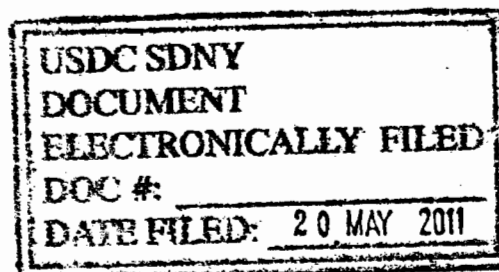




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May 19, 2011

VIA FAX

Hon. Laura T. Swain, U.S.D.J.
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, N.Y. 10007-1312

MEMO ENDORSED

Re: Equal Employment Opportunity Commission v. Kelley Drye & Warren LLP, 10-CV-0655
 (LTS) (MHD)

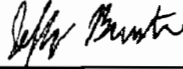
Dear Judge Swain:

Plaintiff EEOC's reply to Defendant's memorandum of law and three declarations opposing EEOC's motion for partial summary judgment on Defendant's Nineteenth Affirmative Defense is due today. EEOC's memorandum of law and reply declaration of Eugene T. D'Ablemont ("D'Ablemont") are completed. However, because this declaration attaches and describes certain documents Defendant has labeled confidential and otherwise may contain information Defendant views as being confidential pursuant to the Confidentiality Order issued by Magistrate Judge Dolinger in this case, yesterday EEOC provided the reply declaration to Defendant to determine Defendant's position on what it believes should be redacted (Your Honor's March 29, 2011 Order authorized such sealing and redactions in the context of this motion). Despite good faith efforts to resolve this matter, EEOC and Kelley Drye have not yet reached agreement on the scope of redactions to the D'Ablemont reply declaration (which is lengthy). The parties believe that agreement could be reached if EEOC and Kelley Drye were given an additional week to negotiate what will be publicly filed.

Therefore, should the Court approve, the parties will have until May 26, 2011 to resolve these differences regarding the publicly filed declaration. If agreement is reached, this will be filed by ECF on that date; and if a dispute still exists at that time, the parties will follow the procedures in the Confidentiality Order for resolution. EEOC will also mail to the Court unredacted versions of its reply memorandum of law and the D'Ablemont reply declaration today, via overnight mail. Finally, EEOC will file its reply memorandum of law via ECF today.

Thank you for Your Honor's consideration.

Respectfully submitted,



Jeffrey Burstein

c: Bettina B. Plevan, Esq. (by e-mail)
Joseph C. O'Keefe, Esq. (by e-mail)

The proposed procedure and
extension are acceptable.

SO ORDERED.

NEW YORK, NY



LAURA TAYLOR SWAIN

May 20, 2011 UNITED STATES DISTRICT JUDGE