

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID FLOYD, *et al.*,

Plaintiffs,

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.
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X
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:
: 08 Civ. 01034 (SAS)
:
: ECF CASE
:
: **DECLARATION OF**
: **GRETCHEN HOFF**
: **VARNER**
:
:
X

GRETCHEN HOFF VARNER declares as follows pursuant to 28 U.S.C. § 1746:

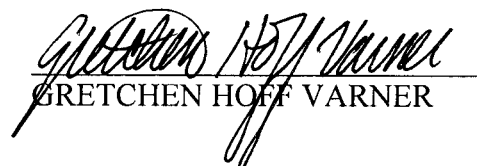
1. I am an attorney duly admitted to practice law in this Court and in the courts of the State of New York.

2. I am an associate at Covington & Burling LLP, which serves as co-counsel for Plaintiffs in this action. I submit this Declaration in further support of Plaintiffs' motion for class certification under Federal Rule of Civil Procedure 23.

3. Attached as Exhibit 1 is a true and correct copy of *City of New York v. Patrolmen's Benevolent Association*, 40CB2d 67 (BCB 2011).

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

Executed on February 2, 2012, in New York, New York.


GRETCHEN HOFF VARNER