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, HAK-SHING WILLIAM TAM, MARK A JANSSON and PROTECTMARRIAGE.COM – YES ON 8, A PROJECT OF CALIFORNIA RENEWAL, as official proponents of Proposition 8,

Defendant-Intervenors.
_____/

No C 09-2292 VRW

ORDER

On January 8, 2010, Hak-Shing William Tam, a defendant-intervenor, moved to withdraw as a defendant. Doc #369. Tam seeks to withdraw because: (1) he fears for his personal safety; (2) he does not wish to comply with discovery burdens; and (3) he does not want to spend his time defending this case. Id.

In his motion, Tam fails to identify a procedure through which he can withdraw as a defendant prior to entry of final judgment against him. Nevertheless, Tam's burdens as a defendant will be complete upon entry of final judgment. Tam's motion to withdraw accordingly is DENIED AS MOOT.

IT IS SO ORDERED.

VAUGHN R WALKER
United States District Chief Judge