

**UNITED STATES DISTRICT COURT  
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,

vs.

THE UNITED STATES OF AMERICA,

Defendant.

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Case No. 1:10-cv-8435 (BSJ) (JCF)  
ECF Case

**DECLARATION OF RICHARD A.  
CIRILLO, ESQ., IN SUPPORT OF  
MOTION FOR LEAVE TO  
WITHDRAW APPEARANCE**

RICHARD A. CIRILLO declares as follows:

1. I am an attorney at law admitted to practice before this Court and a member of the law firm of King & Spalding LLP. I make this declaration in support of the annexed motion under Rule 1.4 of this Court's Local Rules for leave to withdraw as attorneys of record in this action.

2. On April 18, 2011, King & Spalding LLP filed an appearance in this action though a motion seeking leave for the Bipartisan Legal Advisory Group of the U.S. House of Representatives ("Bipartisan Group") to intervene as a defendant for a limited purpose.

3. King & Spalding is entitled to withdraw as attorneys of record with this Court's consent. Withdrawal from this action is permitted by Rules 1.16(c)(1), (c) (12), and (d) of the New York Rules of Professional Conduct and Rule 1.16(b), (b)(5), and (c) of the Washington, D.C., Rules of Professional Conduct.

4. Steps have been taken and will be taken to the extent reasonably practicable to protect the Bipartisan Group's interests and to avoid foreseeable prejudice to the Bipartisan Group's rights in accordance with Rule 1.16(e) of the New York Rules of Professional Conduct

and Rule 1.16(c) of the Washington, D.C., Rules of Professional Conduct. In this regard, the undersigned respectfully requests the Court to adjust the schedule for filings with respect to the Bipartisan Group's motion for leave to intervene and otherwise in order to allow time for successor counsel for the Bipartisan Group to appear in the action.

WHEREFORE, permission of this Court for leave to withdraw is respectfully requested.

The undersigned declares under the penalties of perjury of the United States of America that the foregoing declaration is true and correct to the best of his knowledge, information, and belief and subscribes to this declaration this 25<sup>th</sup> day of April, 2011 at New York, New York.



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Richard A. Cirillo