

WILMERHALE

October 28, 2019

Alan E. Schoenfeld

VIA ECF

+1 212 937 7294 (t)  
+1 212 230 8888 (f)  
alan.schoenfeld@wilmerhale.com

The Honorable Raymond J. Dearie  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *Schwartz v. City of New York et al.*, No. 1:19-cv-00463**

Dear Judge Dearie,

I write on behalf of the City of New York and Commissioner Salas, pursuant to the Court's September 19, 2019 order and further to my letter dated September 26, 2019 [Dkt. 34].

As I stated in my September 26 letter, the City Council approved on September 25, 2019 a bill with the effect of immediately repealing subchapter 19 of chapter 5 of title 20 of the Administrative Code (the "Repeal Bill"). That subchapter contains Local Law 22, the ordinance at issue in this lawsuit.

Because the Mayor took no action on the Repeal Bill in the thirty days after the Council's approval, the Repeal Bill became law at midnight on October 26, 2019, retroactive to September 12. *See* N.Y.C. Charter § 37. As a result, for the reasons set forth in my September 26 letter, Plaintiffs' claims for declaratory and injunctive relief are now moot, and Plaintiff's motion for a preliminary injunction should be denied as moot.

Respectfully submitted,

/s/ Alan E. Schoenfeld

Alan E. Schoenfeld