

Press Release

I write to respond to the two issues cited by the appellate panel as the basis for removing me from the *Floyd* and *Ligon* cases.

1. On the related case issue: the plaintiffs originally wished to bring a contempt proceeding against the City in the *Daniels* case, which I had handled for many years. The City opposed the plaintiffs' application, asserting that a contempt proceeding would violate the protective order in *Daniels*. I sided with the City and directed the plaintiffs to bring a new action rather than a contempt proceeding. I said I would take the case as related because the plaintiffs charged that the City had violated my order in *Daniels*.

2. With respect to press interviews: all of the interviews identified by the Second Circuit were conducted under the express condition that I would not comment on the *Floyd* case. And I did not. Some of the reporters used quotes from written opinions in *Floyd* that gave the appearance that I had commented on the case. However, a careful reading of each interview will reveal that no such comments were made.