

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,

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.

No C 09-2292 VRW  
ORDER

1           During the first day of trial, the court asked counsel  
2 for the Attorney General to explain how Proposition 8 was placed on  
3 the 2008 ballot despite the Attorney General's position that  
4 Proposition 8 is unconstitutional. Counsel for the Attorney  
5 General agreed to provide the court a memorandum in response.

6           The Attorney General is DIRECTED to file a memorandum in  
7 response to the court's question not later than January 14, 2010 at  
8 5 PM. Any party wishing to respond to the Attorney General's  
9 memorandum shall do so not later than January 19, 2010 at 5 PM.

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11           IT IS SO ORDERED.

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16 VAUGHN R WALKER  
17 United States District Chief Judge  
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