

# **Exhibit 1**

**Defendant-Intervenors' Privilege Log**  
**for Sample Documents Submitted for *In Camera* Review**  
***Perry v. Schwarzenegger*, No. 09-2292 (N.D. Cal.)**

<u>Doc No.</u>	<u>Bates Range</u>	<u>Priv Call</u>	<u>Doc Type</u>	<u>Date</u>	<u>Author(s)</u>	<u>Recipient(s)</u>	<u>Copyee(s)</u>	<u>Basis of Privilege</u>
Doc. 1	DEF_INT_PRIV_0000112	First Amendment	Email string with attached draft agenda and finance strategy outline	6/26/2008 to 6/27/2008	Frank Schubert, Mark Jansson	Frank Schubert, Mark Jansson, Ron Prentice, Andrew Pugno, Doe 1, Doe 2, Doe 3, Lori Wertz, Jeff Flint, Sarah Pollo, Nancy Limon, Kristy Babb, Doe 4, Steve Linder, Doe 5		Nonpublic document reflects internal discussion and planning about campaign and fundraising strategy and reveals donor/volunteer/member names.
Doc. 2	DEF_INT_PRIV_00001316	First Amendment	Email string with attached draft organizational statement	6/10/2008 to 6/11/2008	Mark Jansson, Andrew Pugno	Mark Jansson, Andrew Pugno, Ron Prentice, Doe 1 and Doe 2		Nonpublic document reflects internal strategy regarding organization of Protect Marriage coalition of supporters, including edits to draft document.
Doc. 3	DEF_INT_PRIV_00001735	First Amendment	Email string	8/5/2008	Frank Schubert, Jennifer Kerns	Frank Schubert, Jennifer Kerns, Jeff Flint	Ron Prentice, Andrew Pugno, Mark Jansson, Doe 1	Nonpublic document reflects discussion of campaign messaging.
Doc. 4	DEF_INT_PRIV_00003641	First Amendment	Email string with attached draft ad script	8/31/2008 to 9/1/2008	Frank Schubert, Doe 1, Gary Lawrence, Jeff Flint, Mark Jansson	Ron Prentice, Andrew Pugno, Doe 1, Doe 2, Mark Jansson, Frank Schubert, Gary Lawrence, Jeff Flint	Jeff Flint	Nonpublic document reflects edits to draft television ad with copy of draft ad.
Doc. 5	DEF_INT_PRIV_000042	First Amendment and Attorney Work Product	Web page message		Andy Pugno			Nonpublic document reflects draft statement regarding Protect Marriage.com created by counsel to campaign.
Doc. 6	DEF_INT_PRIV_00004349	First Amendment	Email string with attached draft flyers and messaging strategy memo	10/11/2008 to 10/16/2008	Doe 1, Doe 2	Marc Jansson, Doe 1, Doe 3, Doe 4		Nonpublic document reveals internal campaign messaging strategy discussions and edits to messaging. Reveals anonymous volunteer names.
Doc. 7	DEF_INT_PRIV_00005063	First Amendment	Email string with attachment (draft messages)	6/25/2008	Frank Schubert	Jeff Flint, Andrew Pugno, Mark Jansson, Gary Lawrence, and Doe 1		Nonpublic document reflects draft messaging related to Proposition 8, including edits to potential message.
Doc. 8	DEF_INT_PRIV_00006469	First Amendment	Email string	6/13/2008	Ron Prentice, Mark Jansson	Mark Jansson, Ron Prentice, Andrew Pugno, Doe 1 and Doe 2		Nonpublic document reflects internal discussions and planning about campaign messaging and strategy.

