

1 OFFICE OF THE COUNTY COUNSEL  
ELIZABETH M. CORTEZ, Assistant County Counsel  
2 JUDY W. WHITEHURST, Principal Deputy County Counsel  
(SBN 182855) • *jwhitehurst@counsel.lacounty.gov*  
3 648 Kenneth Hahn Hall of Administration  
500 West Temple Street  
4 Los Angeles, California 90012-2713  
Telephone: (213) 974-1845 · Fax: (213) 617-7182

5 Attorneys for DEAN C. LOGAN,  
6 LOS ANGELES REGISTRAR-  
RECORDER/COUNTY CLERK  
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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

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11 KRISTIN M. PERRY, SANDRA B. STIER,  
12 PAUL T. KATAMI, and JEFFREY J.  
ZARRILLO,

13 Plaintiffs,

14 v.

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

24 Defendants.  
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CASE NO. 09-CV-2292 VRW

**TRIAL MEMORANDUM OF  
DEFENDANT DEAN C. LOGAN,  
LOS ANGELES COUNTY  
REGISTRAR-RECORDER/  
COUNTY CLERK**

Trial Date: January 11, 2010

Action Filed: May 27, 2009

1 PROPOSITION 8 OFFICIAL PROPONENTS  
DENNIS HOLLINGSWORTH, GAIL J.  
2 KNIGHT, MARTIN F. GUTIERREZ,  
HAKSHING WILLIAM TAM, and MARK A.  
3 JANSSON; and PROTECTMARRIAGE.COM-  
YES ON 8, A PROJECT OF CALIFORNIA  
4 RENEWAL,

5 Defendant-Intervenors,

6 CITY AND COUNTY OF SAN FRANCISCO,

7 Plaintiff-Intervenor,

8 v.

9 ARNOLD SCHWARZENEGGER, in his  
official capacity as Governor of California;  
10 EDMUND G. BROWN, JR., in his official  
capacity as Attorney General of California;  
11 MARK B. HORTON, in his official capacity as  
Director of the California Department of Public  
12 Health and State Registrar of Vital Statistics;  
LINETTE SCOTT, in her official capacity as  
13 Deputy Director of Health Information &  
Strategic Planning for the California  
14 Department of Public Health; PATRICK  
O'CONNELL, in his official capacity as Clerk-  
15 Recorder for the County of Alameda; and  
DEAN C. LOGAN, in his official capacity at  
16 Registrar-Recorder/County Clerk for the  
County of Los Angeles,

17 Defendants.  
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19  
20 As stated in the Registrar-Recorder/County Clerk's ("Registrar")  
21 answer, the Registrar had a duty to uphold State law when Proposition 8 was passed  
22 by the voters at the November 4, 2008 election. Other than providing any necessary  
23 defense of the Registrar's actions in abiding by Proposition 8 upon passage, the  
24 Registrar takes no position on the merits of the case as to the validity of Proposition  
25 8. The Registrar does not intend on presenting any evidence or arguments on the  
26 merits, but reserves the right to provide a defense as to any asserted wrongdoing in  
27 abiding by Proposition 8 once passed.  
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Respectfully submitted,

OFFICE OF THE COUNTY COUNSEL

By /s/ Judy W. Whitehurst  
JUDY W. WHITEHURST  
Principal Deputy County Counsel

Attorneys for DEAN C. LOGAN, LOS  
ANGELES REGISTRAR-  
RECORDER/COUNTY CLERK

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**DECLARATION OF SERVICE**  
Case No. 09-CV-2292 VRW

STATE OF CALIFORNIA, County of Los Angeles:

Hazel T. Bataclan states: I am employed in the County of Los Angeles, State of California, over the age of eighteen years and not a party to the within action. My business address is 648 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012-2713.

