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 KAREN GOLINSKI

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN FRANCISCO DIVISION

20 KAREN GOLINSKI,  
 21 Plaintiff,  
 22 v.  
 23 UNITED STATES OFFICE OF PERSONNEL  
 MANAGEMENT, and JOHN BERRY, Director  
 24 of the United States Office of Personnel  
 Management, in his official capacity,  
 25 Defendants.

Case No. 3:10-cv-0257-JSW

**DECLARATION OF RITA F. LIN  
 IN SUPPORT OF PLAINTIFF'S  
 REPLY TO BIPARTISAN LEGAL  
 ADVISORY GROUP'S  
 OPPOSITION TO HER MOTION  
 FOR SUMMARY JUDGMENT**

Date: September 16, 2011  
 Time: 9:00 a.m.  
 Dept.: Courtroom 11  
 Judge: Hon. Jeffrey S. White

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1 I, RITA F. LIN, declare as follows:

2 1. I am an associate at the law firm of Morrison & Foerster LLP, which is counsel of  
3 record for plaintiff. I am licensed to practice law in the State of California. I make this  
4 declaration of my own personal knowledge, and if called as a witness could and would testify  
5 competently to the matters stated herein.

6 2. To date, plaintiff's counsel has not received service of any written discovery from  
7 Bipartisan Legal Advisory Group.

8 3. Early in the morning on July 19, 2011, I emailed Christopher Bartolomucci,  
9 counsel for Bipartisan Legal Advisory Group ("BLAG"), and Christopher Hall, counsel for  
10 defendants, to meet and confer regarding the schedule proposed by BLAG in its summary  
11 judgment opposition. I noted that plaintiff did not think any further discovery was shown to be  
12 necessary, but proposed to meet and confer in order to allow the Court to have the parties'  
13 positions in the event it decided to permit further discovery. A true and correct copy of that email  
14 is attached as Exhibit A.

15 4. Mr. Bartolomucci emailed me on July 21, 2011, stating that BLAG would agree to  
16 the revisions plaintiff requested to BLAG's proposed schedule if plaintiff withdrew her motion  
17 for summary judgment. A true and correct copy of that email is attached as Exhibit B.

18 5. I responded by email to Mr. Bartolomucci later that day stating that plaintiff would  
19 not withdraw her summary judgment motion because further discovery had not been shown to be  
20 necessary, but asked again what, if anything, plaintiff should represent to the Court regarding  
21 BLAG's position on the revised scheduling order. A true and correct copy of that email is  
22 attached as Exhibit C.

23 6. Mr. Bartolomucci responded by email on July 22, 2011, that BLAG would stand  
24 by its original proposed schedule. A true and correct copy of that email is attached hereto as  
25 Exhibit D.

26 7. Mr. Hall stated to me by email that he was in the process of reviewing plaintiff's  
27 proposal with defendants. As of this filing, I have not received an answer from Mr. Hall  
28 regarding defendants' position on the proposal.

1           8.       As noted above, plaintiff does not believe that BLAG has articulated any specific  
2 facts on which further discovery is necessary to oppose plaintiff's summary judgment motion.  
3 However, if such discovery is nonetheless permitted, plaintiff proposes certain revisions to  
4 BLAG's proposed scheduling order in order to permit plaintiff to resubmit her summary  
5 judgment brief to account for what happens in discovery, if anything. For the Court's  
6 convenience, plaintiff's proposed revised scheduling order (which also appears as a portion of the  
7 email in Exhibit A) is separately attached hereto as Exhibit E.

8           I declare under penalty of perjury under the laws of the United States that the foregoing is  
9 true and correct.

10           Executed this 22nd day of July, 2011, at San Francisco, California.

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/s/ Rita F. Lin  
Rita F. Lin