McGowan Declaration – Exhibit N

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DIANE J. SCHROER, Plaintiff, v. DR. JAMES BILLINGTON, In his official capacity as Librarian of Congress, Defendant.	)	Civil Action No. 05-1090 (JR)

RESPONSE TO PLAINTIFF'S SIXTH SET OF INTERROGATORIES
PURSUANT TO RULE 33

Defendant, James Billington, the Librarian of Congress, in accordance with the Federal Rules of Civil Procedure, hereby responds to Plaintiff's interrogatories. On March 27, 2007, the Court sustained Defendant's objections to Interrogatory Nos. 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, and 31. In addition, on February 8, 2008, Defendant responded to Interrogatory No. 30. Accordingly, responses to Interrogatory Nos. 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, and 31 are not included.

GENERAL OBJECTIONS AND QUALIFICATIONS

1. Defendant objects to Plaintiff's discovery requests to the extent that any inquiry or request seeks information or documents protected by the attorney-client privilege, or any other evidentiary privilege, or is conditionally protected under the work-product doctrine.

2. Defendant objects to Plaintiff's discovery requests to the extent that any inquiry or request seeks information or documents not reasonably calculated to lead to the discovery of admissible evidence.

3. Defendant objects to Plaintiff's discovery requests to the extent that any inquiry or request seeks to have Defendant create documents that do not exist.

4. Defendant objects to all discovery that is unreasonably cumulative or duplicative, or is equally available to Plaintiff.

5. Defendant objects to any inquiry or request that seeks information which, if disclosed, would violate a statute or regulation. Defendant objects to any demand by Plaintiff that the documents sought be produced for copying and inspection in a manner other than that which they are kept in the usual course of business.

INTERROGATORIES

28. Does Defendant contend that its decision not to recommend Plaintiff for the Position of Specialist in Terrorism and International Crime was due, even in part, to any concern about Plaintiff's need to take medical or disability leave in connection with her gender transition?

Response to Interrogatory No. 28: In making her selection recommendation, one of Ms. Preece's peripheral considerations was Plaintiff's ability to devote her full attention to the position because of her gender identity disorder, which may have included taking leave to address her gender identity disorder issues.

February 21, 2008.

Respectfully submitted,

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Certification

I, **Charlotte Preece,** am the Assistant Director, Foreign Affairs, Defense and Trade Division, Congressional Research Service, at the Library of Congress. I have reviewed the factual information contained in Defendant's response to Interrogatory No.28 of Plaintiff's Sixth Set of Interrogatories Pursuant to Rule 33 to Defendant. I hereby certify, under the laws of the United States, that the response to Interrogatory No. 28 is true and correct to the best of my knowledge and belief.

Signed: Charlotte P. Preece

Dated: 2/20/08

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing *Response to Plaintiff's Sixth Set of Interrogatories Pursuant to Rule 33* was made by electronic and first class mail on the 25th day of February 2008 to:

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