That on December 4, 2009, I served the attached

**TRIAL MEMORANDUM OF DEFENDANT DEAN C. LOGAN,  
LOS ANGELES COUNTY REGISTRAR-RECORDER/  
COUNTY CLERK**

upon Interested Party(ies) by placing  the original  a true copy thereof enclosed in a sealed envelope addressed  as follows  as stated on the attached mailing list:

**BY ELECTRONIC MAIL**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 4, 2009, at Los Angeles, California.

\_\_\_\_\_  
Hazel T. Bataclan

\_\_\_\_\_  
/s/ Hazel T. Bataclan  
Signature

**Service List Here**

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Ted Olson  
Matthew McGill  
Amir Tayrani  
GIBSON DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
[TOlson@gibsondunn.com](mailto:TOlson@gibsondunn.com)  
[MMcGill@gibsondunn.com](mailto:MMcGill@gibsondunn.com)  
[ATayrani@gibsondunn.com](mailto:ATayrani@gibsondunn.com)

Ethan Dettmer  
Enrique Monagas  
GIBSON DUNN & CRUTCHER LLP  
555 Mission Street, Suite 3000  
San Francisco, CA 94105  
[EDettmer@gibsondunn.com](mailto:EDettmer@gibsondunn.com)  
[SPiepmeier@gibsondunn.com](mailto:SPiepmeier@gibsondunn.com)  
[EMonagas@gibsondunn.com](mailto:EMonagas@gibsondunn.com)

Theodore Boustrous, Jr.  
Theane Evangelis Kapur  
Christopher Dusseault  
GIBSON DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071  
[TBoutrous@gibsondunn.com](mailto:TBoutrous@gibsondunn.com)  
[TKapur@gibsondunn.com](mailto:TKapur@gibsondunn.com)  
[CDusseault@gibsondunn.com](mailto:CDusseault@gibsondunn.com)

Theodore Hideyuki Uno  
BOIES SCHILLER & FLEXNER LLP  
1999 Harrison Street, Suite 900  
Oakland, CA 94612  
[dboies@bsflp.com](mailto:dboies@bsflp.com)  
[jgoldman@bsflp.com](mailto:jgoldman@bsflp.com)  
[tuno@bsflp.com](mailto:tuno@bsflp.com)

Brian E. Washington  
Claude F. Kolm  
OFFICE OF THE COUNTY COUNSEL  
1221 Oak Street, Suite 450  
Oakland, CA 94612  
[Brian.washington@acgov.org](mailto:Brian.washington@acgov.org)  
[Claude.kolm@acgov.org](mailto:Claude.kolm@acgov.org)  
[Lindsey.Stern@acgov.org](mailto:Lindsey.Stern@acgov.org)

COOPER & KIRK PLLC  
1523 New Hampshire Avenue N.W.  
Washington, D.C. 20036  
[ccooper@cooperkirk.com](mailto:ccooper@cooperkirk.com)  
[dthompson@cooperkirk.com](mailto:dthompson@cooperkirk.com)  
[hnielson@cooperkirk.com](mailto:hnielson@cooperkirk.com)  
[nmoss@cooperkirk.com](mailto:nmoss@cooperkirk.com)

Kenneth C. Mennemeier  
Andrew W. Stroud  
MENNEMEIER GLASS & STROUD LLP  
980 9<sup>th</sup> Street, Suite 1700  
Sacramento, CA 95814  
[kcm@mgslaw.com](mailto:kcm@mgslaw.com)  
[gosling@mgslaw.com](mailto:gosling@mgslaw.com)  
[aknight@mgslaw.com](mailto:aknight@mgslaw.com)  
[stroud@mgslaw.com](mailto:stroud@mgslaw.com)

CITY OF SAN FRANCISCO  
SAN FRANCISCO CITY ATTORNEY'S  
OFFICE  
1390 Market Street, Seventh Floor  
San Francisco, CA 94102  
[therese.stewart@sfgov.org](mailto:therese.stewart@sfgov.org)  
[erin.bernstein@sfgov.org](mailto:erin.bernstein@sfgov.org)  
[vince.chhabria@sfgov.org](mailto:vince.chhabria@sfgov.org)  
[ronald.flynn@sfgov.org](mailto:ronald.flynn@sfgov.org)

DEPUTY ATTORNEY GENERAL  
Government Law Section  
California Department of Justice  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
[Gordon.Burns@doj.ca.gov](mailto:Gordon.Burns@doj.ca.gov)  
[Tamar.Pachter@doj.ca.gov](mailto:Tamar.Pachter@doj.ca.gov)