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Doc. 9	DEF_INT_PRIV_00007073	First Amendment	Email string	8/15/2008	Doe 1	Ron Prentice, Jeff Flint, Frank Schubert, Doe 2, Doe 3, Doe 4		Nonpublic document reflects internal discussion about possible messaging and outreach; also religious association.
Doc. 10	DEF_INT_PRIV_000074	First Amendment	Email string	9/22/2008 to 9/23/2008	Ron Prentice, Frank Schubert	Frank Schubert, Andrew Pugno, Mark Jansson, Doe 1, Jeff Flint, Doe 2		Nonpublic document reflects internal messaging strategy discussions.
Doc. 11	DEF_INT_PRIV_00007578	First Amendment	Email with attached campaign strategy documents	10/5/2008	Ron Prentice	Doe 1, Andrew Pugno, Mark Jansson, Doe 2		Nonpublic document reflects internal campaign strategy and messaging discussions.
Doc. 12	DEF_INT_PRIV_00007980	First Amendment and Attorney-Client Communication	Email with attached voter guide	7/22/2008	Frank Schubert	Andrew Pugno, Ron Prentice, Mark Jansson, Doe 1, Doe 2, Doe 3, Jeff Flint, Sarah Pollo, Nancy Limon, Gary Lawrence		Nonpublic document reflects internal discussion regarding arguments in response to official voter guide. Also reflects legal advice of counsel and request for additional legal advice.
Doc. 13	DEF_INT_PRIV_00008182	First Amendment and Attorney-Client Communication	Email	2/22/2007	Andrew Pugno	Doe 1, Doe 2, Mark Jansson, Doe 3, Doe 4, Doe 5, Doe 6	Doe 7	Nonpublic document reflects internal discussion about marriage amendment language. Also reflects legal advice of counsel to campaign.
Doc. 14	DEF_INT_PRIV_00008384	First Amendment	Email string	6/13/2008	Ron Prentice, Andrew Pugno	Andrew Pugno, Ron Prentice	Doe 1, Doe 2, Mark Jansson, Doe 3, Frank Schubert, Jeff Flint, Doe 4	Nonpublic document reflects internal discussion about campaign strategy, reveals volunteer names.
Doc. 15	DEF_INT_PRIV_00008586	First Amendment	Email	9/23/2008 to 9/24/2008	Ron Prentice; Doe 1	Doe 1; Ron Prentice		Nonpublic document reflects internal discussion regarding campaign strategy and fundraising, and reveals volunteers names.
Doc. 16	DEF_INT_PRIV_00008793	First Amendment	Email string	6/26/2008 to 7/1/2008	Doe 1, Doe 2, Ron Prentice, Doe 3, Frank Schubert	Ron Prentice, Andrew Pugno, Doe 2, Doe 1, Doe 3, Steve Linder	Jeff Flint, Frank Schubert, Andrew Pugno, Doe 2	Nonpublic document reflects internal discussion and planning about campaign fundraising strategy and reveals donors and/or anonymous volunteers' identities.

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Doc. 17	DEF_INT_PRIV_000094	First Amendment	Email string	10/9/2008 to 10/10/2008	Doe 1, Gary Lawrence	Gary Lawrence, Doe 2, Frank Schubert, Jeff Flint		Nonpublic document reflects internal discussion about effectiveness of Prop. 8 ad and reveals intentions and political convictions of a California voter unaffiliated with campaign.
Doc. 18	DEF_INT_PRIV_000095101	First Amendment	Email string	10/31/2008 to 11/1/2008	Ron Prentice, Doe 1, Frank Schubert, Jeff Flint, Andrew Pugno	Frank Schubert, Doe 1, Ron Prentice, Jeff Flint, Andrew Pugno	Andrew Pugno, Jeff Flint	Nonpublic document reflects internal discussion and planning regarding fundraising strategy.
Doc. 19	DEF_INT_PRIV_000102103	First Amendment	Email string	9/9/2008	Mark Jansson, Ron Prentice	Gary Lawrence, Doe 1		Nonpublic document reflects internal discussion regarding campaign strategy; reveals volunteers' names.
Doc. 20	DEF_INT_PRIV_000104107	First Amendment	Email string	9/19/2008 to 9/20/2008	Mark Jansson, Frank Schubert, Ron Prentice	Frank Schubert, Mark Jansson,	Jeff Flint	Nonpublic document reflects internal discussion and planning about campaign strategy and messaging; reveals the names of volunteers.
Doc. 21	DEF_INT_PRIV_000108115	First Amendment	Email with attached draft campaign strategy memo	10/5/2008	Mark Jansson	Andrew Pugno, Doe 1, Doe 2, and Ron Prentice		Nonpublic document reflects internal discussions and planning regarding campaign strategy and messaging. Reveals anonymous volunteers' names.
Doc. 22	DEF_INT_PRIV_000116127	First Amendment	Email string with attachments	10/3/2008 to 10/4/2008	Doe 1, Doe 2, Mark Jansson	Doe 2, Doe 3, Mark Jansson, Andrew Pugno, Doe 5, Doe 6, Ron Prentice, Frank Schubert, Jeff Flint, Jennifer Kerns	Doe 4	Nonpublic document reflects internal discussions and planning about campaign strategy and messaging. Reveals anonymous volunteers' names.
Doc. 23	DEF_INT_PRIV_000128129	First Amendment	Email string	9/17/2008	Jennifer Kerns, Frank Schubert	Jennifer Kerns, Frank Schubert, Ron Prentice, Andrew Pugno, Mark Jansson		Nonpublic document reflects internal discussions and planning regarding campaign strategy and messaging related to field poll on Proposition 8
Doc. 24	DEF_INT_PRIV_000130132	First Amendment	Email string	7/1/2008	Gary Lawrence, Frank Schubert	Frank Schubert, Gary Lawrence, Jeff Flint, Ron Prentice, Andy Pugno		Nonpublic document reflects internal discussions and planning regarding polling data and messaging strategy
Doc. 25	DEF_INT_PRIV_000133134	First Amendment	Email string	6/17/2008	Doe 1; Ron Prentice	Ron Prentice; Doe 1	Andrew Pugno, Mark Jansson, Doe 1 and Doe 2	Nonpublic document reflects internal discussion and planning about campaign strategy; reveals anonymous volunteers' names.

