

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL WRESTLING COACHES)	
ASSOCIATION, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:02CV00072-EGS
)	
UNITED STATES DEPARTMENT OF)	
EDUCATION,)	
)	
Defendant.)	
)	

**UNOPPOSED MOTION OF *AMICI CURIAE* NATIONAL WOMEN’S LAW
CENTER, AMERICAN VOLLEYBALL COACHES ASSOCIATION,
INTERNATIONAL WOMEN’S LACROSSE COACHES ASSOCIATION,
NATIONAL FASTPITCH SOFTBALL COACHES ASSOCIATION, WOMEN’S
BASKETBALL COACHES ASSOCIATION, AMERICAN ASSOCIATION OF
UNIVERSITY WOMEN, AND WOMEN’S SPORTS FOUNDATION FOR LEAVE TO
FILE A BRIEF AS AMICUS CURIAE IN SUPPORT OF DEFENDANT’S MOTION
TO DISMISS**

Pursuant to Local Rule 7.1, the National Women’s Law Center, the American Volleyball Coaches Association, the Intercollegiate Women’s Lacrosse Coaches Association, the National Fastpitch Coaches Association, the Women’s Basketball Coaches Association, the American Association of University Women, and the Women’s Sports Foundation (collectively, “*amici*”) respectfully move for leave to file a brief as *amici curiae* in the above-captioned case in support of Defendant’s Motion to Dismiss. Lawrence J. Joseph, counsel for Plaintiffs, has been consulted and has consented to this motion. Joseph W. LoBue, counsel for the Department of Education, has also been consulted and has stated that Defendant does not oppose this motion. A proposed order is attached hereto.

In support of their motion, the *amici* state as follows:

1. Each of the *amici* is dedicated to the achievement of equality of opportunity for women and girls in athletics. Each has an abiding interest in ensuring the proper interpretation and strong enforcement of the statute at issue in this case, Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-88, which prohibits discrimination on the basis of sex in federally funded educational programs and activities. Further information concerning the *amici* is contained in the appendix to the accompanying brief.

2. The *amici* believe that they can meaningfully contribute to this Court's consideration of the issues presented in this case. Four of the *amici* are membership organizations that include the coaches of women's volleyball, lacrosse, softball and basketball teams at all levels - club, high school and college. The members of these organizations have knowledge of, and are concerned with the advancement and development of the girls and women who play their sports. Both the American Association of University Women and the Women's Sports Foundation have a wealth of experience and expertise in women's educational opportunities and athletics, the operation of Title IX and its effect on women's athletic opportunities, and the importance of sports to women and girls. The National Women's Law Center has extensive experience, expertise, and background in the implementation and application of Title IX, including participation in litigation under the statute and its implementing regulations and interpretative guidelines, which uniquely positions it to provide legal analysis and factual information to the Court that is relevant to the issues raised in this matter. *See Ellsworth Associates, Inc. v. United States*, 917 F. Supp. 841, 846 (D.D.C. 1996) (allowing non-party with special interest in and knowledge of issues to participate as *amicus curiae*).

3. The *amici's* brief is intended to avoid duplication of the arguments made by the government in support of its motion to dismiss, and to supplement the government's

submission with pertinent legal arguments and factual data not otherwise available to the Court at this stage of the proceedings.

4. For the foregoing reasons, the *amici* respectfully request that they be granted leave to file the accompanying brief as *amici curiae*.

Respectfully submitted,



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ORDER

Upon consideration of the Unopposed Motion for Leave to File Amicus Brief and the record in this case, it is hereby

ORDERED, the Court grants the Motion for Leave to File Amicus Brief of the National Women's Law Center, the American Volleyball Coaches Association, the Intercollegiate Women's Lacrosse Coaches Association, the National Fastpitch Coaches Association, the Women's Basketball Coaches Association, the American Association of University Women, and the Women's Sports Foundation in this proceeding.

SIGNED this ____ day of _____, 2002.

Emmett G. Sullivan
U.S. District Court Judge

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