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The Honorable Vaughn R. Walker
Chief Judge of the United States District Court
for the Northern District of California
450 Golden Gate Ave.
San Francisco, CA 94102

Re: *Perry v. Schwarzenegger, et al.*, N.D. Cal. Case No. C-09-2292 VRW

Dear Chief Judge Walker:

I write on behalf of Defendant-Intervenors and in response to the Court's order dated December 30, 2009. The order states that "the court is considering seeking approval from Chief Judge Kozinski to record or webcast the January 6 hearing" concerning the issue of whether to televise further proceedings in this case. Doc # 332 at 2. For the reasons previously submitted to the Court, *see* Doc #s 218, 324, 326, Defendant-Intervenors respectfully object to the recording or webcasting of the January 6 hearing. Moreover, the Court's December 30 order cites as authority "the ... amendment of Civil LR 77-3." Doc # 332 at 2. During the afternoon of December 31, however, notice of the amendment was removed from the Court's website. In its place was posted a "Notice Concerning Proposed Revision of Civil Local Rule 77-3." Accordingly, it appears that, as of today, this Court's current Local Rules still prohibit the recording or public broadcast of proceedings in the courthouse. Defendant-Intervenors thus respectfully submit that the Court is obliged to abide by this prohibition.

Respectfully submitted,

/s/ Charles J. Cooper

Charles J. Cooper

Counsel for Defendant-Intervenors

Cc: Counsel of Record