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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 KRISTIN M. PERRY, SANDRA B. STIER,
18 PAUL T. KATAMI, and JEFFREY J.
ZARRILLO,

19 Plaintiffs,

20 v.

21 ARNOLD SCHWARZENEGGER, in his official
capacity as Governor of California; EDMUND
22 G. BROWN, JR., in his official capacity as
Attorney General of California; MARK B.
23 HORTON, in his official capacity as Director of
the California Department of Public Health and
State Registrar of Vital Statistics; LINETTE
24 SCOTT, in her official capacity as Deputy
Director of Health Information & Strategic
25 Planning for the California Department of Public
Health; PATRICK O'CONNELL, in his official
26 capacity as Clerk-Recorder for the County of
Alameda; and DEAN C. LOGAN, in his official
27 capacity as Registrar-Recorder/County Clerk for
the County of Los Angeles,

28 Defendants.

CASE NO. 09-CV-2292 VRW

**DECLARATION OF MATTHEW D.
MCGILL IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANT-
INTERVENORS' MOTION FOR
ADMINISTRATIVE LEAVE TO EXCEED
PAGE LIMITATIONS**

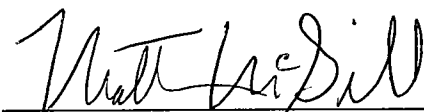
1 I, Matthew D. McGill, declare as follows:

2 1. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the
3 attorneys of record for Plaintiffs Kristin M. Perry, Sandra B. Stier, Paul T. Katami, and Jeffrey J.
4 Zarrillo ("Plaintiffs") in this action. I make this declaration in support of Plaintiffs' Opposition to
5 Defendant-Intervenors Motion for Administrative Leave to Exceed Page Limitations. Doc #172.
6 I have personal knowledge of the facts set forth herein and if called as a witness, I could and would
7 competently testify hereto.

8 2. On September 9, 2009, counsel for Defendant-Intervenors first contacted me to
9 request our consent to the filing a 100 page motion for summary judgment. We declined the request,
10 but offered to discuss and negotiate a reasonable page increase. Defendant-Intervenors declined to
11 discuss or negotiate a page limit of less than 100 pages.

12 3. Later in the day on September 9, 2009, I spoke again with Defendant-Intervenors'
13 counsel. They informed me that they intended to file a motion for leave to exceed the page limitation
14 and would be filing their 100 page motion for summary judgment with that filing. I offered
15 Defendant-Intervenors additional time to file a summary judgment motion that conformed to the local
16 rules, provided that the hearing date and reply brief filing date remained the same, that Plaintiffs be
17 given extra days to oppose the motion, and that those extra days be deducted from Defendant-
18 Intervenors' time to reply. Defendant-Intervenors declined the offer and reaffirmed their intention to
19 file a 100 page dispositive motion.

20 I declare, under penalty of perjury under the laws of the United States, that these facts are true
21 and correct and that this Declaration is executed this 10th day of September 2009 at Washington, DC.

22 
23 _____
24 Matthew D. McGill