

1 GIBSON, DUNN & CRUTCHER LLP
Theodore B. Olson, SBN 38137
2 *tolson@gibsondunn.com*
Matthew D. McGill, *pro hac vice*
3 1050 Connecticut Avenue, N.W., Washington, D.C. 20036
Telephone: (202) 955-8668, Facsimile: (202) 467-0539

4 Theodore J. Boutrous, Jr., SBN 132009
tboutrous@gibsondunn.com
5 Christopher D. Dusseault, SBN 177557
Ethan D. Dettmer, SBN 196046
6 333 S. Grand Avenue, Los Angeles, California 90071
Telephone: (213) 229-7804, Facsimile: (213) 229-7520

7 BOIES, SCHILLER & FLEXNER LLP
David Boies, *pro hac vice*
8 *dboies@bsflp.com*
333 Main Street, Armonk, New York 10504
9 Telephone: (914) 749-8200, Facsimile: (914) 749-8300

Jeremy M. Goldman, SBN 218888
10 *jgoldman@bsflp.com*
1999 Harrison Street, Suite 900, Oakland, California 94612
11 Telephone: (510) 874-1000, Facsimile: (510) 874-1460

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

13 Dennis J. Herrera, SBN 139669
14 Therese M. Stewart, SBN 104930
Danny Chou, SBN 180240

15 One Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4682
16 Telephone: (415) 554-4708, Facsimile (415) 554-4699

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

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**

20 KRISTIN M. PERRY, *et al.*,
21 Plaintiffs,
22 and
23 CITY AND COUNTY OF SAN FRANCISCO,
Plaintiff-Intervenor,
24 v.
25 ARNOLD SCHWARZENEGGER, *et al.*,
Defendants
26 and
27 PROPOSITION 8 OFFICIAL PROPONENTS
DENNIS HOLLINGSWORTH, *et al.*,
28 Defendant-Intervenors.

CASE NO. 09-CV-2292 VRW

**PLAINTIFFS' AND PLAINTIFF-
INTERVENOR'S SUPPLEMENTAL
DESIGNATION OF DISCOVERY
EXCERPTS**

Trial Date: January 11, 2010
Time: 10:00 a.m.
Judge: Chief Judge Walker
Location: Courtroom 6, 17th Floor

I. DEPOSITION DESIGNATIONS

The depositions of Defendant-Intervenors, their agents and experts is on-going. Below are the deposition designations for those witnesses whose depositions have been taken and final deposition transcripts have been issued. Plaintiffs and Plaintiff-Intervenors reserve the right to supplement these designations as depositions are taken and transcripts are finalized.

A. Deposition of David G. Blankenhorn taken on November 3, 2009.

6:17 – 7:13	9:16 – 10:1	10:15 – 11:6	12:8 – 13:19
14:9 – 15:7	16:9 – 59:16	60:12 – 61:19	62:10 – 66:13
67:4 – 68:21	69:17 – 73:8	73:12 – 74:6	75:12 – 76:11
77:18 – 78:2	81:8 – 18	84:15 – 89:20	91:11 – 95:11
100:11 – 21	116:4 – 22	121:13 – 123:6	124:14 – 126:9
127:6 – 12	128:14 – 130:15	131:11 – 22	139:14 – 19
140:19 – 144:9	144:21 – 147:10	148:18 – 149:11	157:21 – 159:12
160:8 – 161:4	166:17 – 170:3	171:1 – 174:12	174:19 – 176:2
189:11 – 16	190:3 – 7	193:11 – 196:15	199:14 – 204:6
206:5 – 211:21	212:15 – 227:10	228:2 – 230:9	231:13 – 232:22
232:10 – 235:10	237:16 – 239:2	242:8 – 243:6	246:6 – 18
248:2 – 6	250:21 – 264:5	267:5 – 272:4	272:17 – 274:4
278:3 – 284:18	288:5 – 290:8	293:21 – 305:1	305:10 – 306:21
307:22 – 311:3	313:16 – 326:21	333:5 – 10	334:21 – 336:16
338:20 – 339:2	340:18 – 345:10		

B. Deposition of Loren Marks taken on October 20, 2009.

7:19-8:18	9:11-11:18	14:4-18:18	19:21-20:16
28:18-30:16	33:14-35:20	37:8 - 38:3	38:5-40:1
44:10-45:8	46:19-47:11	51:9-52:7	53:4-54:10
54:4 - 55:3	58:3-12	61:10 - 62:4	67:6-68:9
68:15-69:16	69:18-70:22	75:22-77:6	78:11-20
79:9-82:9	85:14-20	100:7-17	101:5 - 102:10

