

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER ONE,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:06-CV-01384
)	(DST, PLF, EGS)
ALBERTO GONZALES, Attorney General of the United States, <u>et al.</u> ,)	
)	
Defendants.)	
)	

**DEFENDANT-INTERVENORS' UNOPPOSED MOTION
FOR LEAVE TO FILE CORRECTED DOCUMENTS**

Defendant-Intervenors seek leave to file corrected versions of three documents.

The grounds for the motion are as follows:

- 1) Despite Defendant-Intervenors' best efforts during the course of the briefing, upon review, Defendant-Intervenors have discovered that certain errors were made in the production of three of the Defendant-Intervenors' pleadings.
 - (a). First, certain pages of Exhibit 2 to the May 15, 2007 Declaration of Paul R.Q. Wolfson [Dkt. No. 100-2] were inadvertently photocopied and scanned in a manner that omitted pages of the record.
 - (b). Second, in the memorandum filed May 15, 2007 in support of summary judgment of Defendant-Intervenors Texas State Conference of NAACP Branches, Austin Branch of the NAACP, Rodney Louis, Nicole Louis, Winthrop Graham, Yvonne Graham, Wendy Richardson, Jamal Richardson, Marisa Richardson, People for the American Way, Nathaniel Lesane, Jovita Casarez, Angie Garcia, and Ofelia Zapata [Dkt. No. 100-23],

the Table of Authorities inadvertently contained several citation formatting problems and omitted reference to certain citations.

(c). Third, the Table of Authorities accompanying the memorandum [Dkt. No. 111] filed June 15, 2007 by all Defendant-Intervenors in opposition to Plaintiff's motion for summary judgment also inadvertently contained several citation formatting problems and omitted reference to certain citations.

- 2) Defendant-Intervenors believe it may be helpful to the Court, as it prepares for oral argument, to have corrected versions of the three above-referenced documents.
- 3) Accordingly, Defendant-Intervenors request leave to re-file Exhibit 2 to the May 15, 2007 Wolfson Declaration, and to re-file the two above-referenced memoranda with a corrected Table of Authorities in each (but otherwise with no changes). Attached hereto as Exhibit A is the proposed corrected Exhibit 2 to the May 15, 2007 Wolfson Declaration. Attached hereto as Exhibit B is the proposed corrected memorandum in support of summary judgment of Defendant-Intervenors Texas State Conference of NAACP Branches, Austin Branch of the NAACP, Rodney Louis, Nicole Louis, Winthrop Graham, Yvonne Graham, Wendy Richardson, Jamal Richardson, Marisa Richardson, People for the American Way, Nathaniel Lesane, Jovita Casarez, Angie Garcia, and Ofelia Zapata. Attached hereto as Exhibit C is the proposed corrected memorandum filed by all Defendant-Intervenors in opposition to Plaintiff's motion for summary judgment.
- 4) Defendant-Intervenors will provide courtesy copies (two copies per chambers) of these proposed corrected documents (including a complete copy of the May 15, 2007 Wolfson Declaration with all exhibits thereto).

5) Plaintiff Northwest Austin Municipal Utility District Number One and Defendant Attorney General Gonzales have each indicated that they do not oppose this motion.

Respectfully submitted,

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)	
Defendants.)	
)	

Before TATEL, Circuit Judge, and FRIEDMAN and SULLIVAN, District Judges.

ORDER

Upon consideration of Defendant-Intervenors' Unopposed Motion for Leave to File Corrected Documents, dated July 25, 2007, the Court finds that the Motion should be GRANTED.

IT IS HEREBY ORDERED that the motion is GRANTED; and it is hereby

FURTHER ORDERED that Defendant-Intervenors Texas State Conference of NAACP Branches, Austin Branch of the NAACP, Rodney Louis, Nicole Louis, Winthrop Graham, Yvonne Graham, Wendy Richardson, Jamal Richardson, Marisa Richardson, People for the American Way, Nathaniel Lesane, Jovita Casarez, Angie Garcia, and Ofelia Zapata may re-file their memorandum in support of their jointly filed motion for summary judgment, to include a corrected Table of Authorities, and may also re-file a corrected and complete copy of Exhibit 2 to the May 15, 2007 Declaration of Paul R.Q. Wolfson. Defendant-Intervenors' corrected May

15, 2007 memorandum and the corrected May 15, 2007 Wolfson Declaration shall be deemed to have been filed as of May 15, 2007; and it is hereby

FURTHER ORDERED that Defendant-Intervenors may jointly re-file their June 15, 2007 consolidated memorandum in opposition to Plaintiff's motion for summary judgment so as to include a corrected Table of Authorities. This corrected memorandum shall be deemed to have been filed as of June 15, 2007.

The Clerk of the Court is directed to forward a copy of this Order to all counsel of record in this Action.

Date: _____

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2007, I caused to be served a copy of the foregoing
DEFENDANT-INTERVENORS' UNOPPOSED MOTION FOR LEAVE TO FILE
CORRECTED DOCUMENTS to all counsel of record via the Court's CM/ECF filing system.

/s/ Daniel A. Zibel
Daniel A. Zibel