

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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| EDITH SCHLAIN WINDSOR, in her |) |) |
| capacity as executor of the estate of |) |) |
| THEA CLARA SPYER, |) |) |
| |) |) |
| Plaintiff, |) |) |
| |) |) |
| v. |) | Civil Action No. 10-CV-8435 (BSJ)(JCF) |
| |) |) |
| THE UNITED STATES OF AMERICA, |) |) |
| |) |) |
| Defendant. |) |) |
| <hr/> | |) |

**INTERVENOR-DEFENDANT’S MOTION FOR
CLARIFICATION, ADDITIONAL PAGES, AND LEAVE TO FILE SUR-REPLY**

Pursuant to Local Civil Rule 7.1, Intervenor-Defendant, the Bipartisan Legal Advisory Group of the United States House of Representatives (the “House”), through its undersigned counsel, hereby moves for clarification of the Court’s August 29, 2011 “Set/Reset Deadlines” docket entry, for additional pages in submitting its reply in support of its motion to dismiss, and for leave to file a sur-reply in opposition to Plaintiff’s motion for summary judgment. The reasons for this motion are stated in a memorandum in support, also filed today. A proposed order will be submitted by electronic mail.

Plaintiff opposes the House’s request for clarification of the Court’s August 29, 2011 “Set/Reset Deadlines” docket entry, consents to the House’s request for additional pages in submitting its reply in support of its motion to dismiss, and opposes the House’s request for leave to file a sur-reply in opposition to Plaintiff’s motion for summary judgment. The United States Department of Justice takes no position on the House’s requested relief.

Respectfully submitted,

/s/ Paul D. Clement

Paul D. Clement

H. Christopher Bartolomucci

Conor B. Dugan

Nicholas J. Nelson

BANCROFT PLLC

1919 M Street, Northwest, Suite 470

Washington, District of Columbia 20036

Telephone: (202) 234-0090

Facsimile: (202) 234-2806

*Counsel for the Bipartisan Legal Advisory
Group of the U.S. House of Representatives*

OF COUNSEL:

Kerry W. Kircher, General Counsel

Christine Davenport, Senior Assistant Counsel

Katherine E. McCarron, Assistant Counsel

William Pittard, Assistant Counsel

Kirsten W. Konar, Assistant Counsel

OFFICE OF GENERAL COUNSEL

U.S. House of Representatives

219 Cannon House Office Building

Washington, District of Columbia 20515

Telephone: (202) 225-9700

Facsimile: (202) 226-1360

September 2, 2011

CERTIFICATE OF SERVICE

I certify that on September 2, 2011, I served one copy of Intervenor-Defendant's Motion for Clarification, Additional Pages, and Leave To File Sur-Reply by CM/ECF and by electronic mail (.pdf format) on the following:

Roberta A. Kaplan, Esquire, & Andrew J. Ehrlich, Esquire
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
1285 Avenue of the Americas
New York City, New York 10019-6064
rkaplan@paulweiss.com
aehrlich@paulweiss.com

Alexis Karteron, Esquire, & Arthur Eisenberg, Esquire
NEW YORK CIVIL LIBERTIES UNION FOUNDATION
125 Broad Street, 19th Floor
New York City, New York 10004
akarteron@nyclu.org
arteisenberg@nyclu.org

James D. Esseks, Esquire, Melissa Goodman, Esquire, & Rose A. Saxe, Esquire
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
125 Broad Street
New York City, New York 10004
jesseks@aclu.org
mgoodman@nyclu.org
rsaxe@aclu.org

Jean Lin, Esquire
UNITED STATES DEPARTMENT OF JUSTICE, CIVIL DIVISION
20 Massachusetts Avenue, Northwest, Seventh Floor
Washington, District of Columbia 20530
jean.lin@usdoj.gov

Simon Heller, Esquire
STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL
120 Broadway
New York City, New York 10271
simon.heller@ag.ny.gov

/s/ Kerry W. Kircher
Kerry W. Kircher