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

112:4-116:6	118:19-124:11	125:11-126:22	131:1-7
133:13-182:6	168:22 - 169:11	189:2-190:16	191:16-193:1
198:7-200:7	201:1-202:11	202:19-205:15	207:10-14
207:22-209:20	211:8-13	213:7-214:1	215:12-18
221:19-223:15	230:20-236:13	238:11-239:22	245:17-249:15
254:3-22	255:16-258:12	259:4-260:20	264:9-267:3
269:9-276:3			

C. Deposition of Paul Nathanson taken on November 12, 2009.

5:1 - 6:6	7:11 - 9:15	10:19 - 12:6	13:11 - 16:13
17:1 - 18:23	22:20 - 26:7	27:3 - 28:16	28:20 - 28:24
29:3 - 32:23	33:11 - 34:24	36:2 - 36:7	37:14 - 37:21
38:19 - 39:9	40:4 - 40:16	40:21 - 41:6	41:16 - 42:15
45:2 - 45:13	45:21 - 47:7	49:5 - 49:19	50:4 - 50:22
57:6 - 57:11	60:21 - 60:24	60:25 - 61:2	61:11 - 63:11
64:25 - 66:5	66:14 - 66:17	71:13 - 72:8	73:4 - 73:7
73:16 - 74:10	74:23 - 75:7	75:13 - 76:12	77:14 - 77:18
79:6 - 79:19	80:2 - 80:6	81:3 - 81:9	81:17 - 81:25
82:9 - 84:4	85:8 - 85:19	86:21 - 87:10	88:2 - 88:22
89:23 - 90:16	91:3 - 91:12	94:2 - 94:11	94:23 - 95:11
96:18 - 96:22	97:12 - 97:21	98:10 - 98:15	98:22 - 99:13
100:8 - 102:8	102:21 - 103:5	107:15 - 109:9	

D. Deposition of Katherine Young taken on November 13, 2009.

5:1 - 6:7	6:23 - 6:25	31:8 - 31:10	31:18 - 31:19
43:7 - 43:12	43:21 - 44:10	45:1 - 45:5	46:4 - 46:21
47:13 - 47:18	51:11 - 53:6	53:12 - 53:15	53:16 - 53:19
54:1 - 54:21	55:15 - 55:23	56:17 - 56:20	56:21 - 57:11
58:7 - 58:11	61:18 - 61:22	62:13 - 62:17	77:2 - 79:2

1	82:4 - 82:12	86:1 - 86:4	94:7 - 94:14	94:20 - 94:24
2	100:17 - 101:5	101:6 - 101:13	102:1 - 102:24	121:6 - 121:10
3	121:24 - 123:11	195:6 - 195:13	197:12 - 197:24	205:14 - 206:21
4	208:16 - 208:24	214:19 - 215:21	230:10 - 230:14	233:3 - 233:6

5 **E. Deposition of Kenneth Miller taken on December 12, 2009.**

6	22:13 - 22:21	30:23 - 32:10	34:10 - 55:8	61:8 - 68:18
7	74:25 - 109:23	129:20 - 134:18	135:17 - 144:2	144:14 - 153:19
8	155:15 - 173:10	183:18 - 186:24	198:22 - 208:18	210:16 - 213:22
9	221:22 - 223:18			

10 **F. Deposition of Martin Gutierrez taken on December 4, 2009.**

11	8:13 - 8:15	16:9 - 16:17	17:16 - 17:17	18:04 - 19:01
12	22:01 - 22:15	22:22 - 23:14	27:01 - 27:14	30:07 - 32:18
13	44:4 - 46:25	51:23 - 52:02		

14 **G. Deposition of Dennis Hollingsworth taken on December 10, 2009.**

15	8:19 - 9:15	13:17 - 15:3	15:20 - 16:9	18:10 - 18:17
16	21:11 - 21:13	44:19 - 50:15	51:6 - 54:3	53:14 - 53:18
17	51:25 - 53:21	55:16 - 55:23	57:1 - 59:15	60:15 - 62:3
18	62:22 - 64:19	65:22 - 66:24	67:23 - 69:1	69:9 - 70:9
19	74:17 - 75:7	77:11 - 78:13	78:20 - 79:12	84:19 - 85:7
20	90:1 - 91:19	94:8 - 96:25	97:7 - 100:20	100:25 - 101:2
21	101:13 - 101:23	102:25 - 103:18	112:15 - 115:21	134:18 - 137:10
22	138:17 - 143:21	147:20 - 149:2	150:12 - 150:22	

