

Exhibit F

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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 KRISTIN M. PERRY, SANDRA B. STIER,
PAUL T. KATAMI, and JEFFREY J.
18 ZARRILLO,

19 Plaintiffs,

20 v.

21 ARNOLD SCHWARZENEGGER, in his official
capacity as Governor of California; EDMUND
22 G. BROWN, JR., in his official capacity as
Attorney General of California; MARK B.
23 HORTON, in his official capacity as Director of
the California Department of Public Health and
24 State Registrar of Vital Statistics; LINETTE
SCOTT, in her official capacity as Deputy
25 Director of Health Information & Strategic
Planning for the California Department of Public
26 Health; PATRICK O'CONNELL, in his official
capacity as Clerk-Recorder for the County of
27 Alameda; and DEAN C. LOGAN, in his official
capacity as Registrar-Recorder/County Clerk for
the County of Los Angeles,

28 Defendants.

CASE NO. 09-CV-2292 VRW

**PLAINTIFFS' RESPONSES TO
DEFENDANT-INTERVENORS
PROPOSITION 8 PROPONENTS' FIRST
SET OF REQUESTS FOR ADMISSION**

1 Plaintiffs hereby respond to these Requests for Admission based on their own present state of
2 recollection, knowledge and belief and information and writings presently available to and located by
3 Plaintiffs upon reasonable investigation of their records and the public sources identified in the
4 Requests for Admission (to the extent Plaintiffs can confirm the accuracy and authenticity of the
5 information contained in such sources). Plaintiffs make these responses and objections without
6 waiving or intending to waive (1) the right to object on the grounds of competence, relevance,
7 materiality, privilege or admissibility as evidence for any purpose, to the use of these responses in
8 any subsequent proceedings or at trial, (2) the right to object on any other ground to any other
9 discovery concerning the subject matter of these requests for admission, or (3) the right to
10 supplement or amend these responses. Plaintiffs are continuing the development of facts and legal
11 issues relating to this case and discovery is now commencing. Plaintiffs reserve the right to modify,
12 amend, or enlarge their Responses herein with such additional knowledge as is subsequently
13 discovered or developed.

14 **GENERAL OBJECTIONS**

15 1. Plaintiffs object to each Request for Admission to the extent it purports to impose any
16 requirement or discovery obligation other than those set forth in the Federal Rules of Civil Procedure,
17 including Federal Rules of Civil Procedure 36(a) and 26(b)(1), the Civil Local Rules of the Northern
18 District of California, or any applicable Orders of this Court.

19 2. Plaintiffs object to each Request for Admission to the extent that it seeks information
20 that is protected by the attorney-client privilege, the work product doctrine, and/or any other
21 applicable privilege. Such information will not be disclosed. Any inadvertent disclosure of such
22 information shall not be deemed a waiver of the attorney-client privilege, the attorney work product
23 doctrine, or any other applicable privilege or immunity.

24 3. Plaintiffs object to each Request for Admission to the extent it is vague, compound, or
25 unintelligible or otherwise not properly capable of soliciting an affirmative admission.

26 4. Plaintiffs object to each Request for Admission to the extent that it may not be
27 relevant to any party's claim or defense in this action or seeks information that is not reasonably
28 calculated to lead to the discovery of admissible evidence.

1 5. These Responses are made by Plaintiffs without prejudice to their using or relying at
2 trial on subsequently discovered information or on information omitted from these responses as a
3 result of good faith oversight, error, or mistake.

4 6. Plaintiffs' Responses to these Requests for Admission shall neither be deemed to
5 constitute an admission that any Request is relevant, nor deemed a waiver of any right to object to the
6 admissibility of any such Request for Admission or Response at any proceeding in this case.

7 **OBJECTIONS AND RESPONSES TO SPECIFIC REQUESTS**

8 **REQUEST FOR ADMISSION NO. 1:**

9 Admit that gays and lesbians are not politically powerless in the sense that they have no
10 ability to attract the attention of lawmakers.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

12 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
13 object to this Request on the grounds that it is vague, ambiguous and compound. Subject to the
14 foregoing objections, Plaintiffs deny this Request for Admission.

15 **REQUEST FOR ADMISSION NO. 2:**

16 Admit that gays and lesbians exercise political power far in excess of their numbers in the
17 population.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

19 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
20 this Request on the grounds that it is vague, ambiguous and calls for expert testimony, which is not
21 yet subject to discovery. Subject to the foregoing objections, Plaintiffs deny this Request for
22 Admission.

23 **REQUEST FOR ADMISSION NO. 3:**

24 Admit that in California in recent years, the gay and lesbian community has been successful
25 in obtaining the enactment of virtually every legislative policy it has desired, including obtaining
26 domestic partnerships offering essentially the same benefits as marriage.

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1 **RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
3 this Request on the grounds that it is vague, ambiguous and compound. Subject to the foregoing
4 objections, Plaintiffs deny this Request for Admission.

5 **REQUEST FOR ADMISSION NO. 4:**

6 Admit that the only significant policy supported by many gays and lesbians that has not been
7 adopted by California is the extension of the official status of marriage to include same sex couples.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

9 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
10 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
11 Plaintiffs deny this Request for Admission.

12 **REQUEST FOR ADMISSION NO. 5:**

13 Admit that President Barack Obama proclaimed June 2009 to be “Lesbian, Gay, Bisexual, and
14 Transgender Pride Month.” ([http://www.whitehouse.gov/the_press_office/Presidential-Proclamation-
15 LGBT-Pride-Month/](http://www.whitehouse.gov/the_press_office/Presidential-Proclamation-LGBT-Pride-Month/))

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

17 Plaintiffs incorporate their General Objections as if set forth fully herein. Subject to the
18 foregoing objections, Plaintiffs admit that the web page cited in Defendant-Intervenors’ Request for
19 Admission No. 5 contains information published by the White House press office and text stating that
20 President Barack Obama proclaimed June 2009 to be “Lesbian, Gay, Bisexual, and Transgender
21 Pride Month.”

22 **REQUEST FOR ADMISSION NO. 6:**

23 Admit that President Obama awarded the 2009 Presidential Medal of Freedom to former San
24 Francisco Supervisor Harvey Milk and Billie Jean King, “one of the first openly lesbian major sports
25 figure in America.” ([http://www.whitehouse.gov/the_press_office/President-Obama-Names-Medal-
26 of-Freedom-Recipients/](http://www.whitehouse.gov/the_press_office/President-Obama-Names-Medal-of-Freedom-Recipients/))

RESPONSE TO REQUEST FOR ADMISSION NO. 6:

Plaintiffs incorporate their General Objections as if set forth fully herein. Subject to the foregoing objections, Plaintiffs admit that the web page cited in Defendant-Intervenors' Request for Admission No. 6 contains information published by the White House press office and text stating that President Obama awarded the 2009 Presidential Medal of Freedom to sixteen honorees, including former San Francisco Supervisor Harvey Milk and Billie Jean King. Plaintiffs further admit that the web page cited in Request for Admission No. 6 states that Billie Jean "King became one of the first openly lesbian major sports figures in America when she came out in 1981."

REQUEST FOR ADMISSION NO. 7:

Admit that the 2008 national platform of the Democratic Party contained the following statements on gay rights: "We support the repeal of 'Don't Ask Don't Tell' and the implementation of policies to allow qualified men and women to serve openly regardless of sexual orientation. . . . We support the full inclusion of all families, including same-sex couples, in the life of our nation, and support equal responsibility, benefits, and protections. We will enact a comprehensive bipartisan employment non-discrimination act. We oppose the Defense of Marriage Act and all attempts to use this issue to divide us. . . . Democrats will fight to end discrimination based on race, sex, ethnicity, national origin, language, religion, sexual orientation, gender identity, age, and disability in every corner of our country, because that's the America we believe in."

<http://www.presidency.ucsb.edu/ws/index.php?pid=78283>

RESPONSE TO REQUEST FOR ADMISSION NO. 7:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further respond that they lack knowledge or information sufficient to admit or deny the authenticity or accuracy of the information contained on the web page cited in Request No. 7. Subject to the foregoing objections, Plaintiffs admit that the web page cited in Request No. 7 contains many pages of text entitled "2008 Democratic Party Platform." Plaintiffs further admit that the web page contains text discussing a wide variety of issues, including ongoing and systemic discrimination against a variety of groups. Except as otherwise admitted, Plaintiffs lack knowledge sufficient to admit or deny Request No. 7.

REQUEST FOR ADMISSION NO. 8:

Admit that the 2004 national platform of the Democratic Party contained the following statements on gay rights: “We support full inclusion of gay and lesbian families in the life of our nation and seek equal responsibilities, benefits, and protections for these families. In our country, marriage has been defined at the state level for 200 years, and we believe it should continue to be defined there. We repudiate President Bush’s divisive effort to politicize the Constitution by pursuing a ‘Federal Marriage Amendment.’ Our goal is to bring Americans together, not drive them apart. . . . We will enact the bipartisan legislation barring workplace discrimination based on sexual orientation. We are committed to equal treatment of all service members and believe all patriotic Americans should be allowed to serve our country without discrimination, persecution, or violence.” (<http://www.presidency.ucsb.edu/ws/index.php?pid=29613>)

RESPONSE TO REQUEST FOR ADMISSION NO. 8:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further respond that they lack knowledge or information sufficient to admit or deny the authenticity or accuracy of the information contained on the web page cited in Request No. 8. Subject to the foregoing objections, Plaintiffs admit that the web page cited in Request No. 8 contains many pages of text titled “2004 Democratic Party Platform.” Plaintiffs further admit that the web page contains text discussing a wide variety of issues, including ongoing and systemic discrimination against a variety of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny Request No. 8.

REQUEST FOR ADMISSION NO. 9:

Admit that the 2000 national platform of the Democratic Party contained the following statements on gay rights: “We will enact the bipartisan legislation barring workplace discrimination based on sexual orientation. We are committed to equal treatment of all service members and believe all patriotic Americans should be allowed to serve our country without discrimination, persecution, or violence. . . . We continue to lead the fight to end discrimination on the basis of race, gender, religion, age, ethnicity, disability, and sexual orientation. . . . We support continued efforts, like the Employment Non-Discrimination Act, to end workplace discrimination against gay men and lesbians.

1 We support the full inclusion of gay and lesbian families in the life of the nation. This would include
2 an equitable alignment of benefits.” (<http://www.presidency.ucsb.edu/ws/index.php?pid=29612>)

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

4 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
5 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
6 accuracy of the information contained on the web page cited in Request No. 9. Subject to the
7 foregoing objections, Plaintiffs admit that the web page cited in Request No. 9 contains many pages
8 of text titled “2000 Democratic Party Platform.” Plaintiffs further admit that the web page contains
9 text discussing a wide variety of issues, including ongoing and systemic discrimination against a
10 variety of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny
11 Request No. 9.

12 **REQUEST FOR ADMISSION NO. 10:**

13 Admit that the 1996 national platform of the Democratic Party contained the following
14 statements on gay rights: “We continue to lead the fight to end discrimination on the basis of race,
15 gender, religion, age, ethnicity, disability, and sexual orientation. . . . We support continued efforts,
16 like the Employment Non-Discrimination Act, to end discrimination against gay men and lesbians
17 and further their full inclusion in the life of the nation.”

18 (<http://www.presidency.ucsb.edu/ws/index.php?pid=29611>)

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

20 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
21 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
22 accuracy of the information contained on the web page cited in Request No. 10. Subject to the
23 foregoing objections, Plaintiffs admit that the web page cited in Request No. 10 contains many pages
24 of text titled “1996 Democratic Party Platform.” Plaintiffs further admit that the web page contains
25 text discussing a wide variety of issues, including ongoing and systemic discrimination against a
26 variety of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny
27 Request No. 10.

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REQUEST FOR ADMISSION NO. 11:

Admit that the 1992 national platform of the Democratic Party contained the following statements on gay rights: “Democrats will continue to lead the fight to ensure that no Americans suffer discrimination or deprivation of rights on the basis of race, gender, language, national origin, religion, age, disability, sexual orientation, or other characteristics irrelevant to ability. . . . We will . . . provide civil rights protection for gay men and lesbians and an end to Defense Department discrimination” (<http://www.presidency.ucsb.edu/ws/index.php?pid=29610>)

RESPONSE TO REQUEST FOR ADMISSION NO. 11:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further respond that they lack knowledge or information sufficient to admit or deny the authenticity or accuracy of the information contained on the web page cited in Request No. 11. Subject to the foregoing objections, Plaintiffs admit that the web page cited in Request No. 11 contains many pages of text titled “1992 Democratic Party Platform.” Plaintiffs further admit that the web page contains text discussing a wide variety of issues, including ongoing and systemic discrimination against a variety of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny Request No. 11.

REQUEST FOR ADMISSION NO. 12:

Admit that the 1988 national platform of the Democratic Party contained the following statement on gay rights: “WE BELIEVE that we honor our multicultural heritage by assuring equal access to government services, employment, housing, business enterprise and education to every citizen regardless of race, sex, national origin, religion, age, handicapping condition or sexual orientation” (<http://www.presidency.ucsb.edu/ws/index.php?pid=29609>)

RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further respond that they lack knowledge or information sufficient to admit or deny the authenticity or accuracy of the information contained on the web page cited in Request No. 12. Subject to the foregoing objections, Plaintiffs admit that the web page cited in Request No. 12 contains many pages of text titled “1988 Democratic Party Platform.” Plaintiffs further admit that the web page contains

1 text discussing a wide variety of issues, including ongoing and systemic discrimination against a
2 variety of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny
3 Request No. 12.

4 **REQUEST FOR ADMISSION NO. 13:**

5 Admit that the 1984 national platform of the Democratic Party contained the following
6 statement on gay rights: “Government has a special responsibility to those whom society has
7 historically prevented from enjoying the benefits of full citizenship for reasons of race, religion, sex,
8 age, national origin and ethnic heritage, sexual orientation, or disability.”

9 (<http://www.presidency.ucsb.edu/ws/index.php?pid=29608>)

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

11 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
12 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
13 accuracy of the information contained on the web page cited in Request No. 13. Subject to the
14 foregoing objections, Plaintiffs admit that the web page cited in Request No. 13 contains many pages
15 of text titled “1984 Democratic Party Platform.” Plaintiffs further admit that the web page contains
16 text discussing a wide variety of issues, including ongoing and systemic discrimination against a
17 variety of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny
18 Request No. 13.

19 **REQUEST FOR ADMISSION NO. 14:**

20 Admit that the 1980 national platform of the Democratic Party contained the following
21 statement on gay rights: “All groups must be protected from discrimination based on race, color,
22 religion, national origin, language, age, sex or sexual orientation.”

23 (<http://www.presidency.ucsb.edu/ws/index.php?pid=29607>)

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 14:**

25 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
26 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
27 accuracy of the information contained on the web page cited in Request No. 14. Subject to the
28 foregoing objections, Plaintiffs admit that the web page cited in Request No. 14 contains many pages

1 of text titled “1980 Democratic Party Platform.” Plaintiffs further admit that the web page contains
2 text discussing a wide variety of issues, including ongoing and systemic discrimination against a
3 variety of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny
4 Request No. 14.

5 **REQUEST FOR ADMISSION NO. 15:**

6 Admit that Democratic Party rules for selecting delegates to the national party convention
7 mandate that state parties “develop and submit Party outreach programs, including recruitment,
8 education and training, in order to achieve full participation” of “groups historically under-
9 represented in the Democratic Party’s affairs, by virtue of race, ethnicity, age, sexual orientation or
10 disability” (Rule 5(c)), and obligate state parties to “adopt and implement Inclusion Programs in
11 order to achieve the full participation” of LGBT individuals in “the delegate selection process and in
12 all party affairs, as indicated by their presence in the Democratic electorate.” (Rule 7).

13 (http://s3.amazonaws.com/apache.3cdn.net/de68e7b6dfa0743217_hwm6bhyc4.pdf)

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

15 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
16 object to this Request on the grounds that it is vague and ambiguous, in particular the use of the terms
17 “obligate” and “mandate.” Plaintiffs also object to this Request to the extent that it may not be
18 relevant to any party’s claim or defense in this action or reasonably calculated to lead to the discovery
19 of admissible evidence. Plaintiffs further respond that they lack knowledge or information sufficient
20 to admit or deny the authenticity or accuracy of the information contained on the web page cited in
21 Request No. 15. Subject to the foregoing objections, Plaintiffs admit that the web page cited in
22 Request No. 15 contains a twenty-seven page document, including the text selectively quoted in
23 Request No. 15. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny
24 Request No. 15.

25 **REQUEST FOR ADMISSION NO. 16:**

26 Admit that the Employee Nondiscrimination Act of 2007, which would have prohibited
27 employment discrimination on the basis of sexual orientation, passed the House by a 235 to 184 vote,
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1 with 200 Democrats and 35 Republicans voting in favor. (House Roll Call Vote No. 1057, 110th
2 Cong., Nov. 7, 2007).

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

4 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
5 object to this Request to the extent that it may not be relevant to any party's claim or defense in this
6 action or reasonably calculated to lead to the discovery of admissible evidence. Subject to the
7 foregoing objections, Plaintiffs lack knowledge or information sufficient to admit or deny Request
8 No. 16.

9 **REQUEST FOR ADMISSION NO. 17:**

10 Admit that more than half the U.S. population lived in jurisdictions covered by laws banning
11 discrimination on the basis of sexual orientation. ([http://www.thetaskforce.org/reports and
12 research/fact_sheets/family_nondiscrimination_05_07](http://www.thetaskforce.org/reports_and_research/fact_sheets/family_nondiscrimination_05_07))

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

14 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
15 object to this Request to the extent that it may not be relevant to any party's claim or defense in this
16 action or reasonably calculated to lead to the discovery of admissible evidence. Subject to the
17 foregoing objections, Plaintiffs lack knowledge or information sufficient to admit or deny Request
18 No. 17.

19 **REQUEST FOR ADMISSION NO. 18:**

20 Admit that 31 senators and 128 congressmen were awarded a 90% or better rating for the
21 110th Congress (2007 to 2008) by the Human Rights Campaign. HRC Congressional Scorecard,
22 http://www.hrc.org/documents/Congress_Scorecard-110th.pdf

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 18:**

24 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
25 object to this Request to the extent that it may not be relevant to any party's claim or defense in this
26 action or reasonably calculated to lead to the discovery of admissible evidence. Subject to the
27 foregoing objections, Plaintiffs lack knowledge or information sufficient to admit or deny Request
28 No. 18.

1 **REQUEST FOR ADMISSION NO. 19:**

2 Admit that in its 2008 platform, the California Democratic Party stated that it “support[s]
3 nondiscrimination and equality for Lesbian, Gay, Bisexual, and Transgender people in all aspects of
4 their lives” and “support[s] the LGBT Community in its quest for the right to legal marriage.”

5 ([http://www.cadem.org/atf/cf/{BF9D7366-E5A7-41C3-8E3F-
6 E06FB835FCCE}/2008%20Platform%20Combined%20Final.pdf](http://www.cadem.org/atf/cf/{BF9D7366-E5A7-41C3-8E3F-E06FB835FCCE}/2008%20Platform%20Combined%20Final.pdf))

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 19:**

8 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
9 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
10 accuracy of the information contained on the web page cited in Request No. 19. Subject to the
11 foregoing objections, Plaintiffs admit that the web page cited in Request No. 19 contains fourteen
12 pages of text discussing a wide variety of issues, including ongoing and systemic discrimination
13 against a variety of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to
14 admit or deny Request No. 19.

15 **REQUEST FOR ADMISSION NO. 20:**

16 Admit that in its 2008 platform, the Green Party of California stated that “We support the
17 freedom to marry, and all the rights, benefits, and responsibilities thereof, without discrimination
18 based on sex, gender, or sexual orientation” and that “We support state and federal legislation
19 (including constitutional amendments) to ban discrimination based on sex, gender, and sexual
20 orientation. We oppose measures that restrict rights or create unequal treatment based on sex,
21 gender, or sexual orientation.” (http://www.cagreens.org/platform/platform_justice.shtml#sogige).

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 20:**

23 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
24 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
25 accuracy of the information contained on the web page cited in Request No. 20. Subject to the
26 foregoing objections, Plaintiffs admit that the web page cited in Request No. 20 contains text
27 discussing a wide variety of issues, including ongoing and systemic discrimination against a variety
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1 of groups. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or deny
2 Request No. 20.

3 **REQUEST FOR ADMISSION NO. 21:**

4 Admit that California Governor Arnold Schwarzenegger, Lt. Governor John Garamendi,
5 Senator Barbara Boxer, Senator Dianne Feinstein, Attorney General Edmund G. Brown, Secretary of
6 State Debra Bowen, State Treasure Bill Lockyer, State Controller John Chiang, State Superintendent
7 of Public Instruction Jack O'Connell all sent official greeting messages to California's 2009 Lesbian,
8 Gay, Bisexual and Transgender Pride Celebrations. (http://www.capride.org/proc_all.htm).

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 21:**

10 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
11 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
12 accuracy of the information contained on the web page cited in Request No. 21. Subject to the
13 foregoing objections, Plaintiffs lack knowledge or information sufficient to admit or deny Request
14 No. 21.

15 **REQUEST FOR ADMISSION NO. 22:**

16 Admit that four openly gay or lesbian individuals serve in the California legislature: State
17 Sen. Mark Leno (D, San Francisco), State Sen. Christine Kehoe (D, San Diego), State Assemblyman
18 Tom Ammiano (D, San Francisco), and State Assemblyman John Perez (D, Los Angeles).

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 22:**

20 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs also
21 object to this Request on the grounds that it is compound. Subject to the foregoing objections,
22 Plaintiffs admit that to the best of their knowledge, four openly gay or lesbian individuals serve in the
23 California legislature.

24 **REQUEST FOR ADMISSION NO. 23:**

25 Admit that California's political branches passed the state's first domestic partnership statute
26 in 1999, and expanded domestic partnerships' rights and benefits in 2001, 2002, 2003, 2004, 2005,
27 2006, and 2007. See 2007 Cal. Stat. ch. 567; 2006 Cal. Stat. ch. 802; 2005 Cal. Stat. ch. 416; 2004
28

1 Cal. Stat. ch. 488; 2003 Cal. Stat. ch. 421; 2002 Cal. Stat. ch. 447; 2001 Cal. Stat. ch. 893; 1999 Cal.
2 Stat. ch. 588.

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 23:**

4 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
5 this Request on the grounds that it is vague and ambiguous, in particular in its reference to “domestic
6 partnership” and “expanded.” Subject to the foregoing objections, Plaintiffs admit that California
7 passed the cited laws. Except as expressly admitted, Plaintiffs lack knowledge sufficient to admit or
8 deny Request No. 23.

9 **REQUEST FOR ADMISSION NO. 24:**

10 Admit that in 1978, California voters rejected Proposition 6, also known as the “Briggs
11 Initiative,” which would have allowed school systems to fire any teacher found to be “advocating,
12 imposing, encouraging or promoting” homosexual activity by a 58% to 41% margin.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs also
15 object to this Request on the grounds that it is vague, ambiguous and compound. Subject to the
16 foregoing objections, Plaintiffs lack knowledge sufficient to admit or deny Request No. 24.

17 **REQUEST FOR ADMISSION NO. 25:**

18 Admit that in the 2008 election cycle, the “No on 8: Equality for All “ campaign committee
19 raised and spent more than \$43.0 million to defeat Proposition 8.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 25:**

21 Plaintiffs incorporate their General Objections as if set forth fully herein. Subject to the
22 foregoing objections, Plaintiffs lack knowledge sufficient to admit or deny Request No. 25.

23 **REQUEST FOR ADMISSION NO. 26:**

24 Admit that in the 2008 election cycle, the “Win Marriage Back” campaign committee raised
25 and spent more than \$12.5 million to defeat Proposition 8.

26 **RESPONSE TO REQUEST FOR ADMISSION NO. 26:**

27 Plaintiffs incorporate their General Objections as if set forth fully herein. Subject to the
28 foregoing objections, Plaintiffs lack knowledge sufficient to admit or deny Request No. 26.

1 **REQUEST FOR ADMISSION NO. 27:**

2 Admit that in the 2008 election cycle, the “Human Rights Campaign California Marriage
3 PAC “ campaign committee raised and spent more than \$3.6 million to defeat Proposition 8.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 27:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Subject to the
6 foregoing objections, Plaintiffs lack knowledge sufficient to admit or deny Request No. 27.

7 **REQUEST FOR ADMISSION NO. 28:**

8 Admit that in the 2008 election cycle, the “No on Proposition 8, Campaign for Marriage
9 Equality” campaign committee raised and spent more than \$2.0 million to defeat Proposition 8.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 28:**

11 Plaintiffs incorporate their General Objections as if set forth fully herein. Subject to the
12 foregoing objections, Plaintiffs lack knowledge sufficient to admit or deny Request No. 28.

13 **REQUEST FOR ADMISSION NO. 29:**

14 Admit that in the 2008 election cycle, the “Californians Against Eliminating Basic Rights”
15 campaign committee raised and spent more than \$1.1 million to defeat Proposition 8.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 29:**

17 Plaintiffs incorporate their General Objections as if set forth fully herein. Subject to the
18 foregoing objections, Plaintiffs lack knowledge sufficient to admit or deny Request No. 29.

19 **REQUEST FOR ADMISSION NO. 30:**

20 Admit that California universities host 22 gay and lesbian student centers, the most of any
21 state in the nation. 2008 Annual Report, Consortium of Higher Education LGBT Resource
22 Professionals, available at <http://www.lgbtcampus.org/about/files/2009AnnualReport.pdf>

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 30:**

24 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
25 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
26 accuracy of the information contained on the web page cited in Request No. 30. Subject to the
27 foregoing objections, Plaintiffs admit that the web page cited in Defendant-Intervenors’ Request for
28 Admission No. 30 contains a sixteen page document purporting to be the “Consortium of Higher

1 Education LGBT Resource Professionals Annual Report 2008.” Except as expressly admitted,
2 Plaintiffs lack knowledge or information sufficient to admit or deny the remainder of Request No. 30.

3 **REQUEST FOR ADMISSION NO. 31:**

4 Admit that on average, same-sex couples in California are more affluent than heterosexual
5 married couples; and that the median income of same-sex couples in California is \$103,030 for male
6 couples and \$86,000 for female couples, significantly higher than the median household income of
7 opposite-sex married couples in California, \$76,500. *Census Snapshot: California Lesbian, Gay,
8 And Bisexual Population*, The Williams Institute at UCLA Law School,
9 (<http://www.law.ucla.edu/williamsinstitute/publications/CA%20Snapshot%202008.pdf>)

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 31:**

11 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
12 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
13 use of the terms “average,” “more affluent,” “same-sex couples” and “significantly higher.”
14 Plaintiffs also object to this Request on the grounds and to the extent that it may not be relevant to
15 any party’s claim or defense in this action or reasonably calculated to lead to the discovery of
16 admissible evidence. Plaintiffs further respond that they lack knowledge or information sufficient to
17 admit or deny the authenticity or accuracy of the information contained on the web page cited in
18 Request No. 31. Subject to the foregoing objections, Plaintiffs admit that the web page cited in
19 Defendant-Intervenors’ Request for Admission No. 31 contains a seven page document entitled
20 “Census Snapshot” and purportedly published by the “Williams Institute.” Except as expressly
21 admitted, Plaintiffs lack knowledge or information sufficient to admit or deny Request No. 31.

22 **REQUEST FOR ADMISSION NO. 32:**

23 Admit that the Los Angeles Gay and Lesbian Center received \$11.1 million in government
24 grants in 2008 (http://www.lagaycenter.org/site/DocServer/AR08_r1.pdf?docID=6921) and \$10.5
25 million in government grants in 2006. (2006 IRS Form 990, available at www.guidestar.org).

26 **RESPONSE TO REQUEST FOR ADMISSION NO. 32:**

27 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
28 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its

1 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
2 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
3 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
4 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 32 does not
5 provide a 2006 IRS Form 990. Additionally, Plaintiffs respond that they lack knowledge or
6 information sufficient to admit or deny the authenticity or accuracy of any information contained on
7 the web pages cited in Request No. 32. Subject to the foregoing objections, Plaintiffs admit that the
8 web page cited first in Defendant-Intervenors’ Request for Admission No. 32.

9 (http://www.lagaycenter.org/site/DocServer/AR08_r1.pdf?docID=6921) contains a fourteen page
10 document entitled “L.A. Gay & Lesbian Center Annual Report 2008.” Except as expressly admitted,
11 Plaintiffs lack knowledge or information sufficient to admit or deny Request No. 32.

12 **REQUEST FOR ADMISSION NO. 33:**

13 Admit that the San Diego LGBT Community Center received \$1.8 million in government
14 grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

15 **RESPONSE TO REQUEST FOR ADMISSION NO. 33:**

16 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
17 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
18 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
19 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
20 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that because the
21 web page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 33 does not
22 provide a 2007 IRS Form 990. Except as expressly admitted, Plaintiffs lack knowledge or
23 information sufficient to admit or deny Request No. 33.

24 **REQUEST FOR ADMISSION NO. 34:**

25 Admit that the San Francisco LGBT Community Center received \$986,722 in government
26 grants in 2008. ([http://www.scribd.com/doc/13974216/San-Francisco-LGBT-Community-Center-
27 Annual-Report-200708](http://www.scribd.com/doc/13974216/San-Francisco-LGBT-Community-Center-Annual-Report-200708))

28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 34:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
3 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
4 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
5 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
6 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that they lack
7 knowledge or information sufficient to admit or deny the authenticity or accuracy of the information
8 contained on the web page cited in Request No. 34. Subject to the foregoing objections, Plaintiffs
9 admit that the web page cited in Defendant-Intervenors’ Request for Admission No. 34 contains a 28
10 page document entitled “San Francisco LGBT Community Center 2007/2008 Annual Report.”
11 Except as expressly admitted, Plaintiffs lack knowledge or information sufficient to admit or deny
12 Request No. 34.

13 **REQUEST FOR ADMISSION NO. 35:**

14 Admit that the Gay and Lesbian Community Services Center of Orange County received
15 \$344,404 in government grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 35:**

17 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
18 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
19 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
20 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
21 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
22 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 35 does not
23 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
24 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
25 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
26 information sufficient to admit or deny Request No. 35.

1 **REQUEST FOR ADMISSION NO. 36:**

2 Admit that the One National Gay and Lesbian Archives in Los Angeles received \$90,728 in
3 government grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 36:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
6 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
7 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
8 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
9 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
10 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 36 does not
11 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
12 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
13 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
14 information sufficient to admit or deny Request No. 36.

15 **REQUEST FOR ADMISSION NO. 37:**

16 Admit that the San Francisco LGBT Parade Committee received \$77,200 in government
17 grants in 2006 (2006 IRS Form 990, available at www.guidestar.org).

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 37:**

19 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
20 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
21 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
22 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
23 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
24 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 37 does not
25 provide a 2006 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
26 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
27 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
28 information sufficient to admit or deny Request No. 37.

1 **REQUEST FOR ADMISSION NO. 38:**

2 Admit that the GLBT Historical Society of California in San Francisco received \$234,781 in
3 government grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 38:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
6 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
7 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
8 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
9 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
10 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 38 does not
11 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
12 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
13 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
14 information sufficient to admit or deny Request No. 38.

15 **REQUEST FOR ADMISSION NO. 39:**

16 Admit that the Queer Cultural Center in San Francisco received \$263,646 in government
17 grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 39:**

19 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
20 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
21 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
22 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
23 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
24 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 39 does not
25 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
26 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
27 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
28 information sufficient to admit or deny Request No. 39.

1 **REQUEST FOR ADMISSION NO. 40:**

2 Admit that Gay and Lesbian Adolescent Social Services of Burbank received \$10.4 million in
3 government grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 40:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
6 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
7 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
8 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
9 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
10 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 40 does not
11 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
12 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
13 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
14 information sufficient to admit or deny Request No. 40.

15 **REQUEST FOR ADMISSION NO. 41:**

16 Admit that the Lavender Youth Recreation and Information Center in San Francisco received
17 \$725,902 in government grants in 2006 (2006 IRS Form 990, available at www.guidestar.org).

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 41:**

19 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
20 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
21 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
22 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
23 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
24 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 41 does not
25 provide a 2006 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
26 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
27 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
28 information sufficient to admit or deny Request No. 41.

1 **REQUEST FOR ADMISSION NO. 42:**

2 Admit that the group Community United Against Violence of San Francisco received
3 \$966,958 in government grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 42:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
6 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
7 use of the phrase “government grants.” Plaintiffs also object to this Request on the grounds and to
8 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
9 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
10 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 42 does not
11 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
12 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
13 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
14 information sufficient to admit or deny Request No. 42.

15 **REQUEST FOR ADMISSION NO. 43:**

16 Admit that the Pacific Pride Foundation in Santa Barbara received \$1.2 million in government
17 grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 43:**

19 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
20 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
21 use of the phrase “government grants”. Plaintiffs also object to this Request on the grounds and to
22 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
23 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
24 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 43 does not
25 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
26 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
27 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
28 information sufficient to admit or deny Request No. 43.

