

1 GIBSON, DUNN & CRUTCHER LLP
Theodore B. Olson, SBN 38137
2 *tolson@gibsondunn.com*
Matthew D. McGill, *pro hac vice*
3 1050 Connecticut Avenue, N.W., Washington, D.C. 20036
Telephone: (202) 955-8668, Facsimile: (202) 467-0539

4 Theodore J. Boutrous, Jr., SBN 132009
tboutrous@gibsondunn.com
5 Christopher D. Dusseault, SBN 177557
Ethan D. Dettmer, SBN 196046
6 333 S. Grand Avenue, Los Angeles, California 90071
Telephone: (213) 229-7804, Facsimile: (213) 229-7520

7 BOIES, SCHILLER & FLEXNER LLP
David Boies, *pro hac vice*
8 *dboies@bsflp.com*
333 Main Street, Armonk, New York 10504
9 Telephone: (914) 749-8200, Facsimile: (914) 749-8300

Jeremy M. Goldman, SBN 218888
10 *jgoldman@bsflp.com*
1999 Harrison Street, Suite 900, Oakland, California 94612
11 Telephone: (510) 874-1000, Facsimile: (510) 874-1460

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

13 Dennis J. Herrera, SBN 139669
14 Therese M. Stewart, SBN 104930
Danny Chou, SBN 180240

15 One Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4682
16 Telephone: (415) 554-4708, Facsimile (415) 554-4699

Attorneys for Plaintiff-Intervenor
17 CITY AND COUNTY OF SAN FRANCISCO

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

20 KRISTIN M. PERRY, *et al.*,
21 Plaintiffs,
and
22 CITY AND COUNTY OF SAN FRANCISCO,
23 Plaintiff-Intervenor,
v.

24 ARNOLD SCHWARZENEGGER, *et al.*,
25 Defendants,
and
26 PROPOSITION 8 OFFICIAL PROPONENTS
27 DENNIS HOLLINGSWORTH, *et al.*,
28 Defendant-Intervenors.

CASE NO. 09-CV-2292 VRW

DECLARATION OF REBECCA JUSTICE LAZARUS IN SUPPORT OF PLAINTIFFS' AND PLAINTIFF-INTERVENOR'S MOTION *IN LIMINE* TO EXCLUDE THE EXPERT REPORTS, OPINIONS, AND TESTIMONY OF KATHERINE YOUNG, LOREN MARKS AND DAVID BLANKENHORN

1 I, Rebecca Justice Lazarus, 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.

5 Zarrillo(collectively, "Plaintiffs") in the above-captioned matter. I have personal knowledge of the
6 facts stated herein and could and would testify competently thereto if called upon to do so.

7 2. Attached hereto as **Exhibit A** is a true and correct copy of relevant excerpts from the
8 certified transcript of the deposition of Dr. Katherine Young, taken on November 13, 2009.

9 3. Attached hereto as **Exhibit B** is a true and correct copy of relevant excerpts from the
10 certified transcript of the deposition of Dr. Loren Marks, taken on October 30, 2009.

11 4. Attached hereto as **Exhibit C** is a true and correct copy of relevant excerpts from the
12 certified transcript of the deposition of David Blankenhorn, taken on November 3, 2009.


13 5. Attached hereto as **Exhibit D** is a true and correct copy of the expert report of Dr.
14 Katherine Young ("Declaration of Katherine Young, PhD., as Expert Witness for Defendant"), dated
15 October 2, 2009.

16 6. Attached hereto as **Exhibit E** is a true and correct copy of the expert report of Dr.
17 Loren Marks ("Declaration of Loren Marks, as expert witness for Defendant-Intervenors"), dated
18 October 2, 2009.

19 7. Attached hereto as **Exhibit F** is a true and correct copy of the expert report of David
20 Blankenhorn ("Declaration of David Blankenhorn as Expert Witness for Defendant").

21 8. Attached hereto as **Exhibit G** is a copy of the Iowa District Court for Polk County's
22 Ruling on Plaintiffs' and Defendant's Motion for Summary Judgment, filed August 30, 2007.

23 I declare, under the penalty of perjury under the laws of the United States that these facts are
24 true and correct and that this Declaration is executed this 7th day of December 2009 at San Francisco,
25 California.

26
27 
28 Rebecca Justice Lazarus

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.

By: _____ /s/ _____
Theodore B. Olson