

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ADRIAN SCHOOLCRAFT,

10-cv-6005 (RWS)

Plaintiff,  
-against-

DECLARATION  
OF NATHANIEL B. SMITH

THE CITY OF NEW YORK, et al,

Defendants.  
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Nathaniel B. Smith, being an attorney admitted in this Court, hereby declares under the penalties of perjury under the laws of the United States of America that the following is true and correct:

1. I am submitting this declaration to transmit to the Court the plaintiff's exhibits being submitted in opposition of the defendants' motions for summary judgment.
2. The exhibits attached hereto and marked as Plaintiff's Opposition Exhibits ("POX") 1-59 are true, correct and authentic copies of documents produced in this litigation or excerpts from the depositions or other testimony of the parties in this and other litigation.
3. Confidential or attorney-eyes-only materials contained herein are also being filed under seal with the Clerk of the Court, in accordance with the Court's prior orders.

Dated: February 11, 2015

*s/NBS*

\_\_\_\_\_  
Nathaniel B. Smith  
111 Broadway – Suite 1305  
New York, New York 10006  
(212) 227-7062

## **Plaintiff's Opposition Exhibits ("POX")**

1. Lamstein Tr. 318-321, 327-330
2. Lamstein Notes (Plaintiff's Deposition Exhibit ("PDX") 29)
3. Lauterborn Tr. 82-83, 103-106, 109, 318-320
4. Lauterborn IAB Tr. (PDX 18)
5. CD of Recordings: (i) NYC 10104 (CD # 9); (ii) CD #9; (iii) CD # 28
6. IAB Memo on Nelson (NYC 5790-91)
7. Report to IAB by Duncan (NYC 3832)
8. Marino Tr. 226, 331-332
9. Charges and Specification (NYC 3933-3941)
10. Sangeniti Tr. 40, 54-67, 99-103, 104-121, 131-136, 149, 167
11. Eterno and Silverman Report
12. Eterno Tr. 31-33, 141-153, 178-191
13. Schoolcraft Tr. (I) 121-126, 183-186, 189-191, 220-223, 228-229, 265, 436, 443-444; (II) 24-25, 199-219
14. Trainor Tr. 53-55, 98-101, 103-105, 118, 163-164, 182-189
15. Memo by BNIU (PDX 82)
16. Memo (PDX 92)
17. Duncan Tr. 6-23-14 Tr. 245, 252-255
18. Gough Tr. 63-64, 241-242
19. Form 9.39 executed by Dr. Bernier and Dr. Isakov (PDX 171)
20. Mauriello Tr. (I) 144-148, 245-247, 341, 366-371, 381-390, 677
21. Caughey Tr. (II) 58-69, 86-92, 100-108, 118-119, 128-130, 174-175
22. Schoolcraft Memo Book (PDX 45)
23. Caughey IAB Tr. (PDX 33)
24. Weiss Tr. 107-108, 128-134
25. Mauriello PG Tr. (PDX 47)
26. Broschart Tr. 49-54, 87-88
27. Operation Report (PDX 27)
28. 911 Sprint Report (PDX 66)
29. Hanlon Tr. 77, 89-91, 124-132, 138-139, 166-173, 180, 216-217, 221-222, 230-233, 236-237, 243-248, 250-252
30. ESU Report and IAB Interview Report (NYC 3535, 5848-5849)
31. Google Maps Screen Shots
32. Marquez Tr. 56-61, 81-90, 113-114
33. Scott Memo, 11/3/09 (NYC 5454-5455)
34. PG 205-238 (PDX 163)

35. Cooper Tr. 18-20, 44-45, 64-70, 146-149
36. Mollen Commission Report (excerpts)
37. Kelly Testimony at Mollen Commission (excerpts)
38. IAB Police Corruption Report
39. Ferrara Tr. 49-51, 55-58, 73-79, 86-87, 192-196, 219-226, 235
40. Polanco Tr.
41. Serrano Tr.
42. Matthews Complaint and Affidavit
43. Charges and Specification and Mailing (NYC 3876-3878)
44. Compstat Video 9/20/07 (CD # 17) (58:00-120:00); 10/12/09 (CD # 12) (10:00-110:00) (28:00-45:00)
45. Crime Numbers for October 31, 2009
46. Sawyer Tr. 111-113
47. JHMC Information Sheet and Charity Filings
48. Bernier Tr. 29, 60-66, 83-88, 122-127, 142, 170-171, 1922-193, 197-198, 207-209, 248-249, 276-291
49. JHMC Restraint Policy
50. Maffia Tr. 31-33, 99-101, 108-110
51. Dhar Tr. 8-9, 14, 26, 44-45, 86, 134
52. James Tr. 129-133
53. Isakov Tr. 146-165, 169-171
54. Form 9.39 (PDX 171)
55. Larry Schoolcraft Tr. 249-250
56. Finnegan Tr. 54-57
57. IAB Log on Menacing (NYC 4876-4879)
58. Roll Call Transcripts (PDX 50)
59. Valenti Tr. 14-16, 24-30