



Proskauer Rose LLP One Newark Center Newark, NJ 07102-5211

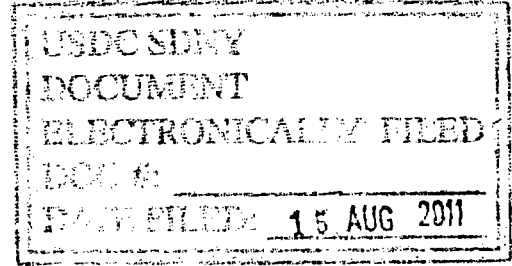
A New York Limited Liability Partnership
Lawrence R. Sandak, Managing Resident Partner

Joseph C. O'Keefe
Senior Counsel
d 973.274.3290
f 973.274.3299
jokeefe@proskauer.com
www.proskauer.com

August 15, 2011

By Fax

The Honorable Laura Taylor Swain, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312



Re: EEOC v. Kelley Drye & Warren LLP
Case No. 10-0655

MEMO ENDORSED

Dear Judge Swain:

This firm represents the Defendant, Kelley Drye & Warren LLP. This morning Jeffrey Burstein, counsel representing the EEOC, and I contacted Your Honor's chambers to discuss the joint submission Your Honor has Ordered the parties to file in connection with documents which were filed under seal in connection with the EEOC's motion for partial summary judgment.

As we indicated on the telephone, Defendant has provided the EEOC with a draft submission that is eight pages long. Following review by the EEOC, Mr. Burstein contacted Defendant's counsel to advise that the EEOC's view of the issue is different from the view expressed in the Defendant's draft. It now seems that it is unlikely that the parties will be in a position to join in any significant portion of the submission.

The parties therefore jointly request that the Court permit them to submit separate memoranda, not to exceed eight pages each, rather than the originally requested ten page joint submission. In the alternative the parties respectfully request that the page limit on a joint submission be extended to 16 pages.

We appreciate the Court's consideration.

Respectfully Submitted,

Joseph C. O'Keefe

cc: Jeffrey Burstein, Esq. (by e-mail)

A joint submission of up to 16 pages may be filed.

SO ORDERED.

NEW YORK, NY
AUG 15 2011 LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE