

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

EDITH SCHLAIN WINDSOR, in her)
capacity as executor of the estate of)
THEA CLARA SPYER,)
Plaintiff,)
v.) Civil Action No. 10-CV-8435 (BSJ)(JCF)
THE UNITED STATES OF AMERICA,)
Defendant.)

)

**INTERVENOR-DEFENDANT'S RENEWED MOTION FOR
LEAVE TO FILE SUR-REPLY**

Pursuant to Local Civil Rule 7.1, Intervenor-Defendant, the Bipartisan Legal Advisory Group of the United States House of Representatives (the “House”), through its undersigned counsel, hereby renews its motion for leave to file a sur-reply in opposition to Plaintiff’s motion for summary judgment. The reasons for this motion are stated in a memorandum in support, also filed today. A proposed order will be submitted by electronic mail.

Plaintiff does not consent to the relief requested by this motion. The United States Department of Justice takes no position on the requested relief.

Respectfully submitted,

/s/ Paul D. Clement

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September 20, 2011

¹ The Bipartisan Legal Advisory Group currently is comprised of the Honorable John A. Boehner, Speaker of the House; the Honorable Eric Cantor, Majority Leader; the Honorable Kevin McCarthy, Majority Whip; the Honorable Nancy Pelosi, Democratic Leader; and the Honorable Steny H. Hoyer, Democratic Whip. The Democratic Leader and the Democratic Whip decline to support the House's motion.

CERTIFICATE OF SERVICE

I certify that on September 20, 2011, I served one copy of Intervenor-Defendant's Renewed Motion for Leave To File Sur-Reply by CM/ECF and by electronic mail (.pdf format) on the following:

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