

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*
Peter A. Patterson (Ohio Bar No. 0080840)*
5 *ppatterson@cooperkirk.com*
1523 New Hampshire Ave. N.W., Washington, D.C. 20036
6 Telephone: (202) 220-9600, Facsimile: (202) 220-9601

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

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

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

16 * Admitted *pro hac vice*

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

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

21 Plaintiffs,

22 v.

23 ARNOLD SCHWARZENEGGER, in his official
24 capacity as Governor of California; EDMUND
25 G. BROWN, JR., in his official capacity as
26 Attorney General of California; MARK B.
27 HORTON, in his official capacity as Director of
the California Department of Public Health and
28 State Registrar of Vital Statistics; LINETTE
SCOTT, in her official capacity as Deputy
Director of Health Information & Strategic

CASE NO. 09-CV-2292 VRW

**[PROPOSED] ORDER GRANTING
DEFENDANT-INTERVENORS'
MOTION FOR SUMMARY
JUDGMENT**

Date: October 14, 2009
Time: 10:00 a.m.
Judge: Chief Judge Vaughn R. Walker
Location: Courtroom 6, 17th Floor

1 Planning for the California Department of Public
2 Health; PATRICK O'CONNELL, in his official
3 capacity as Clerk-Recorder for the County of
4 Alameda; and DEAN C. LOGAN, in his official
capacity as Registrar-Recorder/County Clerk for
the County of Los Angeles,

5 Defendants,

6 and

7 PROPOSITION 8 OFFICIAL PROPONENTS
8 DENNIS HOLLINGSWORTH, GAIL J.
9 KNIGHT, MARTIN F. GUTIERREZ, HAK-
SHING WILLIAM TAM, and MARK A.
10 JANSSON; and PROTECTMARRIAGE.COM –
YES ON 8, A PROJECT OF CALIFORNIA
RENEWAL,

11 Defendant-Intervenors.

12
13 Additional Counsel for Defendant-Intervenors

14 ALLIANCE DEFENSE FUND
15 Timothy Chandler (CA Bar No. 234325)
tchandler@telladf.org
16 101 Parkshore Drive, Suite 100, Folsom, California 95630
Telephone: (916) 932-2850, Facsimile: (916) 932-2851

17 Jordan W. Lorence (DC Bar No. 385022)*
jlorence@telladf.org
18 Austin R. Nimocks (TX Bar No. 24002695)*
animocks@telladf.org
19 801 G Street NW, Suite 509, Washington, D.C. 20001
20 Telephone: (202) 393-8690, Facsimile: (202) 347-3622

21 * Admitted *pro hac vice*
22
23
24
25
26
27
28

1 Defendant-Intervenors have demonstrated there are no genuine issues of material fact that
2 must be resolved at trial and that they are entitled to judgment as a matter of law. Therefore, the
3 Court finds that Defendant-Intervenors' Motion for Summary Judgment is **GRANTED**.

4 **THE COURT THEREFORE ENTERS SUMMARY JUDGMENT** in favor of
5 Defendant-Intervenors on all of Plaintiffs' and Plaintiff-Intervenor's claims.
6

7 Dated the _____ of _____, 2009

8 _____
9 Chief Judge Vaughn R. Walker
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28