

1 OFFICE OF THE COUNTY COUNSEL
ELIZABETH M. CORTEZ, Assistant County Counsel
2 JUDY W. WHITEHURST, Principal Deputy County Counsel
(SBN 182855) • *jwhitehurst@counsel.lacounty.gov*
3 648 Kenneth Hahn Hall of Administration
500 West Temple Street
4 Los Angeles, California 90012-2713
Telephone: (213) 974-1845 · Fax: (213) 617-7182

5 Attorneys for DEAN C. LOGAN,
6 LOS ANGELES REGISTRAR-
RECORDER/COUNTY CLERK

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10
11 KRISTIN M. PERRY, SANDRA B. STIER,
PAUL T. KATAMI, and JEFFREY J.
12 ZARRILLO,

13 Plaintiffs,

14 v.

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

23 Defendants.
24
25
26
27
28

CASE NO. 09-CV-2292 VRW

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING
ATTENDANCE OF TRIAL BY
DEFENDANT DEAN C. LOGAN,
LOS ANGELES COUNTY
REGISTRAR-
RECORDER/COUNTY CLERK**

Trial Date: January 11, 2010

Action Filed: May 27, 2009

1 PROPOSITION 8 OFFICIAL PROPONENTS
2 DENNIS HOLLINGSWORTH, GAIL J.
3 KNIGHT, MARTIN F. GUTIERREZ,
4 HAKSHING WILLIAM TAM, and MARK A.
5 JANSSON; and PROTECTMARRIAGE.COM-
6 YES ON 8, A PROJECT OF CALIFORNIA
7 RENEWAL,

8 Defendant-Intervenors,

9 CITY AND COUNTY OF SAN FRANCISCO,

10 Plaintiff-Intervenor,

11 v.

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

28 Defendants.

19 WHEREAS, the Los Angeles County Registrar-Recorder/County Clerk's Dean C.
20 Logan ("Los Angeles County Clerk"), has stated in his trial memorandum filed on
21 December 4, 2009, that he takes no position on the merits of the case as to the validity of
22 Proposition 8.

23 WHEREAS, in the same trial memorandum, Defendant Los Angeles County Clerk
24 further indicated that he does not intend on presenting any evidence or argument on the
25 merits, but reserves the right to provide a defense as to any specific wrongdoing as to him.

1 NOW, THEREFORE, the parties, through their respective counsel of record, do
2 hereby stipulate and agree, and ask the Court to enter an order pursuant to Federal Rule of
3 Civil Procedure 16 as follows:

4 1. The attendance at trial by counsel of record for Defendant Dean C. Logan,
5 the Los Angeles County Clerk, will not be necessary, but Defendant Logan's counsel may
6 attend the hearing, as budgetary restraints permit, for selected arguments.

7 2. Defendant County Registrar will continue to be served in the normal practice
8 throughout the proceedings.

9 3. Defendant County Registrar will be bound by the final judgment of the
10 Court in this matter.