1 **REQUEST FOR ADMISSION NO. 44:**

2 Admit that the Our Family Coalition organization of San Francisco received \$471,757 in
3 government grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 44:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
6 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
7 use of the phrase “government grants”. Plaintiffs also object to this Request on the grounds and to
8 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
9 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
10 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 44 does not
11 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
12 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
13 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
14 information sufficient to admit or deny Request No. No. 44.

15 **REQUEST FOR ADMISSION NO. 45:**

16 Admit that the Stepping Stone of San Diego organization received \$1.5 million in government
17 grants in 2007 (2007 IRS Form 990, available at www.guidestar.org).

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 45:**

19 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
20 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
21 use of the phrase “government grants”. Plaintiffs also object to this Request on the grounds and to
22 the extent that it may not be relevant to any party’s claim or defense in this action or reasonably
23 calculated to lead to the discovery of admissible evidence. Plaintiffs further respond that the web
24 page www.guidestar.org cited in Defendant-Intervenors’ Request for Admission No. 45 does not
25 provide a 2007 IRS Form 990. Plaintiffs further respond that they lack knowledge or information
26 sufficient to admit or deny the authenticity or accuracy of any information contained in the web page
27 cited in the Request. Except as expressly admitted, Plaintiffs respond that they lack knowledge or
28 information sufficient to admit or deny Request No. 45.

1 **REQUEST FOR ADMISSION NO. 46:**

2 Admit that, at present, discrimination against individuals practicing a homosexual lifestyle is
3 increasingly rare.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 46:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
6 this Request on the grounds that it is vague and ambiguous, in particular with respect to the phrase
7 “increasingly rare.” Plaintiffs further object to this Request on the grounds that the phrase
8 “homosexual lifestyle” is unintelligible. Subject to the foregoing objections, Plaintiffs deny this
9 Request for Admission.

10 **REQUEST FOR ADMISSION NO. 47:**

11 Admit that, apart from access to civil marriage, public discrimination against gays and
12 lesbians by state and local governments in California is virtually non-existent.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 47:**

14 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
15 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
16 Plaintiffs admit that the denial of access to civil marriage is a form of public (as well as private)
17 discrimination. Except as expressly admitted, Plaintiffs deny this Request for Admission.

18 **REQUEST FOR ADMISSION NO. 48:**

19 Admit that homosexual lifestyles are widely accepted in California.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 48:**

21 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
22 this Request on the grounds that it is vague and ambiguous. Plaintiffs further object to this Request
23 on the grounds that the term “homosexual lifestyles” is unintelligible. Subject to the foregoing
24 objections, Plaintiffs deny this Request for Admission.

25 **REQUEST FOR ADMISSION NO. 49:**

26 Admit that private discrimination against gay and lesbians in California is increasingly rare.
27
28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 49:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
4 Plaintiffs deny this Request for Admission.

5 **REQUEST FOR ADMISSION NO. 50:**

6 Admit that many openly gay and lesbian individuals have served in California politics and
7 government, including: former San Francisco Board of Supervisors Member Roberta Achtenberg;
8 California Assemblyman Tom Ammiano; West Sacramento Mayor Christopher Cabaldon; former
9 U. S. Ambassador to Luxembourg James Hormel; California State Senator Christine Kehoe; Susan
10 Kennedy, chief of staff to Gov. Arnold Schwarzenegger; State Senator Mark Leno; former State
11 Senator Carole Migden; former San Francisco Board of Supervisors Member Harvey Milk; Daniel
12 Zingale, chief of staff for Maria Shriver.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 50:**

14 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
15 this Request on the grounds that it is vague and ambiguous. Plaintiffs further object to this Request
16 on the grounds that it is compound. Subject to the foregoing objections, Plaintiffs admit that to the
17 best of their knowledge, openly gay and lesbian individuals have served in California politics and
18 government, including: former San Francisco Board of Supervisors Member Roberta Achtenberg;
19 California Assemblyman Tom Ammiano; West Sacramento Mayor Christopher Cabaldon; former
20 U. S. Ambassador to Luxembourg James Hormel; California State Senator Christine Kehoe; Susan
21 Kennedy, chief of staff to Gov. Arnold Schwarzenegger; State Senator Mark Leno; former State
22 Senator Carole Migden; former San Francisco Board of Supervisors Member Harvey Milk; Daniel
23 Zingale, former chief of staff for Maria Shriver. Except as expressly admitted, Plaintiffs deny
24 Request No. 50.

25 **REQUEST FOR ADMISSION NO. 51:**

26 Admit that many openly gay and lesbian individuals have been active in California's arts and
27 cultural community.

28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 51:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
4 Plaintiffs admit that openly gay and lesbian individuals have contributed to the state of California in
5 many respects, including by contributing to California's arts and cultural community, athletics
6 community, faith and spiritual communities, medical community, media organizations, entertainment
7 industry, business community, labor force, academic community, nonprofit organizations,
8 government institutions and its legal profession. Except as expressly admitted, Plaintiffs deny
9 Request No. 51.

10 **REQUEST FOR ADMISSION NO. 52:**

11 Admit that many openly gay and lesbian individuals have been active in California athletics.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 52:**

13 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
14 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
15 Plaintiffs admit that openly gay and lesbian individuals have contributed to the state of California in
16 many respects, including by contributing to California's arts and cultural community, athletics
17 community, faith and spiritual communities, medical community, media organizations, entertainment
18 industry, business community, labor force, academic community, nonprofit organizations,
19 government institutions and its legal profession. Except as expressly admitted, Plaintiffs deny
20 Request No. 52.

21 **REQUEST FOR ADMISSION NO. 53:**

22 Admit that many openly gay and lesbian individuals have worked at California media
23 organizations.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 53:**

25 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
26 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
27 Plaintiffs admit that openly gay and lesbian individuals have contributed to the state of California in
28 many respects, including by contributing to California's arts and cultural community, athletics

1 community, faith and spiritual communities, medical community, media organizations, entertainment
2 industry, business community, labor force, academic community, nonprofit organizations,
3 government institutions and its legal profession. Except as expressly admitted, Plaintiffs deny
4 Request No. 53.

5 **REQUEST FOR ADMISSION NO. 54:**

6 Admit that many openly gay and lesbian individuals have worked in California's
7 entertainment industry.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 54:**

9 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
10 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
11 Plaintiffs admit that openly gay and lesbian individuals have contributed to the state of California in
12 many respects, including by contributing to California's arts and cultural community, athletics
13 community, faith and spiritual communities, medical community, media organizations, entertainment
14 industry, business community, labor force, academic community, nonprofit organizations,
15 government institutions and its legal profession. Except as expressly admitted, Plaintiffs deny
16 Request No. 54.

17 **REQUEST FOR ADMISSION NO. 55:**

18 Admit that many openly gay and lesbian individuals have been leaders in California's
19 business community.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 55:**

21 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
22 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
23 Plaintiffs admit that openly gay and lesbian individuals have contributed to the state of California in
24 many respects, including by contributing to California's arts and cultural community, athletics
25 community, faith and spiritual communities, medical community, media organizations, entertainment
26 industry, business community, labor force, academic community, nonprofit organizations,
27 government institutions and its legal profession. Except as expressly admitted, Plaintiffs deny
28 Request No. 55.

1 **REQUEST FOR ADMISSION NO. 56:**

2 Admit that many openly gay and lesbian individuals have been leaders at California
3 universities.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 56:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
6 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
7 Plaintiffs admit that openly gay and lesbian individuals have contributed to the state of California in
8 many respects, including by contributing to California's arts and cultural community, athletics
9 community, faith and spiritual communities, medical community, media organizations, entertainment
10 industry, business community, labor force, academic community, nonprofit organizations,
11 government institutions and its legal profession. Except as expressly admitted, Plaintiffs deny
12 Request No. 56.

13 **REQUEST FOR ADMISSION NO. 57:**

14 Admit that many openly gay and lesbian individuals have been leaders in California's legal
15 profession.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 57:**

17 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
18 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
19 Plaintiffs admit that openly gay and lesbian individuals have contributed to the state of California in
20 many respects, including by contributing to California's arts and cultural community, athletics
21 community, faith and spiritual communities, medical community, media organizations, entertainment
22 industry, business community, labor force, academic community, nonprofit organizations,
23 government institutions and its legal profession. Except as expressly admitted, Plaintiffs deny
24 Request No. 57.

25 **REQUEST FOR ADMISSION NO. 58:**

26 Admit that, with the exception of the denomination "marriage," under California law "same-
27 sex couples retain the same substantive protections embodied in the state constitutional rights of
28 privacy and due process as those accorded to opposite-sex couples and the same broad protections

1 under the state equal protection clause that are set forth in the majority opinion in the *Marriage*
 2 *Cases.*” *Strauss v. Horton*, 46 Cal. 4th 364, 412 (Cal. 2009).

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 58:**

4 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs also
 5 object to this Request to the extent it calls for a legal conclusion. Plaintiffs further object to this
 6 Request on the grounds that it is vague, ambiguous, and compound. Subject to the foregoing
 7 objections, Plaintiffs admit only that *Strauss v. Horton*, 46 Cal. 4th 364, 412 (Cal. 2009) states,
 8 among other things: “In sum, although Proposition 8 changes the state Constitution, as interpreted in
 9 the majority opinion in the *Marriage Cases*, *supra*, 43 Cal.4th 757, 76 Cal.Rptr.3d 683, 183 P.3d
 10 384, to provide that restricting the family designation of ‘marriage’ to opposite-sex couples only, and
 11 withholding that designation from same-sex couples, no longer violates the state Constitution, in all
 12 other respects same-sex couples retain the same substantive protections embodied in the state
 13 constitutional rights of privacy and due process as those accorded to opposite-sex couples and the
 14 same broad protections under the state equal protection clause that are set forth in the majority
 15 opinion in the *Marriage Cases*, including the general principle that sexual orientation constitutes a
 16 suspect classification and that statutes according differential treatment on the basis of sexual
 17 orientation are constitutionally permissible only if they satisfy the strict scrutiny standard of review.”
 18 To the extent that this Request states or implies that such rights have been implemented by the State,
 19 Plaintiffs deny that the State has altered its laws and policies to implement this, and further responds
 20 that there are still differences in the ways that registered domestic partners and spouses are treated,
 21 such as access to long term health care benefits for state employees. To the extent that this Request
 22 states or implies that a separate system of domestic partnerships could ever be equal to marriage,
 23 Plaintiffs specifically deny that Request.

24 **REQUEST FOR ADMISSION NO. 59:**

25 Admit that the California Registered Domestic Partner Rights and Responsibilities Act of
 26 2003, Stats. 2003, ch. 421, gives to domestic partners “the full range of legal rights, protections and
 27 benefits, as well as all of the responsibilities, obligations, and duties to each other, to their children, to
 28

1 third parties and to the state, as the laws of California extend to and impose upon spouses.” Stats.
2 2003, ch. 421, § 15.

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 59:**

4 Plaintiffs incorporate their General Objections as if stated fully herein. Plaintiffs also object
5 to this Request on the grounds and to the extent that it may not be relevant to any party’s claim or
6 defense in this action or reasonably calculated to lead to the discovery of admissible evidence.
7 Plaintiffs further object to the extent the Request calls for a legal conclusion. Subject to the
8 foregoing objections, Plaintiffs admit that Stats. 203, ch. 421, § 15 added section 297.5 to the
9 California Family Code. Except as expressly admitted, Plaintiffs deny Request No. 59.

