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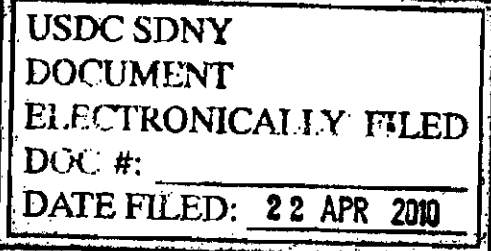
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MEMO ENDORSED

April 20, 2010

VIA FACSIMILE

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



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

Dear Judge Swain:

I represent Plaintiff Equal Employment Opportunity Commission (EEOC) in this matter. EEOC intends to file a motion under Rule 12(f) to strike certain Affirmative Defenses of Defendant, which had filed its Answer and Affirmative Defenses on April 5, 2010. Pursuant to Your Honor's individual practices, on April 15, 2010, I served a 5 page letter on counsel for Defendant setting forth the bases for this contemplated motion. Defendant responded by letter last night, not agreeing with any of EEOC's objections to the Affirmative Defenses. Also pursuant to Your Honor's individual practices, today I attempted to schedule a conference to informally discuss the parties' positions prior to filing this motion. However, lead counsel for Defendant, Bettina Plevan, Esq., informed me that she is on trial this week; and I later received a call from another attorney for Defendant, Joseph O'Keefe, Esq., stating that Defendant would consent to and wants a one week extension of time for EEOC to file its Rule 12(f) motion, presently due on April 26, 2010, so that Ms. Plevan could participate in such a pre-motion conference. While EEOC is ready, willing and able to file its Rule 12(f) motion on April 26, 2010, if acceptable to Your Honor, EEOC is willing to delay this filing by a week to enable Ms. Plevan to attend the pre-motion conference. If this extension is granted and the parties are unable to resolve this dispute informally, EEOC's motion to strike thus would be due on May 3, 2010.

Thank you for Your Honor's consideration.

Respectfully submitted,

Jeffrey Burstein

Jeffrey Burstein

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

The requested deadline extension is granted.

SO ORDERED.

[Signature] 4/21/2010
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE