

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDITH SCHLAIN WINDSOR, in her
capacity as Executor of the estate of THEA
CLARA SPYER,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,

Defendant.

10 Civ. 8435 (BSJ) (JCF)
ECF Case

AFFIDAVIT OF
ROBERTA A. KAPLAN

Roberta A. Kaplan declares as follows:

1. I am a member of the firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, New York 10019-6064, counsel for Plaintiff Edith Schlain Windsor. I submit this Affidavit in support of Plaintiff's Motion to Strike Documents Referenced by Defendant-Intervenor in Opposition to Plaintiff's Motion for Summary Judgment.


2. Attached to this Affidavit as Exhibit A are true and correct copies of excerpts from the depositions of Professors Letitia Anne Peplau, Ph.D and Michael Lamb, Ph.D.

3. Attached to this Affidavit as Exhibit B are true and correct copies of excerpts from the expert affidavits and bibliographies of Professors Letitia Anne Peplau, Ph.D and Michael Lamb, Ph.D.

4. Attached to this Affidavit as Exhibit C is a true and correct copy of the article *The Gay Science: What Do We Know About the Effects of Same-Sex Parenting?*, by Ann Hulbert, which was published on Slate.com on March 12, 2004.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 (2006),
that the foregoing is true and current.

Executed at New York, New York on this 10th day of August 2011:


Roberta A. Kaplan, Esq.