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Doc. 26	DEF_INT_PRIV_000135 138	First Amendment	Draft memo			Mark Jansson		Nonpublic document reveals internal planning about campaign strategy related to get-out-the-vote efforts and coordination with affiliated groups and individuals.
Doc. 27	DEF_INT_PRIV_000139 140	First Amendment	Draft argument	7/2/2008	Andy Pugno			Nonpublic document reflects internal edits to ballot argument.
Doc. 28	DEF_INT_PRIV_000141 160	First Amendment	Email with attached agenda, weekly contribution tally report, budgets, polls, fraft ad scripts	9/18/2008	Frank Schubert	Ron Prentice, Andrew Pugno, Doe 1, Doe 2, Doe 3, Doe 4, Doe 5, Mark Jansson, Jeff Flint, Gary Lawrence, and Steve Linder		Nonpublic documents reflect internal discussion and planning regarding messaging and campaign strategy.
Doc. 29	DEF_INT_PRIV_000161 162	First Amendment	Flyer		Anonymous			Anonymous political speech.
Doc. 30	DEF_INT_PRIV_000163 198	First Amendment	Email string with attached draft campaign strategy proposal	6/5/2008	Andrew Pugno	Ron Prentice, Doe 1, Doe 2, Mark Jansson, Doe 3 and Doe 4		Nonpublic document reveals internal discussions and planning about campaign strategy and messaging; reveals the names of anonymous volunteers.
Doc. 31	DEF_INT_PRIV_000199 201	First Amendment	Email string	5/28/2008	Doe 1, Doe 6, Doe 2	Ron Prentice, Doe 1, Doe 2, Doe 3, Andrew Pugno, Doe 4, Doe 5, Doe 6, Doe 7 and Doe 8		Nonpublic document reveals internal discussions and planning about campaign strategy and messaging; reveals the names of anonymous volunteers/supporters of Prop. 8 campaign.
Doc. 32	DEF_INT_PRIV_000202 207	First Amendment	Email with attached volunteer instructions and grassroots strategy	8/14/2008	Doe 1	Multiple Doe volunteers and Mark Jansson		Nonpublic document reveals internal discussion and planning related to campaign strategy.
Doc. 33	DEF_INT_PRIV_000208	First Amendment	Email	8/19/2008	Jennifer Kerns	Mark Jansson	Doe 1	Nonpublic document reflects internal discussion about associational activity and reveals name of anonymous volunteer.
Doc. 34	DEF_INT_PRIV_000209 211	First Amendment	Email	8/19/2008	Frank Schubert	Doe 1	Jeff Flint, Mark Jansson, Nancy Limon	Nonpublic document reflects internal discussion and planing related to campaign strategy and messaging; reveals the names of anonymous volunteers.

