

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARGARITA LÓPEZ TORRES, STEVEN BANKS, C. ALFRED
SANTILLO, JOHN J. MACRON, LILI ANN MOTTA, JOHN W.
CARROLL, PHILIP C. SEGAL, SUSAN LOEB, DAVID J. LANSNER,
AND COMMON CAUSE/NY,

Plaintiffs,

v.

Index No. CV 04-1129 (JG)

NEW YORK STATE BOARD OF ELECTIONS; NEIL W. KELLEHER,
CAROL BERMAN, HELENA MOSES DONOHUE, AND EVELYN J.
AQUILA, IN THEIR OFFICIAL CAPACITIES AS COMMISSIONERS OF
THE NEW YORK STATE BOARD OF ELECTIONS,

Defendants,

**PLAINTIFFS' REPLY
MEMORANDUM OF
LAW IN SUPPORT OF
MOTION FOR LEAVE TO
FILE AMENDED
COMPLAINT**

NEW YORK COUNTY DEMOCRATIC COMMITTEE, NEW YORK
REPUBLICAN STATE COMMITTEE, ASSOCIATION OF JUSTICES
OF THE SUPREME COURT OF THE STATE OF NEW YORK,
ASSOCIATION OF JUSTICES OF THE SUPREME COURT OF THE
CITY OF NEW YORK, AND JUSTICE DAVID DEMAREST,
INDIVIDUALLY, AND AS PRESIDENT OF THE STATE
ASSOCIATION,

Defendant-Intervenors,

ATTORNEY GENERAL OF THE STATE OF NEW YORK,
Statutory Intervenor.

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In their response to Plaintiffs' motion, Defendants have consented to Plaintiffs' request for leave to file an amended complaint to add a prayer for nominal damages. For this reason, and because leave to file an amended complaint "shall be freely given when justice so requires," Fed. R. Civ. P. 15(a), we respectfully submit that such leave should be granted.

Dated: New York, New York
March 14, 2006

Respectfully submitted,

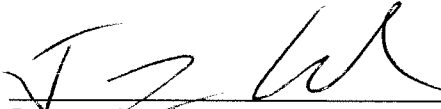
**BRENNAN CENTER FOR JUSTICE
AT NYU SCHOOL OF LAW**

Frederick A.O. Schwarz, Jr. (FS2047)
Deborah Goldberg (DG9285)
161 Avenue of the Americas, 12th Floor
New York NY 10013
(212) 998-6730

ARNOLD & PORTER LLP

Kent A. Yalowitz (KY3234)
399 Park Avenue
New York, NY 10022-4690
(212) 715-1000

JENNER & BLOCK LLP



Jeremy Creelan (JC7222)
919 Third Avenue, 37th Floor
New York, NY 10022

Attorneys for Plaintiffs