



While the Court's Order explicitly states that its previous Order certifying any interlocutory appeal from the rejection of Defendants' 11<sup>th</sup> Amendment immunity claims as frivolous is the law of the case (R. 237), it is with an abundance of caution that Plaintiff-Intervenor seeks language making it clear that any appeal from the denial of the motion to dismiss her Complaint is equally frivolous. A proposed order amending the order of March 23, 2006 is attached herewith.

Dated: March 30, 2006

Respectfully submitted,

/s/ Richard M. Kerger

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**CERTIFICATE OF SERVICE**

This is to certify that on this 30<sup>th</sup> day of March 2006 this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Richard M. Kerger