23 **H. Deposition of Mark Jansson taken on December 3, 2009.**

24	9:19 - 9:21	13:17 - 19:10	21:4 - 28:22	31:14 - 50:23
25	52:1 - 91:10	92:17 - 106:24	108:3 - 111:20	115:1 - 124:13
26	125:9 - 132:8	133:10 - 133:25	138:23 - 145:4	146:17 - 148:22
27	152:1 - 155:24	156:9 - 156:20	157:18 - 159:24	161:11 - 161:15
28	162:2 - 162:19	163:2 - 170:1	171:18 - 173:12	175:7 - 178:1

1	178:8 - 179:1	180:21 - 181:12	184:2 - 189:22	191:16 - 196:25
2	198:9 - 199:2	199:23 - 200:20	201:11 - 202:8	203:7 - 203:20
3	204:24 - 206:24	207:11 - 212:15	213:17 - 216:7	216:23 - 217:5
4	221:18 - 224:7	225:6 - 229:22	231:23 - 232:22	235:12 - 238:20
5	239:14 - 241:5	241:21 - 255:21	256:22 - 257:13	258:4 - 263:1
6	263:11 - 278:8	278:21 - 291:20	292:24 - 293:6	293:23 - 298:20

7 **I. Deposition of William Tam taken on December 1, 2009.**

8	11:25 - 12:5	12:17 - 15:15	16:17 - 17:7	28:25 - 33:8
9	34:9 - 35:7	38:10 - 40:9	41:19 - 43:9	50:21 - 56:20
10	69:17 - 80:3	80:18 - 82:4	86:24 - 92:3	92:23 - 94:22
11	99:16 - 100:15	104:14 - 106:15	107:4 - 108:7	108:11 - 109:18
12	112:16 - 114:16	114:22 - 117:20	118:20 - 121:15	121:24 - 122:1
13	122:14 - 124:9	127:4 - 130:22	133:13 - 134:20	134:22 - 139:23
14	140:10 - 148:16	149:6 - 157:5	158:17 - 161:11	167:8 - 173:13

15 **J. Deposition of Ron Prentice taken on December 17, 2009.**

16	9:17 - 9:25	12:8 - 12:20	13:16 - 14:8	14:23 - 30:9
17	32:1 - 32:6	33:1 - 35:25	36:10 - 52:20	53:1 - 56:9
18	57:12 - 58:5	59:12 - 67:21	68:24 - 72:23	75:4 - 78:16
19	79:23 - 87:15	88:5 - 96:10	97:8 - 97:23	98:13 - 100:17
20	101:4 - 105:2	105:10 - 105:17	106:6 - 106:9	107:3 - 112:24
21	113:8 - 132:15	133:1 - 159:11	160:16 - 185:21	187:10 - 193:5
22	193:13 - 214:10	215:8 - 236:20	237:1 - 251:22	252:7 - 268:18

23 **K. Deposition of Ron Prentice taken on December 18, 2009.**

24	11:9 - 21:20	22:23 - 34:20	35:8 - 38:15	38:22 - 62:21
25	63:2 - 70:16	71:11 - 83:9	83:21 - 121:16	123:18 - 139:22
26	140:2 - 140:11	140:15 - 153:24	154:8 - 186:7	186:18 - 191:17

27 **L. Deposition of Daniel Robinson taken on December 18, 2009.**

28	22:6 - 22:16	39:3 - 42:17	66:1 - 70:5	73:15 - 75:4
----	--------------	--------------	-------------	--------------

1	80:1 - 80:11	118:18 – 119:1	123:19 - 128:11	185:3 - 185:10
2	190:10 - 191:11	212:16 - 212:21	222:1 - 223:13	227:22 - 228:13
3	230:1 - 230:9	269:7 - 273:9	287:20 - 288:7	

4 **M. Deposition of Frank Schubert taken on December 17, 2009.**

5	18:7 - 27:9	30:2 - 31:17	33:6 - 36:16	38:19 - 39:7
6	41:6 - 46:16	47:15 - 50:19	51:17 - 51:24	54:9 - 56:14
7	58:4 - 58:7	63:24 - 67:10	68:15 - 68:19	70:3 - 75:7
8	78:15 - 83:8	88:18 - 115:15	117:10 - 126:22	128:7 - 142:21
9	148:17 - 149:17	150:7 - 157:25	159:17 - 159:21	160:21 - 169:14
10	170:22 - 180:20	181:16 - 194:18	197:14 - 199:16	201:3 - 203:13
11	204:12 - 207:12	210:4 - 213:22	217:4 - 219:4	221:2 - 222:3
12	223:15 - 235:3	236:25 - 251:10		

