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15 ATTORNEYS FOR DEFENDANT-INTERVENORS DENNIS HOLLINGSWORTH,  
 GAIL J. KNIGHT, MARTIN F. GUTIERREZ, MARK A. JANSSON,  
 16 and PROTECTMARRIAGE.COM – YES ON 8, A PROJECT OF CALIFORNIA RENEWAL

17 \* Admitted *pro hac vice*

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

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

22 Plaintiffs,

23 v.

24 ARNOLD SCHWARZENEGGER, in his official  
 capacity as Governor of California; EDMUND  
 25 G. BROWN, JR., in his official capacity as At-  
 26 torney General of California; MARK B. HOR-  
 TON, in his official capacity as Director of the  
 27 California Department of Public Health and State  
 Registrar of Vital Statistics; LINETTE SCOTT,  
 28

CASE NO. 09-CV-2292 VRW  
 Chief Judge Vaughn R. Walker  
 Magistrate Judge Joseph C. Spero

**DECLARATION OF**  
**NICOLE MOSS IN SUPPORT OF DE-**  
**FENDANT-INTERVENORS'**  
**ADMINISTRATIVE MOTION TO**  
**SEAL REVISED PRIVILEGE LOG**

1 in her official capacity as Deputy Director of  
2 Health Information & Strategic Planning for the  
3 California Department of Public Health; PA-  
4 TRICK O'CONNELL, in his official capacity as  
5 Clerk-Recorder for the County of Alameda; and  
6 DEAN C. LOGAN, in his official capacity as  
7 Registrar-Recorder/County Clerk for  
8 the County of Los Angeles,

9 Defendants,

10 and

11 PROPOSITION 8 OFFICIAL PROPONENTS  
12 DENNIS HOLLINGSWORTH, GAIL J.  
13 KNIGHT, MARTIN F. GUTIERREZ, HAK-  
14 SHING WILLIAM TAM, and MARK A. JANS-  
15 SON; and PROTECTMARRIAGE.COM – YES  
16 ON 8, A PROJECT OF CALIFORNIA RE-  
17 NEWAL,

18 Defendant-Intervenors.

19 Additional Counsel for Defendant-Intervenors

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\* Admitted *pro hac vice*

1 I, Nicole Moss, declare as follows:

2 1. I am an attorney licensed to practice law in the District of Columbia and am admitted  
3 *pro hac vice* in this case. I am an of counsel at the law firm of Cooper & Kirk, PLLC, counsel  
4 of record for Defendant-Intervenors Dennis Hollingsworth, Gail Knight, Martin Gutierrez,  
5 Mark Jansson, and ProtectMarriage.com. I make this declaration in support of Defendant-  
6 Intervenors' Administrative Motion to Seal the Revised Privilege Log.  
7

8 2. Defendant-Intervenors will submit to the Clerk of the Court two copies of the Revised  
9 Privilege Log in sealed envelopes on the morning of January 25, 2010.

10 3. A stipulation could not be obtained in this matter because Civil Local Rule 79-(5)(a)  
11 prohibits the sealing of documents or information by agreement of the parties, and therefore the  
12 parties are unable to enter into such a stipulation.  
13

14 I declare, under penalty of perjury under the laws of the United States, that these facts  
15 are true and correct and that this Declaration is executed this 24th day of January, 2010, at San  
16 Francisco, California.

17  
18 Dated: January 24, 2010

/s/ Nicole Moss

Nicole Moss