IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DIANE J. SCHROER, Plaintiff, v. JAMES H. BILLINGTON, Librarian of Congress, Defendant.	No. 05-cv-1090 (JR)

PLAINTIFF'S NOTICE OF SUPPEMENTAL AUTHORITY

Plaintiff files this notice of supplemental authority to call to the Court's attention two decisions that are relevant to Defendant's Motion to Dismiss (Docket No. 7), which is pending before this Court:

1. Since the completion of briefing, the U.S. Supreme Court denied certiorari in Barnes v. City of Cincinnati, 401 F.3d 729 (6th Cir. 2005), a case relied upon by Plaintiff in opposing Defendant's motion to dismiss. See City of Cincinnati v. Barnes, 126 S. Ct. 624 (2005) (Exhibit A).

2. Since the completion of briefing, a federal district court from the Western District of Pennsylvania ruled that discrimination against transgender individuals due to their gender

non-conformity is a cognizable form of sex discrimination under Title VII. See Mitchell v. Axcan Scandipharm, Inc., No. Civ. A. 05-243, 2006 WL 456173 (W.D. Pa.) (Feb. 17, 2006).

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFF

Date: March 6, 2006

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ORDER

Upon consideration of Plaintiff's Motion for Oral Argument Regarding Defendant's Motion to Dismiss, and finding good cause therefor, it is hereby

ORDERED that oral argument shall be heard on Defendant's Motion to Dismiss (Docket No. 7) on _____ at _____ a.m./p.m.

This _____ day of _____, 200__

_____
James Robertson
United States District Judge