11 IT IS SO STIPULATED.

12

13 DATED: January 7, 2010

OFFICE OF THE COUNTY COUNSEL

14

By /s/ _____

15

Judy W. Whitehurst

16

Principal Deputy County Counsel

17

Attorneys for DEAN C. LOGAN,
LOS ANGELES REGISTRAR-
18 RECORDER/COUNTY CLERK

18

19

20 DATED: January 7, 2010

GIBSON, DUNN & CRUTCHER LLP

21

By /s/ _____

22

Christopher Dusseault

23

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

24

25

26

27

28

1 DATED: January 7, 2010
8

OFFICE OF THE CITY ATTORNEY

2

By /s/
Therese Stewart

3

4

Attorneys Plaintiff-Intervenor CITY AND
COUNTY OF SAN FRANCISCO

5

6 DATED: January 7, 2010

COOPER AND KIRK, PLLC

7

By /s/
David Thompson

8

9

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

10

11

12 DATED: January 7, 2010

LAW OFFICE OF TERRY L. THOMPSON

13

By /s/
Terry L. Thompson

14

15

Attorney for Defendant-Intervenors
HAK-SHING WILLIAM TAN

16

17

18 DATED: January 7, 2010

OFFICE OF THE ATTORNEY GENERAL

19

By /s/
Tamar Pachter

20

21

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

22

23 DATED: January 7, 2010

MENNEMEIER, GLASSMAN & STROUD LLP

24

By /s/
Andrew W. Stroud

25

26

Attorneys for Defendants ARNOLD
SCHWARZENEGGER, MARK B. HORTON,
and LINETTE SCOTT (the "Administration
Defendants")

27

28

1 DATED: January 7, 2010

OFFICE OF THE COUNTY COUNSEL

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By /s/ _____
Claude F. Kolm
Deputy County Counsel

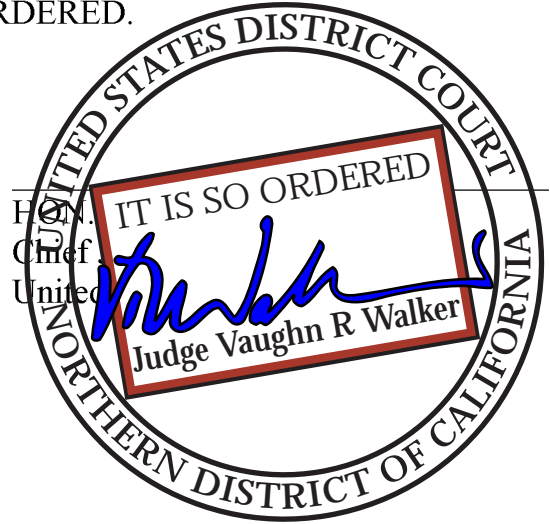
Attorneys for Defendant PATRICK
O'CONNELL, Clerk Recorder for the County of
Alameda

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 11, 2010



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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/
Judy W. Whitehurst
Principal Deputy County Counsel

DECLARATION OF SERVICE
Case No. 09-CV-02292 VRW

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA, County of Los Angeles:

Hazel T. Bataclan states: I am employed in the County of Los Angeles, State of California, over the age of eighteen years and not a party to the within action. My business address is 648 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012-2713.

That on January 7, 2010, I served the attached

**DEAN C. LOGAN, LOS ANGELES COUNTY REGISTRAR-RECORDER
COUNTY CLERK'S STATEMENT OF NON-OPPOSITION IN RESPONSE TO
COUNTY OF IMPERIAL OF THE STATE OF CALIFORNIA, BOARD OF
SUPERVISORS OF IMPERIAL COUNTY AND ISABEL VARGAS'S MOTION TO
INTERVENE**

upon the non-ECP Participating Interested Party(ies) by placing the original a true copy thereof enclosed in a sealed envelope addressed as follows as stated on the attached list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 7, 2010, at Los Angeles, California.

Hazel T. Bataclan

/s/ Hazel T. Bataclan

Signature

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SERVICE LIST

(**BY MAIL**) by sealing and placing the envelope for collection and mailing on the date and at the place shown above following our ordinary business practices. I am readily familiar with this office’s practice of collection and processing correspondence for mailing. Under that practice the correspondence would be deposited with the United States Postal Service that same day with postage thereon fully prepaid.

David Boies
BOIES SCHILLER & FLEXNER LLP
1999 Harrison Street, Suite 900
Oakland, CA 94612

Jesse Panuccio
COOPER & KIRK PLLC
1523 New Hampshire Avenue N.W.
Washington, D.C. 20036

Michael W. Kirk
Cooper & Kirk PLLC
1523 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Rena M Lindevaldsen
Liberty Counsel
100 Mountainview Road, Suite 2775
Lynchburg, VA 24502

Theane Evangelis Kapur
GIBSON DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071

Tobias Barrington Wolff
University of Pennsylvania Law School
3400 Chestnut Street
Philadelphia, PA 19104-6204