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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,
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

**STIPULATION AND [PROPOSED] ORDER
REGARDING DEMONSTRATIVES**

1 Plaintiffs Kristin M. Perry, Sandra B. Stier, Paul T. Katami, and Jeffrey J. Zarrillo
2 (“Plaintiffs”), Plaintiff-Intervenor City and County of San Francisco (“Plaintiff-Intervenor”),
3 Defendant-Intervenors Proposition 8 Official Proponents Dennis Hollingsworth, Gail J. Knight,
4 Martin F. Gutierrez, Hak-Shing William Tam, and Mark A. Jansson; and ProtectMarriage.com –
5 Yes on 8, A Project of California Renewal (“Defendant-Intervenors”), and Defendants Arnold
6 Schwarzenegger, Edmund G. Brown Jr., Mark B. Horton, Linette Scott, Patrick O’Connell, and Dean
7 C. Logan (“Defendants”) (collectively the “Parties”), through their respective counsel of record,
8 hereby stipulate to the following regarding the admissibility of demonstratives in this matter:

9 1. The Parties stipulate and agree that the Parties shall exchange demonstrative exhibits
10 to be used with a given witness at least 72 hours prior to the witness’s testimony.

11 2. The Parties stipulate and agree that any demonstrative exhibit disclosed pursuant to
12 Paragraph 1 above shall be admissible into evidence to the same extent as if it had been disclosed on
13 the Parties’ exhibits lists.

14 3. Nothing in this stipulation limits in any way the right of any Party to object to the
15 admissibility of a demonstrative on any other grounds.

16 4. This Stipulation may be signed in counterparts and facsimile signatures are deemed
17 originals for all purposes.

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DATED: December 11, 2009

GIBSON, DUNN & CRUTCHER LLP

By: _____ /s/
Christopher D. Dusseault

and

BOIES, SCHILLER & FLEXNER LLP

David Boies

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

DATED: December 11, 2009

OFFICE OF THE CITY ATTORNEY

By: _____ /s/
Ronald P. Flynn

Attorneys for Plaintiff-Intervenor
CITY AND COUNTY OF SAN FRANCISCO

DATED: December 11, 2009

COOPER AND KIRK, PLLC

By: _____ /s/
Nicole J. Moss

Attorneys for Defendant-Intervenors
PROPOSITION 8 OFFICIAL PROPONENTS; and
PROTECTMARRIAGE.COM – YES ON 8, A
PROJECT OF CALIFORNIA RENEWAL

DATED: December 11, 2009

OFFICE OF THE ATTORNEY GENERAL

By: _____ /s/
Tamar Pachter

Attorneys for Defendant
ATTORNEY GENERAL EDMUND G. BROWN JR.

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DATED: December 11, 2009

MENNEMEIER, GLASSMAN & STROUD LLP

By: _____ /s/
Andrew W. Stroud

Attorneys for Defendants ARNOLD
SCHWARZENEGGER, MARK B. HORTON, and
LINETTE SCOTT (the "Administration Defendants")

DATED: December 11, 2009

THE OFFICE OF THE COUNTY COUNSEL

By: _____ /s/
Claude F. Kolm, Deputy County Counsel

Attorneys for Defendant PATRICK O'CONNELL,
Clerk-Recorder for the County of Alameda

DATED: December 11, 2009

THE OFFICE OF COUNTY COUNSEL

By: _____ /s/
Judy Whitehurst

Attorneys for Defendant DEAN C. LOGAN,
Recorder/County Clerk for the County of Los Angeles

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

HON. VAUGHN R. WALKER
United States District Chief Judge

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/
Sarah E. Piepmeier

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