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Doc. 35	DEF_INT_PRIV_000212 214	First Amendment	Email string	8/20/2008	Doe 1, Ron Prentice, Frank Schubert	Ron Prentice, Doe 2, Andrew Pugno, Doe 3, Doe 4, Mark Jansson	Frank Schubert, Jeff Flint	Nonpublic document reveals internal campaign strategy and discussions about same.
Doc. 36	DEF_INT_PRIV_000215 218	First Amendment	Email with attached Committee meeting minutes	9/10/2008	Sarah Pollo	Doe 1, Doe 2, Doe 3, Doe 4, Delepine Tiffany, Frank Schubert, Jeff Flint, Doe 5, Doe 6, Mark Jansson, Doe 7, Doe 8, Doe 9, Doe 10, Nancy Limon, Doe 11, Ron Prentice, Steve Linder, Doe 12 and Doe 13		Nonpublic document reveals internal discussion and planning regarding campaign strategy and messaging; reveals anonymous volunteers' names.
Doc. 37	DEF_INT_PRIV_000219 231	First Amendment	Email with attached survey questionnaire	9/24/2008	Frank Schubert	Ron Prentice, Andrew Pugno, Doe 1, Mark Jansson, Doe 2, Doe 3, Doe 4, Jeff Flint, Gary Lawrence		Nonpublic document reveals internal planning and discussion about campaign strategy.
Doc. 38	DEF_INT_PRIV_000232 248	First Amendment	Email string with attached Grassroot and Get Out the Vote draft proposal	7/29/2008 to 7/30/2008	Doe 1	Doe 2, Doe 3, Doe 4, Doe 5, Doe 6, Doe 7, Doe 8, Frank Schubert, Jeff Flint, Ron Prentice, Doe 9, Doe 10; Doe 11		Nonpublic document reveals internal discussion and planning regarding campaign strategy.
Doc. 39	DEF_INT_PRIV_000249 254	First Amendment	Email with attached spreadsheet listing names of potential donors	8/2/2008	Doe 1	Doe 2 and Ron Prentice		Nonpublic document reveals internal discussion and planning regarding campaign strategy; reveals volunteers' and potential donors' names.
Doc. 40	DEF_INT_PRIV_000255 256	First Amendment	Email	10/7/2008	Jeff Flint	Ron Prentice, Andrew Pugno, Doe 1, Doe 2 and Mark Jansson	Frank Schubert	Nonpublic documents reveals internal discussion and planning regarding campaign strategy.
Doc. 41	DEF_INT_PRIV_000257 258	First Amendment	Email with attached letter to potential donors	3/14/2008	Ron Prentice	Doe 1, Doe 2	Doe 3, Doe 4, Doe 5; Mark Jansson, Frank Schubert, Jeff Flint	Nonpublic document reveals names of supporters of campaign and reflects nonpublic communications with same.
Doc. 42	DEF_INT_PRIV_000260 261	First Amendment	Email	10/16/2008	Doe 1	Ron Prentice, Doe 2, Frank Schubert, Jeff Flint	Doe 3, Gary Lawrence; Doe 4 and Doe 5	Nonpublic document reflects internal discussion and planning regarding campaign strategy; reveals anonymous volunteer names.
Doc. 43	DEF_INT_PRIV_000262 263	First Amendment	Email	8/13/2008	Doe 1	Frank Schubert	Ron Prentice, Jeff Flint, Doe 2, Andrew Pugno, and Doe 3	Nonpublic document reflects internal discussion and planning regarding campaign strategy; reveals identity of potential donor