10 **REQUEST FOR ADMISSION NO. 60:**

11 Admit that California law puts domestic partners on an equal footing with married spouses
12 with respect to inheritance and intestacy, id. sec. 297.5(c).

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 60:**

14 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
15 this Request on the grounds that it is vague and ambiguous, in particular in its use of the phrase
16 “equal footing,” Plaintiffs further object to the extent the Request calls for a legal conclusion.
17 Subject to the foregoing objections, Plaintiffs admit that Cal. Family Code § 297.5(c) is part of the
18 law of California. Except as expressly admitted, Plaintiffs deny Request No. 60.

19 **REQUEST FOR ADMISSION NO. 61:**

20 Admit that California law puts domestic partners on an equal footing with married spouses
21 with respect to property, id. sec. 297.5(k)(1).

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 61:**

23 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
24 this Request on the grounds that it is vague and ambiguous, in particular in its use of the phrase
25 “equal footing.” Plaintiffs further object to the extent the Request calls for a legal conclusion.
26 Subject to the foregoing objections, Plaintiffs admit that Cal. Family Code § 297.5(k)(1) is part of the
27 law of California. Except as expressly admitted, Plaintiffs deny Request No. 61.

28

1 **REQUEST FOR ADMISSION NO. 62:**

2 Admit that California law puts domestic partners on an equal footing with married spouses
3 with respect to insurance coverage, Cal. Ins. Code sec. 381.5.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 62:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
6 this Request on the grounds that it is vague and ambiguous, in particular in its use of the phrase
7 “equal footing.” Plaintiffs further object to the extent the Request calls for a legal conclusion.
8 Subject to the foregoing objections, Plaintiffs admit that Cal. Insurance Code § 381.5 is part of the
9 law of California. Except as expressly admitted, Plaintiffs deny Request No. 62.

10 **REQUEST FOR ADMISSION NO. 63:**

11 Admit that California law puts domestic partners on an equal footing with married spouses
12 with respect to state tax treatment, Cal. Rev. & Tax Code secs. 17024.5(h)(2)(B), 18521(d).

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 63:**

14 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
15 this Request on the grounds that it is vague and ambiguous, in particular in its use of the phrase
16 “equal footing.” Plaintiffs further object to the extent the Request calls for a legal conclusion.
17 Subject to the foregoing objections, Plaintiffs admit that Cal. Revenue & Tax Code § 17024.5(h) is
18 part of the law of California. Except as expressly admitted, Plaintiffs deny Request No. 63.

19 **REQUEST FOR ADMISSION NO. 64:**

20 Admit that California is one of “[t]wenty states and the District of Columbia [with] laws that
21 explicitly prohibit sexual orientation discrimination in private employment.” Preventing Sexual
22 Orientation Discrimination in the Workplace, Nolo,
23 [http://www.nolo.com/article.cfm/objectID/E76BEBE6-E194-46C1-](http://www.nolo.com/article.cfm/objectID/E76BEBE6-E194-46C1-983629F17557E86D/111/259/283/ART/)
24 [983629F17557E86D/111/259/283/ART/](http://www.nolo.com/article.cfm/objectID/E76BEBE6-E194-46C1-983629F17557E86D/111/259/283/ART/) (listing California, Colorado, Connecticut, Hawaii, Illinois,
25 Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New
26 Mexico, New York, Oregon, Rhode Island, Vermont, Washington, and Wisconsin).

27
28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 64:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
3 respond that they lack knowledge or information sufficient to admit or deny the authenticity or
4 accuracy of the information contained on the web page cited in Request No. 64. Subject to the
5 foregoing objections, Plaintiffs admit that the web page cited in Defendant-Intervenors' Request for
6 Admission No. 64 contains a document entitled "Preventing Sexual Orientation Discrimination in the
7 Workplace." Plaintiffs lack knowledge or information sufficient to admit or deny the remainder of
8 the Request.

9 **REQUEST FOR ADMISSION NO. 65:**

10 Admit that California's elected legislature has passed laws prohibiting discrimination on the
11 basis of sexual orientation in businesses' provision of services, Cal. Civil Code § 51.5.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

13 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
14 this Request on the grounds that it is vague and ambiguous, in particular in its reference to "laws" in
15 the plural form and "businesses' provision of services." Plaintiffs further object to the Request on the
16 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
17 Subject to the foregoing objections, Plaintiffs admit that Cal. Civil Code § 51.5 is part of the law of
18 California.

19 **REQUEST FOR ADMISSION NO. 66:**

20 Admit that California's elected legislature has passed laws prohibiting discrimination on the
21 basis of sexual orientation in the peremptory challenges of jurors, Cal. Code of Civil Procedure
22 § 231.5.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

24 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
25 this Request on the grounds that it is vague and ambiguous, in particular in its reference to "laws" in
26 the plural form. Plaintiffs further object to the Request on the grounds and to the extent that it calls
27 for a legal conclusion and thus does not require an answer. Subject to the foregoing objections,
28 Plaintiffs admit that Cal. Code of Civil Procedure § 231.5 is part of the law of California.

1 **REQUEST FOR ADMISSION NO. 67:**

2 Admit that California's elected legislature has passed laws prohibiting discrimination on the
3 basis of sexual orientation in public education, Cal. Ed. Code § 200.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
6 this Request on the grounds that it is vague and ambiguous, in particular in its reference to "laws" in
7 the plural form and "public education." Plaintiffs further object to the Request on the grounds and to
8 the extent that it calls for a legal conclusion and thus does not require an answer. Subject to the
9 foregoing objections, Plaintiffs admit that Cal. Education Code § 200 is part of the law of California.
10 Except as expressly admitted, Plaintiffs deny this Request for Admission.

11 **REQUEST FOR ADMISSION NO. 68:**

12 Admit that California's elected legislature has passed laws prohibiting discrimination on the
13 basis of sexual orientation in state-funded educational programs, id. § 220, Cal. Wel. & Inst. Code
14 § 14504.1(c).

15 **RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

16 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
17 this Request on the grounds that it is vague and ambiguous, in particular in its reference to
18 "educational programs." Plaintiffs further object to the Request on the grounds and to the extent that
19 it calls for a legal conclusion and thus does not require an answer. Subject to the foregoing
20 objections, Plaintiffs admit that Cal. Education Code § 220 and Cal. Wel. & Inst. Code § 14504.1(c)
21 are part of the law of California. Except as expressly admitted, Plaintiffs deny this Request for
22 Admission.

23 **REQUEST FOR ADMISSION NO. 69:**

24 Admit that California's elected legislature has passed laws prohibiting discrimination on the
25 basis of sexual orientation in secondary education, Cal. Ed. Code § 66251.

26 **RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

27 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
28 this Request on the grounds that it is vague and ambiguous, in particular in its reference to "laws" in

1 the plural form and its use of the phrase “secondary education.” Plaintiffs further object to the
2 Request on the grounds and to the extent that it calls for a legal conclusion and thus does not require
3 an answer. Subject to the foregoing objections, Plaintiffs admit that Cal. Education Code § 66251 is
4 part of the law of California. Except as expressly admitted, Plaintiffs deny this Request for
5 Admission.

6 **REQUEST FOR ADMISSION NO. 70:**

7 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
8 basis of sexual orientation in post-secondary education, id. § 66270.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

10 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
11 this Request on the grounds that it is vague and ambiguous, in particular in its reference to “laws” in
12 the plural form and the phrase “post-secondary education.” Plaintiffs further object to the Request on
13 the grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
14 Subject to the foregoing objections, Plaintiffs admit that Cal. Education Code § 66270 is part of the
15 law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

16 **REQUEST FOR ADMISSION NO. 71:**

17 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
18 basis of sexual orientation in any state-funded program or activity, Cal. Gov. Code § 11135(a).

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

20 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
21 this Request on the grounds that it is vague and ambiguous, in particular in its reference to “laws” in
22 the plural form, as well as the terms “any”, “state-funded”, “program” and “activity.” Plaintiffs
23 further object to the Request on the grounds and to the extent that it calls for a legal conclusion and
24 thus does not require an answer. Subject to the foregoing objections, Plaintiffs admit that Cal.
25 Government Code § 11135(a) is part of the law of California. Except as expressly admitted,
26 Plaintiffs deny this Request for Admission.

1 **REQUEST FOR ADMISSION NO. 72:**

2 Admit that California's elected legislature has passed laws prohibiting discrimination on the
3 basis of sexual orientation in employment, id. §§ 12920, 12921, 12940.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 72:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
6 this Request on the grounds and to the extent that it may not be relevant to any party's claim or
7 defense in this action or reasonably calculated to lead to the discovery of admissible evidence.
8 Plaintiffs further object to the Request on the grounds and to the extent that it calls for a legal
9 conclusion and thus does not require an answer. Subject to the foregoing objections, Plaintiffs admit
10 that Cal. Government Code §§ 12920, 12921, and 12940 are part of the law of California. Except as
11 expressly admitted, Plaintiffs deny this Request for Admission.

12 **REQUEST FOR ADMISSION NO. 73:**

13 Admit that California's elected legislature has passed laws prohibiting discrimination on the
14 basis of sexual orientation in housing, id. §§ 12921, 12955, 12955.8.

15 **RESPONSE TO REQUEST FOR ADMISSION NO. 73:**

16 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
17 this Request on the grounds and to the extent that it may not be relevant to any party's claim or
18 defense in this action or reasonably calculated to lead to the discovery of admissible evidence.
19 Plaintiffs further object to the Request on the grounds and to the extent that it calls for a legal
20 conclusion and thus does not require an answer. Subject to the foregoing objections, Plaintiffs admit
21 that Cal. Government Code §§ 12921, 12955, and 12955.8 are part of the law of California. Except
22 as expressly admitted, Plaintiffs deny this Request for Admission.

23 **REQUEST FOR ADMISSION NO. 74:**

24 Admit that California's elected legislature has passed laws prohibiting discrimination on the
25 basis of sexual orientation in labor organizations, id. § 12940(b).

26 **RESPONSE TO REQUEST FOR ADMISSION NO. 74:**

27 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
28 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the

1 plural form “laws” and the term “labor organizations.” Plaintiffs further object to the Request on the
2 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.

3 Subject to the foregoing objections, Plaintiffs admit that Cal. Government Code § 12940(b) is part of
4 the law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

5 **REQUEST FOR ADMISSION NO. 75:**

6 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
7 basis of sexual orientation in apprenticeships, id. § 12940(c).

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

9 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
10 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
11 plural form “laws” and the term “apprenticeships.” Plaintiffs further object to the Request on the
12 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.

13 Subject to the foregoing objections, Plaintiffs admit that Cal. Government Code § 12940(c) is part of
14 the law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

15 **REQUEST FOR ADMISSION NO. 76:**

16 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
17 basis of sexual orientation in licensing boards, id. § 12944.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

19 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
20 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
21 plural form “laws” and the term “licensing boards.” Plaintiffs further object to the Request on the
22 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.

23 Subject to the foregoing objections, Plaintiffs admit that Cal. Government Code § 12944 is part of the
24 law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

25 **REQUEST FOR ADMISSION NO. 77:**

26 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
27 basis of sexual orientation in civil service, id. § 18500.

