

United States District Court
For the Northern District of California

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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,

No C 09-2292 VRW
ORDER

Plaintiffs,

CITY AND COUNTY OF SAN FRANCISCO,

Plaintiff-Intervenor,

v

ARNORLD 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,
HAKSHING WILLIAM TAM and MARK A
JANSSON, as official proponents
of Proposition 8,

Defendant-Intervenors.

1 Defendant-intervenors, the proponents of Proposition 8
2 ("proponents"), have applied for administrative leave to exceed
3 page limitations in connection with their motion for summary
4 judgment. Proponents filed their application on the last day
5 timely to serve and file their summary judgment motion and seek
6 leave for a memorandum of 98 pages (117 pages with tables and
7 index). Civ LR 7-2(b) limits such filings to 25 pages.

8 Proponents invoke Civ LR 7-4(b), which applies to
9 opposition, rather than motion, papers, implying that there is no
10 page limitation for the latter papers. See Doc #172 at 4 n 1. Of
11 course, were this implication correct, there would be no need to
12 seek leave to file an over-long memorandum. Civ LR 7-4(b) affords
13 proponents no help. Proponents next argue that the "momentous
14 importance" of this case warrants an expanded page limitation. Doc
15 #172 at 3. True, the case is important. Truer still, proponents'
16 memorandum is monumental.

17 Plaintiffs and intervenor City and County of San
18 Francisco oppose granting leave and suggest some compromise between
19 the 25 page limitation and the nearly 100 pages submitted by
20 proponents. See Doc ##174, 179. Rather than deny leave, the court
21 takes another approach and orders as follows:

22 Proponents are GRANTED leave to file their motion papers.
23 Doc #172. The motion will deemed filed on September 9, 2009;

24 Plaintiffs and intervenor San Francisco are each GRANTED
25 leave to file opposition papers that total not more than 98 pages
26 apart from tables and indices (but are urged to resist the
27 temptation to match proponents in this regard);

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1 All other parties may not exceed the page limitations of
2 the local rules; and

3 No party in this litigation may henceforth exceed the
4 page limitations of the local rules except upon application made
5 not less than five days prior to the date on which any pleading,
6 motion, memorandum or other paper is due.

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9 IT IS SO ORDERED.

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12 VAUGHN R WALKER
13 United States District Chief Judge
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