

Wednesday, October 4, 2006

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“THE WORLD CAN’T WAIT” DEMONSTRATION ORGANIZERS TAKE THE CITY TO COURT
EMERGENCY MOTION FILED TODAY TO PROTECT DEMONSTRATOR’S FIRST AMENDMENT RIGHTS

WHEN: Wednesday, October 4, 2006

WHERE: United States District Court, Southern District of New York

THE WORLD CAN’T WAIT! DRIVE OUT THE BUSH REGIME is planning to conduct a nationwide action political action on October 5, 2006. “On October 5, people everywhere will walk out of school, take off work, and come to the downtowns & townships and set out from there, going through the streets and calling for many more to join us – making a powerful statement: “NO! THIS REGIME DOES NOT REPRESENT US! AND WE WILL DRIVE IT OUT!” the organization’s website proclaims.

Defendants Mayor Michael R. Bloomberg, Police Commissioner Raymond W. Kelly, and Commissioner of Parks Adrian Benepe issued organizers a permit to rally in Dag Hammarskjöld Plaza between 12:00 p.m. and 3:00 p.m and Union Square Park from 3:00 p.m. until 9:00 p.m.

The City subsequently changed its mind.

In violation of their own rules (and the United States Constitution) the City revoked the permit authorizing the demonstration in Union Square and issued a new permit halving the amount of time demonstrators were allowed to protest. The City’s eleventh-hour change of heart comes a mere two days before the planned demonstration.

Furthermore, after denying the organizers proposed route for the procession from Dag Hammarskjöld Plaza rally to Union Square Park, the City proposed an alternative acceptable route to the demonstration’s organizers. Disappointed, but determined to exercise their First Amendment rights, organizers accepted the NYPD’s proposed route. To date, the NYPD still refuses to issue a permit in line with their own proposal, thereby constructively denying organizers of the right to march.

Attorneys Daniel M. Perez and David Pressman of the law firm **Kuby & Perez** filed a motion seeking a preliminary injunction requiring the City to stand-by the permit it originally issued and grant the parade permit it proposed. “The City’s action reeks of a content-based restriction on speech and violates the core principles governing regulations on political speech,” plaintiffs’ attorney Daniel Perez stated.