

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

No C 09-2292 VRW  
ORDER

Plaintiffs,

CITY AND COUNTY OF SAN FRANCISCO,

Plaintiff-Intervenor,

v

ARNOLD SCHWARZENEGGER, in his  
official capacity as governor of  
California; EDMUND G BROWN JR, in  
his official capacity as attorney  
general of California; MARK B  
HORTON, in his official capacity  
as director of the California  
Department of Public Health and  
state registrar of vital  
statistics; LINETTE SCOTT, in her  
official capacity as deputy  
director of health information &  
strategic planning for the  
California Department of Public  
Health; PATRICK O'CONNELL, in his  
official capacity as clerk-  
recorder of the County of  
Alameda; and DEAN C LOGAN, in his  
official capacity as registrar-  
recorder/county clerk for the  
County of Los Angeles,

Defendants,

DENNIS HOLLINGSWORTH, GAIL J  
KNIGHT, MARTIN F GUTIERREZ,  
HAKSHING WILLIAM TAM, MARK A  
JANSSON and PROTECTMARRIAGE.COM -  
YES ON 8, A PROJECT OF  
CALIOFORNIA RENEWAL, as official  
proponents of Proposition 8,

Defendant-Intervenors.

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1 Plaintiffs and proponents continue to dispute the  
2 appropriate scope of discovery. Doc ##314, 325. The dispute  
3 involves plaintiffs' request for documents and depositions of the  
4 defendant-intervenors. Resolution of the dispute appears to call  
5 for court involvement. The court will discuss the deposition  
6 dispute at the January 6, 2010 hearing previously scheduled by the  
7 clerk with counsel for 10 AM that day. With regard to the dispute  
8 about plaintiffs' document requests, the court pursuant to 28 USC  
9 § 636(b)(1)(A) refers the matter to Magistrate Judge Joseph Spero  
10 for appropriate hearing and resolution.

11 Furthermore, in light of the recent change to the Ninth  
12 Circuit Judicial Council's policy regarding cameras in district  
13 courts and the subsequent amendment of Civil LR 77-3 to conform  
14 with Ninth Circuit policy, the court is considering seeking  
15 approval from Chief Judge Kozinski to record or webcast the January  
16 6 hearing. This request would be limited to the January 6 hearing  
17 and would be without prejudice to a party's objections to recording  
18 or webcasting the trial proceedings. Recording the January 6  
19 hearing would allow the parties to view the resulting video and,  
20 therefore, inform the parties' positions regarding any potential  
21 webcast or broadcast of the trial proceedings. It would also, of  
22 course, be helpful to the court in deciding whether to permit  
23 recording or webcasting the trial proceedings. If any party  
24 objects to this limited recording of the January 6 hearing, that  
25 party should so inform the court not later than January 4, 2010.

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27 IT IS SO ORDERED.



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VAUGHN R WALKER  
United States District Chief Judge

**United States District Court**  
For the Northern District of California

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