

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID FLOYD, <i>et al.</i> ,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
THE CITY OF NEW YORK, <i>et al.</i> ,	:
	:
Defendants.	:
	:
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	x

DARIUS CHARNEY declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney duly admitted to practice law in this Court and in the courts of the State of New York.
2. I am a senior staff attorney at the Center for Constitutional Rights (“CCR”), which serves as co-counsel for the Plaintiff class in this action. I have personal knowledge of the matters stated herein, or knowledge based on my review of documents in the possession of CCR.
3. I submit this declaration in support of Plaintiffs’ motion to preclude Defendants’ expert Dennis Smith from testifying to certain of his opinions at trial.
4. Attached hereto as Exhibit A is a true and correct copy of Defendants’ August 3, 2009 letter to Plaintiffs identifying the individuals whom they intended to call as testifying experts at trial.
5. Attached hereto as Exhibit B is a true and correct copy of the November 15, 2010 Expert Report of Dennis Smith, including all Appendices thereto.
6. Attached hereto as Exhibit C is a true and correct copy of excerpts from the

transcript of the March 4, 2011 deposition of Dennis Smith.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 26, 2012, in New York, New York.


DARIUS CHARNEY