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

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

17 KRISTIN M. PERRY, SANDRA B. STIER,  
18 PAUL T. KATAMI, and JEFFREY J.  
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  
State Registrar of Vital Statistics; LINETTE  
24 SCOTT, in her official capacity as Deputy  
Director of Health Information & Strategic  
25 Planning for the California Department of Public  
Health; PATRICK O'CONNELL, in his official  
26 capacity as Clerk-Recorder for the County of  
Alameda; and DEAN C. LOGAN, in his official  
27 capacity as Registrar-Recorder/County Clerk for  
the County of Los Angeles,

28 Defendants.

CASE NO. 09-CV-2292 VRW

**STIPULATION AND [PROPOSED] ORDER  
REGARDING RULE 26 DISCLOSURES**

1 WHEREAS, the parties met and conferred repeatedly on case management issues and  
2 submitted extensive case management statements in advance of the Court’s August 19, 2009 case  
3 management conference; and

4 WHEREAS, on August 19, 2009, the Court issued an order setting November 30, 2009 as the  
5 deadline for the parties to complete discovery in this case, and, accordingly, the parties immediately  
6 began serving and responding to discovery; and

7 WHEREAS, the parties believe that the initial disclosures required by Federal Rule of Civil  
8 Procedure 26 have been or will be made through the course of the expedited discovery process; and

9 WHEREAS, given the parties’ continuing efforts to complete discovery by the deadline set by  
10 the Court, the parties believe that the initial disclosures required by Federal Rule of Civil Procedure  
11 26 have been or will be made through the course of the expedited discovery process.

12 NOW, THEREFORE, the parties, through their respective counsel of record, hereby stipulate  
13 and agree, and ask the Court to enter an order pursuant to Federal Rule of Civil Procedure 26(f)(1) as  
14 follows:

- 15 1. No Party is required to provide initial disclosures pursuant to Federal Rule of Civil
- 16 Procedure 26(a)(1);
- 17 2. The parties are not required to file a separate report pursuant to Rule 26(f)(2); and
- 18 3. If the Court later determines that Rule 26 disclosures should be made or a separate
- 19 Rule 26 report should be filed, the parties will meet and confer and will exchange Rule 26 disclosures
- 20 and file a separate Rule 26 report within 10 days of the Court’s direction.

21 DATED: November 25, 2009

GIBSON, DUNN & CRUTCHER LLP

22 By: \_\_\_\_\_ /s/  
23 Ethan Dettmer

24 and

25 BOIES, SCHILLER & FLEXNER LLP

26 David Boies

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

1 DATED: November 12, 2009

OFFICE OF THE CITY ATTORNEY

2 By: \_\_\_\_\_ /s/  
3 Ronald Flynn

4 Attorneys for Plaintiff-Intervenor  
CITY AND COUNTY OF SAN FRANCISCO

5 DATED: November 10, 2009

COOPER AND KIRK, PLLC

6 By: \_\_\_\_\_ /s/  
7 Nicole Moss

8 Attorneys for Defendant-Intervenors  
9 PROPOSITION 8 OFFICIAL PROPONENTS; and  
10 PROTECTMARRIAGE.COM – YES ON 8, A  
PROJECT OF CALIFORNIA RENEWAL

11 DATED: November 9, 2009

OFFICE OF THE ATTORNEY GENERAL

12 By: \_\_\_\_\_ /s/  
13 Tamar Pachter

14 Attorneys for Defendant  
ATTORNEY GENERAL EDMUND G. BROWN, JR.

15 DATED: November 12, 2009

MENNEMEIER, GLASSMAN & STROUD LLP

16 By: \_\_\_\_\_ /s/  
17 Kenneth C. Mennemeier

18 Attorneys for Defendants ARNOLD  
19 SCHWARZENEGGER, MARK B. HORTON, and  
20 LINETTE SCOTT (the “Administration Defendants”)

21 DATED: November 12, 2009

THE OFFICE OF THE COUNTY COUNSEL

22 By: \_\_\_\_\_ /s/  
23 Manuel F. Martinez

24 Attorneys for Defendant PATRICK O’CONNELL,  
Clerk-Recorder for the County of Alameda

25 DATED: September 9, 2009

THE OFFICE OF COUNTY COUNSEL

26 By: \_\_\_\_\_ /s/  
27 Judy Whitehurst

28 Attorneys for Defendant DEAN C. LOGAN,  
Recorder/County Clerk for the County of Los Angeles

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_

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HON. VAUGHN R. WALKER  
United States District Chief Judge

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**ATTESTATION PURSUANT TO GENERAL ORDER NO. 45**

Pursuant to General Order No. 45 of the Northern District of California, I attest that concurrence in the filing of the document has been obtained from each of the other signatories to this document.

By: /s/ Enrique A. Monagas  
Enrique A. Monagas

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