

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X
CROWN CASTLE NG EAST LLC,

Plaintiff,

-against-

THE CITY OF RYE, and THE CITY COUNCIL OF THE
CITY OF RYE

Defendants.

**DECLARATION OF
CHRISTOPHER B. FISHER
IN REPLY TO
DEFENDANTS'
OPPOSITION TO MOTION
FOR INJUNCTIVE RELIEF**

17 CV 3535 VLB-PED

June 19, 2017
-----X

CHRISTOPHER B. FISHER, under penalty of perjury and pursuant to 28 U.S.C. § 1746, submits this declaration in Reply to Defendants' Opposition to Plaintiff's Motion for Injunctive Relief (the "Opposition") (Doc. #23), and in further support of Plaintiff's Motion for Injunctive Relief (Doc. #9):

1. I am a member of Cuddy & Feder LLP, attorneys for Plaintiff Crown Castle NG East LLC ("Plaintiff") in the above-captioned action. I am admitted to practice in this Court, and have knowledge of the facts stated in this Declaration.

2. Attached as **Exhibit 1** is a true and accurate copy of the New York Department of Environmental Conservation's ("DEC's") current regulation 617.5, 6 CRR-NY 617.5, which lists Type II actions that are not subject to review under SEQRA.

3. Attached as **Exhibit 2** is a true and accurate copy of the DEC's DRAFT Generic Environmental Impact Statement on the Proposed Amendments to the State Environmental Quality Review Act (SEQR) Regulations, 6 NYCRR Part 617.

WHEREFORE, it is respectfully requested that Plaintiff's Motion for Injunctive Relief be granted in its entirety, together with such other and further relief as the Court may deem just and proper.

Dated: White Plains, New York
June 19, 2017

/s/ Christopher B. Fisher
Christopher B. Fisher, Esq.