

1 COOPER AND KIRK, PLLC  
 Charles J. Cooper (DC Bar No. 248070)\*  
 2 *ccooper@cooperkirk.com*  
 David H. Thompson (DC Bar No. 450503)\*  
 3 *dthompson@cooperkirk.com*  
 Howard C. Nielson, Jr. (DC Bar No. 473018)\*  
 4 *hnielson@cooperkirk.com*  
 Nicole J. Moss (DC Bar No. 472424)\*  
 5 *nmoss@cooperkirk.com*  
 Peter A. Patterson (Ohio Bar No. 0080840)\*  
 6 *ppatterson@cooperkirk.com*  
 1523 New Hampshire Ave., N.W.  
 7 Washington, D.C. 20036  
 Telephone: (202) 220-9600, Facsimile: (202) 220-9601

8 LAW OFFICES OF ANDREW P. PUGNO  
 Andrew P. Pugno (CA Bar No. 206587)  
 9 *andrew@pugnolaw.com*  
 101 Parkshore Drive, Suite 100, Folsom, California 95630  
 Telephone: (916) 608-3065, Facsimile: (916) 608-3066

11 ALLIANCE DEFENSE FUND  
 Brian W. Raum (NY Bar No. 2856102)\*  
 12 *braum@telladf.org*  
 James A. Campbell (OH Bar No. 0081501)\*  
 13 *jcampbell@telladf.org*  
 14 15100 North 90th Street, Scottsdale, Arizona 85260  
 Telephone: (480) 444-0020, Facsimile: (480) 444-0028

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

18 \* Admitted *pro hac vice*

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

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

23 Plaintiffs,

24 v.

25 ARNOLD SCHWARZENEGGER, in his official  
 26 capacity as Governor of California; EDMUND  
 G. BROWN, JR., in his official capacity as  
 27 Attorney General of California; MARK B.  
 HORTON, in his official capacity as Director of  
 28 the California Department of Public Health and

CASE NO. 09-CV-2292 VRW

**DEFENDANT-INTERVENORS  
 DENNIS HOLLINGSWORTH, GAIL  
 KNIGHT, MARTIN GUTIERREZ,  
 MARK JANSSON, AND  
 PROTECTMARRIAGE.COM'S  
 RESPONSE REGARDING NO-ON-8  
 GROUPS' COMPLIANCE WITH  
 COURT ORDERS**

Judge: Chief Judge Vaughn R. Walker

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

10 Defendants,

11 and

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

19 Defendant-Intervenors.

20 Additional Counsel for Defendant-Intervenors

21 ALLIANCE DEFENSE FUND  
22 Timothy Chandler (CA Bar No. 234325)  
23 *tchandler@telladf.org*  
24 101 Parkshore Drive, Suite 100, Folsom, California 95630  
25 Telephone: (916) 932-2850, Facsimile: (916) 932-2851

26 Jordan W. Lorence (DC Bar No. 385022)\*  
27 *jlorence@telladf.org*  
28 Austin R. Nimocks (TX Bar No. 24002695)\*  
*animocks@telladf.org*  
801 G Street NW, Suite 509, Washington, D.C. 20001  
Telephone: (202) 393-8690, Facsimile: (202) 347-3622

\* Admitted *pro hac vice*

1 At the show-cause hearing on April 28, 2010, the Court ordered the parties “to inform the court  
2 not later than April 30, 2010 at noon PDT whether the No on 8 groups’ production is in compliance  
3 with the court’s March 5 and March 22 orders (Doc ##610, 623).” Doc # 650. Defendant-Intervenors  
4 Dennis Hollingsworth, Gail Knight, Martin Gutierrez, Mark Jansson, and ProtectMarriage.com  
5 (“Proponents”) respectfully submit this response in compliance with that order.  
6

7 Counsel for Equality California (“EQCA”) and No on Proposition 8, Campaign for Marriage  
8 Equality: A Project of the American Civil Liberties Union (“ACLU”) have represented that they have  
9 produced all documents responsive to this Court’s orders, *see* Doc # 649, and we believe them.<sup>1</sup>  
10 Accordingly, Proponents have no basis to conclude that EQCA and ACLU have failed to comply with  
11 this Court’s production orders.  
12

13 Dated: April 30, 2010

Respectfully submitted,

14  
15 COOPER AND KIRK, PLLC  
16 ATTORNEYS FOR DEFENDANTS-INTERVENORS  
17 DENNIS HOLLINGSWORTH, GAIL J. KNIGHT,  
18 MARTIN F. GUTIERREZ, MARK A. JANSSON, AND  
19 PROTECTMARRIAGE.COM – YES ON 8, A PROJECT  
20 OF CALIFORNIA RENEWAL

21  
22  
23  
24  
25  
26 By: /s/ Charles J. Cooper  
Charles J. Cooper

27 \_\_\_\_\_  
28 <sup>1</sup> We are obliged to note, however, that pursuant to this Court’s orders, EQCA and ACLU were  
relieved of the requirement of producing a privilege log listing documents withheld on privilege  
grounds. Thus, Proponents have no means of verifying claims of privilege over individual  
documents.