28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 77:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
4 plural form “laws” and the term “civil service.” Plaintiffs further object to the Request on the
5 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
6 Subject to the foregoing objections, Plaintiffs admit that Cal. Government Code § 18500 is part of the
7 law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

8 **REQUEST FOR ADMISSION NO. 78:**

9 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
10 basis of sexual orientation in health insurance, Cal. Health & Saf. Code § 1365.5.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 78:**

12 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
13 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
14 plural form “laws” and the term “health insurance.” Plaintiffs further object to the Request on the
15 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
16 Subject to the foregoing objections, Plaintiffs admit that Cal. Health & Safety Code § 1365.5 is part
17 of the law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

18 **REQUEST FOR ADMISSION NO. 79:**

19 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
20 basis of sexual orientation in certification of administrators of group home facilities, id. § 1522.41.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 79:**

22 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
23 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
24 plural form “laws” and the terms “administrators” and “group health facilities.” Plaintiffs further
25 object to the Request on the grounds and to the extent that it calls for a legal conclusion and thus does
26 not require an answer. Subject to the foregoing objections, Plaintiffs admit that Cal. Health & Safety
27 Code § 1522.41 is part of the law of California. Except as expressly admitted, Plaintiffs deny this
28 Request for Admission.

1 **REQUEST FOR ADMISSION NO. 80:**

2 Admit that California's elected legislature has passed laws prohibiting discrimination on the
3 basis of sexual orientation in adult day health care centers, id. § 1586.7.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 80:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
6 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
7 plural form "laws" and the term "adult day health care centers." Plaintiffs further object to the
8 Request on the grounds and to the extent that it calls for a legal conclusion and thus does not require
9 an answer. Subject to the foregoing objections, Plaintiffs admit that Cal. Cal. Health & Safety Code
10 § 1586.7 is part of the law of California. Except as expressly admitted, Plaintiffs deny this Request
11 for Admission.

12 **REQUEST FOR ADMISSION NO. 81:**

13 Admit that California's elected legislature has passed laws prohibiting discrimination on the
14 basis of sexual orientation in community redevelopment projects, id. § 33050(a).

15 **RESPONSE TO REQUEST FOR ADMISSION NO. 81:**

16 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
17 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
18 term "community redevelopment projects." Plaintiffs further object to the Request on the grounds
19 and to the extent that it calls for a legal conclusion and thus does not require an answer. Subject to
20 the foregoing objections, Plaintiffs admit that Cal. Health & Safety Code § 33050(a) is part of the law
21 of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

22 **REQUEST FOR ADMISSION NO. 82:**

23 Admit that California's elected legislature has passed laws prohibiting discrimination on the
24 basis of sexual orientation in court-ordered HIV-status disclosure of criminal defendants, id.
25 § 120292.

26 **RESPONSE TO REQUEST FOR ADMISSION NO. 82:**

27 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
28 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the

1 plural form “laws” and the term “HIV-status disclosure.” Plaintiffs further object to the Request on
2 the grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
3 Subject to the foregoing objections, Plaintiffs admit that Cal. Health & Safety Code § 120292 is part
4 of the law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

5 **REQUEST FOR ADMISSION NO. 83:**

6 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
7 basis of sexual orientation in sexual health education programs, id. § 151002(a)(6).

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

9 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
10 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
11 plural form “laws” and the term “sexual health education programs.” Plaintiffs further object to the
12 Request on the grounds and to the extent that it calls for a legal conclusion and thus does not require
13 an answer. Subject to the foregoing objections, Plaintiffs admit that Cal. Health & Safety Code
14 § 151002(a)(6) is part of the law of California. Except as expressly admitted, Plaintiffs deny this
15 Request for Admission.

16 **REQUEST FOR ADMISSION NO. 84:**

17 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
18 basis of sexual orientation in insurance, Cal. Ins. Code §§ 10140(a), (e), 10141.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

20 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
21 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
22 term “licensing boards.” Plaintiffs further object to the Request on the grounds and to the extent that
23 it calls for a legal conclusion and thus does not require an answer. Subject to the foregoing
24 objections, Plaintiffs admit that Cal. Ins. Code §§ 10140(a), (e), 10141 are part of the law of
25 California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

26 **REQUEST FOR ADMISSION NO. 85:**

27 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
28 basis of sexual orientation in children’s public health insurance, id. § 12693.28.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 85:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
4 plural form “laws” and the term “children’s public health insurance.” Plaintiffs further object to the
5 Request on the grounds and to the extent that it calls for a legal conclusion and thus does not require
6 an answer. Subject to the foregoing objections, Plaintiffs admit that Cal. Insurance Code § 12693.28
7 is part of the law of California. Except as expressly admitted, Plaintiffs deny this Request for
8 Admission.

9 **REQUEST FOR ADMISSION NO. 86:**

10 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
11 basis of sexual orientation in health care organizations, Cal. Lab Code § 4600.6(g)(3).

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 86:**

13 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
14 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
15 plural form “laws” and the term “health care organizations.” Plaintiffs further object to the Request
16 on the grounds and to the extent that it calls for a legal conclusion and thus does not require an
17 answer. Subject to the foregoing objections, Plaintiffs admit that Cal. Labor Code § 4600.6(g)(3) is
18 part of the law of California. Except as expressly admitted, Plaintiffs deny this Request for
19 Admission.

20 **REQUEST FOR ADMISSION NO. 87:**

21 Admit that California’s elected legislature has passed laws prohibiting discrimination on the
22 basis of sexual orientation in public contractors, Cal. Pub. Contract Code § 6108(g)(9).

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 87:**

24 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
25 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
26 plural form “laws” and the term “public contractors.” Plaintiffs further object to the Request on the
27 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
28

1 Subject to the foregoing objections, Plaintiffs admit that Cal. Pub. Contract Code § 6108(g)(9) is part
2 of the law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

3 **REQUEST FOR ADMISSION NO. 88:**

4 Admit that California's elected legislature has passed laws prohibiting discrimination on the
5 basis of sexual orientation in juvenile detention, Cal. Wel. & Inst. Code § 224.73.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 88:**

7 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
8 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
9 plural form "laws" and the term "juvenile detention." Plaintiffs further object to the Request on the
10 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.

11 Subject to the foregoing objections, Plaintiffs admit that Cal. Wel. & Inst. Code § 224.73 is part of
12 the law of California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

13 **REQUEST FOR ADMISSION NO. 89:**

14 Admit that California's elected legislature has passed laws prohibiting discrimination on the
15 basis of sexual orientation in access to elder services, Cal. Wel. & Inst. Code § 9103.1(a), (c), (d).

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 89:**

17 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
18 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
19 plural form "laws" and the term "elder services." Plaintiffs further object to the Request on the
20 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.

21 Subject to the foregoing objections, Plaintiffs admit that Cal. Wel. & Inst. Code § 9103.1(a), (c), and
22 (d) are part of the law of California. Except as expressly admitted, Plaintiffs deny this Request for
23 Admission.

24 **REQUEST FOR ADMISSION NO. 90:**

25 Admit that California has acted to protect and advance gay and lesbian rights by combating
26 bias on the basis of sexual orientation in public schools, Cal. Ed. Code § 32228.

27
28

RESPONSE TO REQUEST FOR ADMISSION NO. 90:

1 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
 2 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
 3 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “combating,” “bias” and “public
 4 schools.” Plaintiffs further object to the Request on the grounds and to the extent that it calls for a
 5 legal conclusion and thus does not require an answer. Subject to the foregoing objections, Plaintiffs
 6 admit that Cal. Ed. Code § 32228 is part of the law of California. Except as expressly admitted,
 7 Plaintiffs deny this Request for Admission.
 8

REQUEST FOR ADMISSION NO. 91:

9 Admit that California has acted to protect and advance gay and lesbian rights by providing
 10 sexual orientation-sensitive sex education materials, id. § 51933(b)(4).
 11

RESPONSE TO REQUEST FOR ADMISSION NO. 91:

12 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
 13 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
 14 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “providing,” “sexual-orientation-
 15 sensitive” and “sex education materials.” Plaintiffs further object to the Request on the grounds and
 16 to the extent that it calls for a legal conclusion and thus does not require an answer. Subject to the
 17 foregoing objections, Plaintiffs admit that Cal. Ed. Code § 51933(b)(4) is part of the law of
 18 California. Except as expressly admitted, Plaintiffs deny this Request for Admission.
 19

REQUEST FOR ADMISSION NO. 92:

20 Admit that California has acted to protect and advance gay and lesbian rights by protecting
 21 privacy interests in sexual orientation for teachers. id. § 49091.24.
 22

RESPONSE TO REQUEST FOR ADMISSION NO. 92:

23 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
 24 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
 25 terms “acted,” “protect,” or “protecting,” “advance,” “gay and lesbian rights,” and “teachers.”
 26 Plaintiffs further object to the Request on the grounds and to the extent that it calls for a legal
 27 conclusion and thus does not require an answer. Subject to the foregoing objections, Plaintiffs admit
 28

1 that Cal. Ed. Code § 49091.24 is part of the law of California. Except as expressly admitted,
2 Plaintiffs deny this Request for Admission.

3 **REQUEST FOR ADMISSION NO. 93:**

4 Admit that California has acted to protect and advance gay and lesbian rights by providing
5 training for domestic abuse evaluators in the relationship of sexual orientation to domestic violence,
6 Cal. Fam. Code § 1816.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 93:**

8 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
9 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
10 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “providing,” “training,” “domestic
11 abuse evaluators,” “relationship” and “domestic violence.” Plaintiffs further object to the Request on
12 the grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
13 Subject to the foregoing objections, Plaintiffs admit that Cal. Fam. Code § 1816 is part of the law of
14 California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

15 **REQUEST FOR ADMISSION NO. 94:**

16 Admit that California has acted to protect and advance gay and lesbian rights by facilitating
17 communication on sexual orientation in disability communities, Cal. Gov. Code § 8299.01(b)(2)(F).

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 94:**

19 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
20 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
21 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “facilitating,” “communication” and
22 “disability communities.” Plaintiffs further object to the Request on the grounds and to the extent
23 that it calls for a legal conclusion and thus does not require an answer. Subject to the foregoing
24 objections, Plaintiffs admit that Cal. Government Code § 8299.01(b)(2)(F) is part of the law of
25 California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

26 **REQUEST FOR ADMISSION NO. 95:**

27 Admit that California has acted to protect and advance gay and lesbian rights by issuing
28 publications to minimize housing discrimination on the basis of sexual orientation, id. § 12930(i).

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 95:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
4 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “issuing,” “publications,” “minimize”
5 and “housing discrimination.” Plaintiffs further object to the Request on the grounds and to the
6 extent that it calls for a legal conclusion and thus does not require an answer. Subject to the
7 foregoing objections, Plaintiffs admit that Cal. Government Code § 12930(i) is part of the law of
8 California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

9 **REQUEST FOR ADMISSION NO. 96:**

10 Admit that California has acted to protect and advance gay and lesbian rights by providing
11 assistance in resolving disputes relating to discrimination on the basis of sexual orientation, id.
12 § 12931.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 96:**

14 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
15 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
16 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “providing,” “assistance,” “resolving,”
17 and “disputes.” Plaintiffs further object to the Request on the grounds and to the extent that it calls
18 for a legal conclusion and thus does not require an answer. Subject to the foregoing objections,
19 Plaintiffs admit that Cal. Government Code § 12931 is part of California law. Except as expressly
20 admitted, Plaintiffs deny this Request for Admission.