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Doc. 44	DEF_INT_PRIV_000264 267	First Amendment	Email string	7/27/2008	Steve Linder, Doe 3, Doe 1	Ron Prentice, Doe 1, Doe 2, Doe 3, Steve Linder, Doe 4		Nonpublic document reflects internal campaign strategy and discussions and reveals volunteers' names and potential donors' names.
Doc. 45	DEF_INT_PRIV_000268 269	First Amendment	Email with attached marriage amendment drafts	3/29/2007	Andrew Pugno	Doe 1, David Bauer, Doe 2, Doe 3, Mark Jansson, Doe 4, Doe 5, and Ron Prentice		Nonpublic document reveals internal discussion regarding proposed constitutional amendment.
Doc. 46	DEF_INT_PRIV_000270 274	First Amendment and Attorney Client	Email with attached instructions related to petitions	3/12/2008	Andrew Pugno	Doe 1	Doe 2, Doe 3, Ron Prentice, Doe 4	Nonpublic documents reveal internal discussion and planning related to getting Proposition 8 on ballot; reflects legal advice regarding validating petitions.
Doc. 47	DEF_INT_PRIV_000275 279	First Amendment	Email with attached campaign strategy documents	6/7/2008	Mark Jansson	Doe 1	Ron Prentice, Andrew Pugno, Doe 2, Doe 3	Nonpublic documents reveal internal discussions and planning related to campaign strategy and messaging.
Doc. 48	DEF_INT_PRIV_000280 282	First Amendment	Email string	6/16/2008 to 6/17/2008	Doe 1, Andrew Pugno	Andrew Pugno, Ron Prentice, Jeff Flint, Doe 1		Nonpublic document reveals internal discussion and planning about messaging
Doc. 49	DEF_INT_PRIV_000283 286	First Amendment and Attorney- Client Communicatio n	Email string	12/6/2007 to 1/3/2008	Doe 1, Doe 2	Ron Prentice, Joe Infranco	Doe 2, Doe 3, Doe 4, Andy Pugno, Doe 5, Ron Prentice	Nonpublic document reveals internal discussions and planning about content of campaign website. Also contains legal advice regarding wording.
Doc. 50	DEF_INT_PRIV_000297 289	First Amendment	Email with attached draft ballot argument	7/1/2008	Gary Lawrence	Frank Schubert, Jeff Flint, Andrew Pugno, Ron Prentice		Nonpublic document reveals internal discussion regarding polling and draft ballot argument.
Doc. 51	DEF_INT_PRIV_000290 296	First Amendment	Email with attached Marriage Pledge Rally Flow of Events	10/20/2008	Frank Schubert	Doe 1, Ron Prentice, Mark Jansson, Andrew Pugno	Jeff Flint, Sonja Eddings Brown, Chip White, Cherri Spriggs Hernandez	Nonpublic document reveals discussion and planning related to campaign strategy and messaging.
Doc. 52	DEF_INT_PRIV_000297 300	First Amendment	Email	10/16/2008	Doe 1	Frank Schubert, Jeff Flint, Doe 2, Ron Prentice, Andrew Pugno, Mark Jansson	Doe 3, Doe 4, Doe 5, Doe 6, Doe 7, Doe 8, Doe 9, Doe 10	Nonpublic document reveals internal discussion and planning related to campaign strategy.
Doc. 53	DEF_INT_PRIV_000301 313	First Amendment	Grassroots strategic planning memo	7/10/008				Nonpublic document reveals internal campaign strategy

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Doc. 54	DEF_INT_PRIV_000314 317	First Amendment	Email string	10/3/2008 to 10/8/2008	Doe 1, Doe 2, Frank Schubert	Doe 2, Doe 1, Jeff Flint, Frank Schubert, Andrew Pugno, Ron Prentice, Doe 3, Mark Jansson	Jeff Flint, Andrew Pugno, Ron Prentice, Doe 3, Mark Jansson	Nonpublic document reveals internal discussion and planning regarding messaging; reveals volunteers' and potential supporters' names.
Doc. 55	DEF_INT_PRIV_000318 322	First Amendment	Email string with attached draft press release	10/23/2008	Chip White, Frank Schubert, Jeff Flint	Jeff Flint, Doe 1, Frank Schubert, Doe 2, Chip White	Doe 3, Andrew Pugno	Nonpublic document reveals internal discussion about and edits to eventual press release.
Doc. 56	DEF_INT_PRIV_000323 325	First Amendment	Email string	9/12/2008 to 9/13/2008	Frank Schubert, Doe 5, Andrew Pugno	Ron Prentice, Andrew Pugno, Doe 1, Doe 2, Doe 3, Mark Jansson, Gary Lawrence, Jeff Flint, Doe 4, Doe 5		Nonpublic document reveals internal discussion and editing regarding content of messaging.
Doc. 57	DEF_INT_PRIV_000326 343	First Amendment	Email string with attached draft phone script	6/27/2008	Gary Lawrence, Frank Schubert, Andrew Pugno	Andrew Pugno, Ron Prentice, Frank Schubert, Jeff Flint		Nonpublic document reveals internal discussion, planning, and editing with regard to polling.
Doc. 58	DEF_INT_PRIV_000344 354	First Amendment	Memo					Nonpublic document reveals internal post-election analysis of strategy and messaging.
Doc. 59	DEF_INT_PRIV_000355 356	First Amendment	Email	11/14/2008	Doe 1	Andrew Pugno; Doe 2, Mark Jansson, Ron Prentice, Sonja Brown		Nonpublic document reveals internal post-election analysis of strategy and messaging.
Doc. 60	DEF_INT_PRIV_000357	First Amendment	Draft					Nonpublic draft of internal television ad script never publicly aired or distributed.