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PAUL T. KATAMI, and JEFFREY J. ZARRILLO

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

17 KRISTIN M. PERRY, SANDRA B. STIER,  
PAUL T. KATAMI, and JEFFREY J.  
18 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  
24 State Registrar of Vital Statistics; LINETTE  
SCOTT, in her official capacity as Deputy  
25 Director of Health Information & Strategic  
Planning for the California Department of Public  
26 Health; PATRICK O'CONNELL, in his official  
capacity as Clerk-Recorder for the County of  
27 Alameda; and DEAN C. LOGAN, in his official  
capacity as Registrar-Recorder/County Clerk for  
the County of Los Angeles,

28 Defendants.

CASE NO. 09-CV-2292 VRW

**DECLARATION OF ENRIQUE A.  
MONAGAS IN SUPPORT OF PLAINTIFFS'  
AND PLAINTIFF-INTERVENOR'S  
JOINT OPPOSITION TO DEFENDANT-  
INTERVENORS' MOTION FOR  
SUMMARY JUDGMENT**

1 I, Enrique A. Monagas, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and in the Northern  
3 District of California. I am an associate in the law firm of Gibson, Dunn & Crutcher LLP, counsel of  
4 record for Plaintiffs Kristin M. Perry, Sandra B. Stier, Paul T. Katami, and Jeffrey J. Zarrillo in the  
5 above-captioned matter. I make this declaration in support of Plaintiffs' and Plaintiff-Intervenor City  
6 and County of San Francisco's (collectively, "Plaintiffs") Joint Opposition to Defendant-Intervenors'  
7 Motion for Summary Judgment. The information below is stated on personal knowledge and if  
8 called as a witness, I could and would testify completely thereto.

9 2. Attached hereto as Exhibit A is a true and correct copy of the Attorney General's  
10 Responses to Plaintiffs' Requests for Admission, Set One, served on September 23, 2009.

11 3. Attached hereto as Exhibit B is a true and correct copy of the Transcript of  
12 Proceedings before this Court on August 19, 2009.

13 4. Attached hereto as Exhibit C is a true and correct copy of Defendant-Intervenors'  
14 Responses to Plaintiffs' First Set of Requests for Admission, served on September 11, 2009.

15 5. Attached hereto as Exhibit D is Plaintiffs' Responses to Defendant-Intervenors  
16 Proposition 8 Proponents' First Set of Interrogatories, served on September 16, 2009.

17 6. Attached hereto as Exhibit E is a true and correct copy of the American Psychological  
18 Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation (2009),  
19 <http://www.apa.org/pi/lgbc/publications/therapeutic-response.pdf>.

20 7. Attached hereto as Exhibit F is Plaintiffs' Responses to Defendant-Intervenors  
21 Proposition 8 Proponents' First Set of Requests for Admission, served on September 16, 2009.

22 8. Attached hereto as Exhibit G is a true and correct copy of David R. Francis, *Is*  
23 *Population Growth a Ponzi Scheme?*, CHRISTIAN SCIENCE MONITOR, Aug. 17, 2009, *available at*  
24 [http://features.csmonitor.com/economyrebuild/2009/08/17/economic-scene-is-population-growth-a-](http://features.csmonitor.com/economyrebuild/2009/08/17/economic-scene-is-population-growth-a-ponzi-scheme/)  
25 [ponzi-scheme/](http://features.csmonitor.com/economyrebuild/2009/08/17/economic-scene-is-population-growth-a-ponzi-scheme/).

26 9. Attached hereto as Exhibit H is a true and correct copy of American Psychiatric  
27 Association, *Healthy Minds. Healthy Lives., Gay/Lesbian/Bisexuals*, at  
28 <http://www.healthyminds.org/More-Info-For/GayLesbianBisexuals.aspx> (last visited Sept. 23, 2009).



**ATTESTATION PURSUANT TO GENERAL ORDER NO. 45**

Pursuant to General Order No. 45 of the Northern District of California, I attest that concurrence in the filing of the document has been obtained from each of the other signatories to this document.

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/s/ Theodore B. Olson

Theodore B. Olson

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