

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

**NOTICE OF MOTION TO STRIKE  
DOCUMENTS REFERENCED BY  
DEFENDANT-INTERVENOR IN  
OPPOSITION TO PLAINTIFF'S  
MOTION FOR SUMMARY  
JUDGMENT**

PLEASE TAKE NOTICE THAT Plaintiff Edith Schlain Windsor moves this Court, before the Honorable Barbara S. Jones, United States Courthouse, 500 Pearl Street, New York, New York 10007, pursuant to Southern District of New York Local Rule 56.1 and the Court's inherent power, to strike from Intervenor-Defendant Bipartisan Legal Advisory Group of the United States House of Representatives' ("BLAG") Rule 56.1 Response to Plaintiff's Statement of Material Facts the paragraphs listed in Plaintiff's accompanying memorandum of law and to strike all references to such paragraphs or to other inadmissible materials from Defendant-Intervenor's Memorandum of Law in Opposition to Plaintiff's Motion for Summary Judgment. The grounds for this motion are set forth in Plaintiff's accompanying memorandum of law.

Dated: New York, New York  
August 10, 2011

Respectfully Submitted,

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