13 **N. Deposition of Jeff Flint taken on December 18, 2009.**

14	12:14 - 16:24	19:9 - 22:3	24:24 - 38:25	43:9 - 52:1
15	52:5 - 56:24	57:2 - 60:15	60:22 - 63:17	65:23 - 66:14
16	68:23 - 72:15	83:3 - 86:21	88:14 - 88:24	100:16 - 102:17
17	102:19 - 103:22	110:10 - 116:10	117:18 - 119:7	120:2 - 122:12
18	124:12 - 125:23	126:9 - 126:22	127:1 - 129:25	130:4 - 130:11
19	131:13 - 131:25	134:3 - 137:16	142:12 - 143:14	144:8 – 157:8
20	157:13 - 168:21	169:8 - 169:24	169:25 - 173:25	174:1 - 177:4
21	181:4 - 183:25	184:1 - 195:11	195:13 - 200:21	203:7 - 208:11
22	213:3 - 216:16	219:2 - 219:25	220:1 - 232:6	235:5 - 237:25

23 **O. Deposition of Ed Dolejsi taken on December 16, 2009.**

24	15:5 - 16:14	19:1 - 19:23	44:22 - 46:24	51:7 - 51:17
25	59:13 - 59:17	60:19 - 61:7	66:13 - 66:22	73:3 - 73:15
26	75:1 - 75:3	78:24 - 80:7	81:2 - 82:1	91:9 - 92:14

27

28

1 92:24 - 104:11 110:5 - 111:12 113:5 - 113:19 116:1 - 118:14
2 121:10 - 122:16 131:24 - 133:15 134:2 - 134:5 134:19 - 136:12
3 136:16 - 136:21 141:16 - 146:24 149:12 - 150:16 159:3 - 161:10

4 **II. INTERROGATORIES**

5 Defendant-Intervenors' responses in total including supplemental or amended responses to
6 Plaintiffs' Interrogatories 1 to 6.

7 The Administration Defendants' responses in total including supplemental or amended
8 responses to Plaintiff-Intervenor's Interrogatories 1 to 13.

9 **III. REQUESTS FOR ADMISSION**

10 Defendant-Intervenors' responses in total including supplemental or amended responses to
11 Plaintiffs' Requests for Admission 1 to 107.

12 Defendant Attorney General Edmund G. Brown Jr.'s responses in total including
13 supplemental or amended responses to Plaintiffs' Requests for Admission 1 to 68.

14 The Administration Defendants' responses in total including supplemental or amended
15 responses to Plaintiffs' Requests for Admission 1 to 73.

16 Defendant Attorney General Edmund G. Brown Jr.'s responses in total including
17 supplemental or amended responses to Plaintiff-Intervenor's Requests for Admissions 1 to 30.

18 Defendant Registrar-Recorder/County Clerk for the County of Los Angeles Dean C. Logan's
19 responses in total including supplemental or amended responses to Plaintiff-Intervenor's Requests for
20 Admissions 1 to 2.

21 Respectfully Submitted,

22
23 DATED: January 12, 2010

24 GIBSON, DUNN & CRUTCHER LLP
25 Theodore B. Olson
26 Theodore J. Boutrous, Jr.
27 Christopher D. Dusseault
28 Ethan D. Dettmer
Matthew D. McGill
Amir C. Tayrani
Sarah E. Piepmeier
Theane Evangelis Kapur
Enrique A. Monagas

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

By: _____ /s/
Theodore B. Olson

and

BOIES, SCHILLER & FLEXNER LLP
David Boies
Jeremy M. Goldman
Roseanne C. Baxter
Richard J. Bettan
Beko O. Richardson
Theodore H. Uno

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

DENNIS J. HERRERA
City Attorney
THERESE M. STEWART
Chief Deputy City Attorney
DANNY CHOU
Chief of Complex and Special Litigation
RONALD P. FLYNN
VINCE CHHABRIA
ERIN BERNSTEIN
CHRISTINE VAN AKEN
MOLLIE M. LEE
Deputy City Attorneys

By: _____ /s/
Therese M. Stewart

Attorneys for Plaintiff-Intervenor
CITY AND COUNTY OF SAN FRANCISCO

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.

/s/ Theodore B. Olson

Theodore B. Olson