion for reconsideration and in further support of that motion.

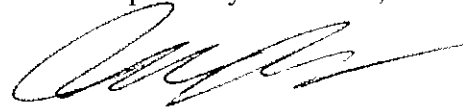
Plaintiffs incorrectly assert that their need for the discovery at issue outweighs the burden imposed upon defendants. Defendants' motion exhaustively detailed the colossal effort required by the New York City Police Department ("NYPD") to produce summonses issued pursuant to the Parade Rules (request 6) and those issued in connection with 450-plus group bike rides (request 7(g)). A department-wide effort and countless hours of manpower is necessary to review tens of thousands of summonses.

As stated in defendants' motion, summonses are filed by charge date at the issuing precinct. Thus, to find all summonses issued pursuant to the Parade Rules would require a search in each precinct of all criminal summonses issued for nearly four years. To find all summonses issued in connection with the 450-plus group bicycle ride, the NYPD would have to search every precinct in which a group bicycle ride crossed on the date of the event. More importantly, plaintiffs' opposition disregards the low probability that this laborious search will

actually lead to the discovery of summonses issued to individuals in connection with their participation in a group bicycle ride; even assuming that an individual summons notes that the violation was committed by a bicyclist, it would be impossible to link the summons to a group bicycle ride unless the issuing officer wrote a descriptive narrative indicating that the individual was taking part in such event. Consequently, the information ultimately gathered will amount to nothing more than a count of the number of summonses issued by precinct – essentially the same data that defendants have already stated they are prepared to provide.

Given the onerous nature of the search requests, and the unlikelihood that a comprehensive search will even unearth the documents sought by plaintiffs, defendants reiterate their request that the Court reconsider the Order with respect to Document Request 6 and 7(g).

Respectfully submitted,



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Assistant Corporation Counsel

cc: Steve Vaccaro, Esq.  
(By ECF & By Hand)