21 **REQUEST FOR ADMISSION NO. 97:**

22 Admit that California has acted to protect and advance gay and lesbian rights by funding
23 advisory and conciliation councils to study sexual orientation discrimination generally and in housing
24 and employment, id. § 12935(g).

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 97:**

26 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
27 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
28 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “funding,” “advisory,” “conciliation,”

1 “councils,” “study” and “generally.” Plaintiffs further object to the Request on the grounds and to the
 2 extent that it calls for a legal conclusion and thus does not require an answer. Subject to the
 3 foregoing objections, Plaintiffs admit that Cal. Government Code § 12935(g) is part of the law of
 4 California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

5 **REQUEST FOR ADMISSION NO. 98:**

6 Admit that California has acted to protect and advance gay and lesbian rights by empowering
 7 local commissions on human relations to study and resolve tensions between people subject to
 8 prejudice on the basis of sexual orientation, id. §§ 50264(c), 50265(a).

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 98:**

10 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
 11 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
 12 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “empowering,” “local commissions,”
 13 “on,” “human relations,” “study,” “resolve,” “tensions,” “people,” “subject” and “prejudice.”
 14 Plaintiffs further object to the Request on the grounds and to the extent that it calls for a legal
 15 conclusion and thus does not require an answer. Subject to the foregoing objections, Plaintiffs admit
 16 that Cal. Government Code § 50264(c) is part of the law of California. Except as expressly admitted,
 17 Plaintiffs deny this Request for Admission.

18 **REQUEST FOR ADMISSION NO. 99:**

19 Admit that California has acted to protect and advance gay and lesbian rights by training
 20 medical personnel in sexual orientation discrimination prevention, Cal. Health & Saf. Code § 1257.5.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 99:**

22 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
 23 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
 24 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “training,” “medical personnel” and
 25 “discrimination prevention.” Plaintiffs further object to the Request on the grounds and to the extent
 26 that it calls for a legal conclusion and thus does not require an answer. Subject to the foregoing
 27 objections, Plaintiffs admit that Cal. Health & Saf. Code § 1257.5 is part of the law of California.
 28 Except as expressly admitted, Plaintiffs deny this Request for Admission.

1 **REQUEST FOR ADMISSION NO. 100:**

2 Admit that California has acted to protect and advance gay and lesbian rights by training
3 foster parents and group home and foster family agency licensing personnel in sexual orientation
4 discrimination and harassment prevention, id. §§ 1522.41(b)(3)(F), (b)(4)(E), § 1563(c)(5), Cal. Wel.
5 & Inst. Code § 16003(a)(1).

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 100:**

7 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
8 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
9 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “training,” “foster parents,” “group
10 home,” “foster family licensing personnel,” “sexual discrimination” and “harassment.” Plaintiffs
11 further object to the Request on the grounds and to the extent that it calls for a legal conclusion and
12 thus does not require an answer. Subject to the foregoing objections, Plaintiffs admit that Cal.
13 Government Code §§ 1522.41(b)(3)(F), (b)(4)(E), § 1563(c)(5) and Cal. Wel. & Inst. Code
14 § 16003(a)(1) are part of the law of California. Except as expressly admitted, Plaintiffs deny this
15 Request for Admission.

16 **REQUEST FOR ADMISSION NO. 101:**

17 Admit that California has acted to protect and advance gay and lesbian rights by training law
18 enforcement personnel about crimes committed on the basis of the sexual orientation of the victim,
19 Cal. Pen Code §§ 13023, 13519.6.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 101:**

21 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
22 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
23 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “training,” “law enforcement
24 personnel,” “about,” “crimes,” “basis” and “victim.” Plaintiffs further object to the Request on the
25 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
26 Subject to the foregoing objections, Plaintiffs admit that Cal. Pen. Code § 13023 and Cal. Pen. Code
27 § 13519.6 are part of the law of California. Except as expressly admitted, Plaintiffs deny this
28 Request for Admission.

1 **REQUEST FOR ADMISSION NO. 102:**

2 Admit that California has acted to protect and advance gay and lesbian rights by training law
3 enforcement personnel about sensitivity to sexual orientation, id. §§ 13023, 13519.4.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 102:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
6 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
7 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “training,” “law enforcement
8 personnel” and “sensitivity.” Plaintiffs further object to the Request on the grounds and to the extent
9 that it calls for a legal conclusion and thus does not require an answer. Subject to the foregoing
10 objections, Plaintiffs admit that Cal. Pen. Code § 13023 is part of the law of California. Except as
11 expressly admitted, Plaintiffs deny this Request for Admission.

12 **REQUEST FOR ADMISSION NO. 103:**

13 Admit that California has acted to protect and advance gay and lesbian rights by recognizing
14 the right of children to be free from sexual orientation discrimination, Cal. Wel. & Inst. Code
15 § 224.71

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 103:**

17 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
18 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
19 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “recognizing,” “rights,” and “free.”
20 Plaintiffs further object to the Request on the grounds and to the extent that it calls for a legal
21 conclusion and thus does not require an answer. Subject to the foregoing objections, Plaintiffs admit
22 that Cal. Wel. & Inst. Code § 224.71 is part of the law of California. Except as expressly admitted,
23 Plaintiffs deny this Request for Admission.

24 **REQUEST FOR ADMISSION NO. 104:**

25 Admit that California has acted to protect and advance gay and lesbian rights by codifying
26 protections against hate crimes committed on the basis of sexual orientation, Cal. Pen Code
27 §§ 422.55(a)(6), 422.6, 422.7, 422.75, 422.7, 422.85, 422.865, § 3053.4, Cal. Ed. Code §§ 66301,
28 67380, 94367, Cal. Wel. & Inst. Code § 707(d)(2)(C)(iii).

RESPONSE TO REQUEST FOR ADMISSION NO. 104:

1
2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
4 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “codifying,” “protections,” “hate
5 crimes” and “committed.” Plaintiffs further object to the Request on the grounds and to the extent
6 that it calls for a legal conclusion and thus does not require an answer. Subject to the foregoing
7 objections, Plaintiffs admit that Cal. Cal. Pen Code §§ 422.55(a)(6), 422.6, 422.7, 422.75, 422.7,
8 422.85, 422.865, § 3053.4, Cal. Ed. Code §§ 66301, 67380, 94367, and Cal. Wel. & Inst. Code
9 § 707(d)(2)(C)(iii) are part of the law of California. Except as expressly admitted, Plaintiffs deny this
10 Request for Admission.

REQUEST FOR ADMISSION NO. 105:

11
12 Admit that California has acted to protect and advance gay and lesbian rights by protecting
13 against harmful insurance premium adjustment following hate crime-related claims, Cal. Ins. Code
14 § 676.10.

RESPONSE TO REQUEST FOR ADMISSION NO. 105:

15
16 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
17 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
18 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “protecting,” “harmful,” “insurance
19 premium adjustment” and “hate crime-related claims.” Plaintiffs further object to the Request on the
20 grounds and to the extent that it calls for a legal conclusion and thus does not require an answer.
21 Subject to the foregoing objections, Plaintiffs admit that Cal. Ins. Code § 676.10 is part of the law of
22 California. Except as expressly admitted, Plaintiffs deny this Request for Admission.

REQUEST FOR ADMISSION NO. 106:

23
24 Admit that California has acted to protect and advance gay and lesbian rights by recognizing
25 the right of persons of any sexual orientation to be free from fear and harm by gangs, Cal. Pen Code
26 §§ 186.21, 11410.
27
28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 106:**

2 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
4 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “recognizing,” “rights,” “free,” “fear,”
5 “harm” and “gangs.” Plaintiffs further object to the Request on the grounds and to the extent that it
6 calls for a legal conclusion and thus does not require an answer. Subject to the foregoing objections,
7 Plaintiffs admit that Cal. Pen. Code § 186.21 and § 11410 are part of the law of California. Except as
8 expressly admitted, Plaintiffs deny this Request for Admission.

9 **REQUEST FOR ADMISSION NO. 107:**

10 Admit that California has acted to protect and advance gay and lesbian rights by providing for
11 jury instructions prohibiting bias on the basis of sexual orientation, Cal. Pen Code § 1127h.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 107:**

13 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
14 this Request on the grounds that it is vague and ambiguous, in particular with respect to the use of the
15 terms “acted,” “protect,” “advance,” “gay and lesbian rights,” “providing,” “jury instructions,”
16 “prohibiting,” and “bias.” Plaintiffs further object to the Request on the grounds and to the extent
17 that it calls for a legal conclusion and thus does not require an answer. Subject to the foregoing
18 objections, Plaintiffs admit that Cal. Pen. Code § 1127h is part of the law of California. Except as
19 expressly admitted, Plaintiffs deny this Request for Admission.

20 **REQUEST FOR ADMISSION NO. 108:**

21 Admit that California municipalities provide additional protections and benefits to same-sex
22 partners.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 108:**

24 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
25 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
26 Plaintiffs lack knowledge sufficient to admit or deny whether California municipalities provide
27 additional protections and benefits to same-sex partners.

28

1 **REQUEST FOR ADMISSION NO. 109:**

2 Admit that California employers are required by law to grant healthcare benefits to same-sex
3 domestic partners on equal footing with employees' spouses. Cal. Ins. Code sec. 381.5.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 109:**

5 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs object to
6 this Request on the grounds that it is vague, ambiguous and unintelligible, in particular with respect
7 to the use of the terms "required," "healthcare benefits," and "equal footing." Plaintiffs further object
8 to the Request on the grounds and to the extent that it calls for a legal conclusion and thus does not
9 require an answer. Subject to the foregoing objections, Plaintiffs admit that Cal. Ins. Code § 381.5 is
10 part of the law of California. Except as expressly admitted, Plaintiffs deny this Request for
11 Admission.

12 **REQUEST FOR ADMISSION NO. 110:**

13 Admit that California is one of sixteen states that mandate health insurance coverage for
14 domestic partners. Council for Affordable Health Insurance, Health Insurance Mandates in the States
15 2009 at 7, 19, http://www.cahi.org/cahi_contents/resources/pdf/HealthInsuranceMandates2009.pdf.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 110:**

17 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
18 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
19 use of the term "mandate" and the phrase "health insurance." Plaintiffs also object to this Request on
20 the grounds and to the extent that it may not be relevant to any party's claim or defense in this action
21 or reasonably calculated to lead to the discovery of admissible evidence. Plaintiffs further respond
22 that they lack knowledge or information sufficient to admit or deny the authenticity or accuracy of
23 the information contained on the web page cited in Request No. 110. Subject to the foregoing
24 objections, Plaintiffs admit that the web page cited in Defendant-Intervenors' Request for Admission
25 No. 110 contains a 27 page document entitled "Health Insurance Mandates in the States 2009."
26 Plaintiffs lack knowledge or information sufficient to admit or deny the remainder of the Request.

1 **REQUEST FOR ADMISSION NO. 111:**

2 Admit that even before they were legally obligated to do so, many major California employers
3 granted benefits to same-sex partners and registered domestic partners.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 111:**

5 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
6 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
7 Plaintiffs lack knowledge or information sufficient to admit or deny this Request.

8 **REQUEST FOR ADMISSION NO. 112:**

9 Admit that a majority of Fortune 500 companies offer same-sex domestic partner benefits.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 112:**

11 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
12 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
13 Plaintiffs lack knowledge or information sufficient to admit or deny this Request.

14 **REQUEST FOR ADMISSION NO. 113:**

15 Admit that the only type of relationship that is capable of producing biological offspring is
16 that between a man and a woman.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 113:**

18 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
19 this Request on the grounds that it is vague and ambiguous, particularly with respect to the phrase
20 “biological offspring.” Subject to the foregoing objections, Plaintiffs deny this Request for
21 Admission.

22 **REQUEST FOR ADMISSION NO. 114:**

23 Admit that less than 40% of same-sex couples in the United States aged 22-55 have children
24 under 18 in the home. R. Bradley Sears, et al., *Same-Sex Couples and Same-Sex Couples Raising*
25 *Children in the United States: Data from Census 2000* at 11.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 114:**

2 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
4 Plaintiffs lack knowledge or information sufficient to admit or deny this Request.

5 **REQUEST FOR ADMISSION NO. 115:**

6 Admit that Sixty-eight percent of married couples aged 22-55 have children under 18 in the
7 home. *Id.*

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 115:**

9 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
10 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
11 Plaintiffs lack knowledge or information sufficient to admit or deny this Request.

12 **REQUEST FOR ADMISSION NO. 116:**

13 Admit that children of same-sex couples are never biologically related to both of their parents.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 116:**

15 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
16 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
17 Plaintiffs deny this Request for Admission.

18 **REQUEST FOR ADMISSION NO. 117:**

19 Admit that children of same-sex couples are less likely to be biologically related to any of
20 their parents than are the children of opposite-sex couples.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 117:**

22 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
23 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
24 Plaintiffs deny this Request for Admission.

25 **REQUEST FOR ADMISSION NO. 118:**

26 Admit that there is a strong natural bond between biological parents and their children.
27
28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 118:**

2 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
3 this Request on the grounds that it is vague and ambiguous. Subject to the foregoing objections,
4 Plaintiffs deny this Request for Admission.

5 **REQUEST FOR ADMISSION NO. 119:**

6 Admit that children have a natural desire to know and have a relationship with their biological
7 parents.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 119:**

9 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
10 this Request on the grounds that it is vague, ambiguous and calls for expert testimony, which is not
11 yet subject to discovery. Subject to the foregoing objections, Plaintiffs deny this Request for
12 Admission.

13 **REQUEST FOR ADMISSION NO. 120:**

14 Admit that international law recognizes that “as far as possible, [a child has the] right to know
15 and be cared for by his or her parents.” United Nations Convention on the Rights of the Child, Art. 7,
16 Nov. 20, 1989, 28 I. L. M. 1448, 1460.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 120:**

18 Plaintiffs incorporate their General Objections as if set forth fully herein. Plaintiffs further
19 object to this Request on the grounds that it is vague and ambiguous, in particular with respect to its
20 use of the terms “international law” and “recognizes” Plaintiffs also object to this Request on the
21 grounds and to the extent that it may not be relevant to any party’s claim or defense in this action or
22 reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing
23 objections, Plaintiffs admit that the United Nations Convention on the Rights of the Child, Art. 7(1)
24 states, in part, “The child shall be registered immediately after birth and shall have the right from
25 birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be
26 cared for by his or her parents.” Except as expressly admitted, Plaintiffs deny this Request for
27 Admission.

28

1 **REQUEST FOR ADMISSION NO. 121:**

2 Admit that many gays and lesbians desire to have biological children.

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 121:**

4 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
5 this Request on the grounds that it is vague and ambiguous, particularly with respect to the word
6 “many.” Subject to the foregoing objections, Plaintiffs admit that, like heterosexual individuals,
7 some gay and lesbian individuals desire to have biological children and some do not. Except as
8 expressly admitted, Plaintiffs deny this Request for Admission.

9 **REQUEST FOR ADMISSION NO. 122:**

10 Admit that by taking advantage of technological advancements and through other means,
11 many gay and lesbian individuals are fulfilling their desires to have biological children.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 122:**

13 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
14 this Request on the grounds that it is vague and ambiguous, particularly with respect to the word
15 “many.” Subject to the foregoing objections, Plaintiffs admit that, like some heterosexual
16 individuals, some gay and lesbian individuals are taking advantage of technological advancements
17 and other means to have biological children. Except as expressly admitted, Plaintiffs deny this
18 Request for Admission.

19 **REQUEST FOR ADMISSION NO. 123:**

20 Admit that from the beginning of California’s statehood, the legal institution of civil marriage
21 has been understood to refer to a relationship between a man and a woman, excepting the brief period
22 of time between the California Supreme Court’s decision in the *Marriage Cases* and the passage of
23 Proposition 8.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 123:**

25 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
26 this Request on the grounds that it is vague, ambiguous and calls for expert testimony, which is not
27 yet subject to discovery. Plaintiffs further object to this Request on the grounds that it is compound.
28 Subject to the foregoing objections, Plaintiffs deny the Request for Admission.

1 **REQUEST FOR ADMISSION NO. 124:**

2 Admit that civil marriage has been a remarkably static institution; that it has rarely changed
3 throughout history, and then only in minor ways; and that despite any changes in its precise contours,
4 it always has been and nearly always still is limited to the union of a man and a woman.

5 **RESPONSE TO REQUEST FOR ADMISSION NO. 124:**

6 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
7 this Request on the grounds that it is vague and ambiguous, particularly with respect to the phrase
8 “remarkably static,” “rarely” and “minor.” Plaintiffs further object to this Request on the grounds
9 that it is compound and calls for expert testimony, which is not yet subject to discovery. Subject to
10 the foregoing objections, Plaintiffs deny the Request for Admission.

11 **REQUEST FOR ADMISSION NO. 125:**

12 Admit that the framers and ratifiers of the 14th Amendment did not intend to require states to
13 extend the institution of marriage to same-sex relationships, nor did they understand the 14th
14 Amendment to do so.

15 **RESPONSE TO REQUEST FOR ADMISSION NO. 125:**

16 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
17 this Request on the grounds that it is vague and ambiguous. Plaintiffs further object to this Request
18 on the grounds that it is compound and calls for expert testimony, which is not yet subject to
19 discovery. Subject to the foregoing objections, Plaintiffs deny Request No. 125.

20 **REQUEST FOR ADMISSION NO. 126:**

21 Admit that at the time of the framing and ratification of the Fourteenth Amendment, civil
22 marriage was uniformly defined in law and understood by the public to encompass only opposite-sex
23 relationships.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 126:**

25 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
26 this Request on the grounds that it is vague and ambiguous, particularly with respect to the phrase
27 “civil marriage” and as to scope. Plaintiffs further object to this Request on the grounds that it is
28 compound and calls for expert testimony, which is not yet subject to discovery. Subject to the

1 foregoing objections, Plaintiffs lack knowledge or information sufficient to admit or deny the
2 Request for Admission.

3 **REQUEST FOR ADMISSION NO. 127:**

4 Admit that dictionaries from the time of the framing and ratification of the 14th Amendment
5 uniformly defined marriage as the union of a man and a woman; and that no dictionary definition of
6 marriage from that time included same-sex relationships.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 127:**

8 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
9 this Request on the grounds that it is vague, ambiguous and calls for expert testimony, which is not
10 yet subject to discovery. Plaintiffs further object to this Request on the grounds that it is compound.
11 Subject to the foregoing objections, Plaintiffs lack knowledge or information sufficient to admit or
12 deny Request No. 127.

13 **REQUEST FOR ADMISSION NO. 128:**

14 Admit that at the time of the framing and ratification of the 14th Amendment, not a single
15 State recognized same-sex relationships as marriages.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 128:**

17 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
18 this Request on the grounds that it is vague, ambiguous and calls for expert testimony, which is not
19 yet subject to discovery. Plaintiffs further object to this Request on the grounds that it is compound.
20 Subject to the foregoing objections, Subject to the foregoing objections, Plaintiffs lack knowledge or
21 information sufficient to admit or deny Request No. 128.

22 **REQUEST FOR ADMISSION NO. 129:**

23 Admit that the debates accompanying the framing and ratification of the 14th Amendment
24 contain no discussion of extending marriage to include same-sex relationships.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 129:**

26 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
27 this Request on the grounds that it is vague and ambiguous. Plaintiffs further object to this Request
28

1 on the grounds that it is compound. Subject to the foregoing objections, Plaintiffs lack knowledge or
2 information sufficient to admit or deny Request No. 129.

3 **REQUEST FOR ADMISSION NO. 130:**

4 Admit that the proponents of Proposition 8 submitted 1,120,801 signatures to the Secretary of
5 State on April 24, 2008 to qualify the initiative for the fall general election ballot.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 130:**

7 Plaintiffs incorporate their General Objections as if fully set forth herein. Subject to the
8 foregoing objections, Plaintiffs lack knowledge or information sufficient to admit or deny Request
9 No. 130.

10 **REQUEST FOR ADMISSION NO. 131:**

11 Admit that Proposition 8 restored the traditional definition of marriage.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 131:**

13 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
14 this Request on the grounds that it is vague and ambiguous, particularly with respect to the words
15 “traditional” and “restored.” Plaintiffs further object to this Request on the grounds that it is
16 compound. Subject to the foregoing objections, Plaintiffs deny this Request for Admission.

17 **REQUEST FOR ADMISSION NO. 132:**

18 Admit that Proposition 8 was intended to restore the traditional definition of marriage.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 132:**

20 Plaintiffs incorporate their General Objections as if fully set forth herein. Plaintiffs object to
21 this Request on the grounds that it is vague and ambiguous, particularly with respect to the words
22 “traditional” and “restored.” Plaintiffs further object to this Request on the grounds that it is
23 compound. Subject to the foregoing objections, Plaintiffs deny this Request for Admission.

24 **REQUEST FOR ADMISSION NO. 133:**

25 Admit that on May 15, 2008, the California Supreme Court decided *In re Marriage Cases*,
26 183 P.3d 384 (Cal. 2008).

27
28

RESPONSE TO REQUEST FOR ADMISSION NO. 133:

Plaintiffs incorporate their General Objections as if set forth fully herein. Subject to the foregoing objections, Plaintiffs admit that the California Supreme Court issued its decision in *In re Marriage Cases*, 183 P.3d 384 (Cal. 2008) on May 15, 2008.

REQUEST FOR ADMISSION NO. 134:

Admit that the California Secretary of State certified Proposition 8 for the November 4, 2008 general election ballot on June 2, 2008.

RESPONSE TO REQUEST FOR ADMISSION NO. 134:

Plaintiffs incorporate their General Objections as if fully set forth herein. Subject to the foregoing objections, Plaintiffs admit that Proposition 8 was certified for the November 4, 2008 general election ballot on June 2, 2008.

12 DATED: September 16, 2009

GIBSON, DUNN & CRUTCHER LLP

14 By: _____
15 /s/Ethan D. Dettmer
Ethan D. Dettmer

16 and

17 BOIES, SCHILLER & FLEXNER LLP

18 David Boies

19 Attorneys for Plaintiffs KRISTIN M. PERRY,
20 SANDRA B. STIER, PAUL T. KATAMI, and
JEFFREY J. ZARRILLO