

1 Eric Grant (Bar No. 151064)
grant@hicks-thomas.com
2 Hicks Thomas LLP
8001 Folsom Boulevard, Suite 100
3 Sacramento, California 95826
Telephone: (916) 388-0833
4 Facsimile: (916) 691-3261

5 James Bopp, Jr. (*pro hac vice* pending)
jbopp@bopplaw.com
6 Richard E. Coleson (*pro hac vice* pending)
rcoleson@bopplaw.com
7 Kaylan Lytle Phillips (*pro hac vice* pending)
kphillips@bopplaw.com
8 Bopp, Coleson & Bostrom
1 South 6th Street
9 Terre Haute, Indiana 47807
Telephone: (812) 232-2434
10 Facsimile: (812) 234-3736

11 Counsel for Objector DOUG SWARDSTROM

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16

17 KRISTIN M. PERRY, et al.,)

18 Plaintiffs,)

19 and)

20 CITY AND COUNTY OF SAN FRANCISCO,)

21 Plaintiff-Intervenor,)

22 v.)

23 ARNOLD SCHWARZENEGGER, et al.,)

24 Defendants,)

25 and)

26 PROPOSITION 8 OFFICIAL PROPONENTS)
DENNIS HOLLINGSWORTH, et al.,)

27 Defendant-Intervenors.)
28 _____)

No. 3:09-cv-02292-VRW

**OBJECTOR DOUG SWARDSTROM'S
ADMINISTRATIVE MOTION TO
PERMIT OUT-OF-STATE COUNSEL
TO APPEAR BY TELEPHONE AT
HEARING ON PLAINTIFFS' MOTION
TO COMPEL
[Civil L.R. 7-11]**

Hearing Date: January 6, 2010
Hearing Time: 10:00 a.m.
Courtroom: 6 (17th Floor)
Judge: Hon. Vaughn R. Walker

HICKS THOMAS LLP
8001 Folsom Boulevard, Suite 100
Sacramento, California 95826
Telephone: (916) 388-0833

HICKS THOMAS LLP
8001 Folsom Boulevard, Suite 100
Sacramento, California 95826
Telephone: (916) 388-0833

1 Pursuant to Civil L.R. 7-11 (Motion for Administrative Relief), Objector Doug Sward-
2 strom respectfully requests permission for his out-of-state counsel James Bopp, Jr. to appear by
3 telephone at tomorrow’s hearing on Plaintiffs’ motion to compel Mr. Swardstrom’s compliance
4 with a deposition subpoena. In support of his request, Mr. Swardstrom would show the following:

5 1. On Monday, January 4, 2010, Plaintiffs filed a motion to compel Mr. Swardstrom’s
6 compliance with a deposition subpoena. *See* Doc # 339.

7 2. Although the undersigned local counsel intends to appear at the hearing on such
8 motion, Mr. Bopp is Mr. Swardstrom’s principal counsel, and he desires to present argument on
9 Mr. Swardstrom’s behalf at such hearing. *See* Declaration of James Bopp, Jr. (“Bopp Decl.”) ¶ 2
10 (filed concurrently herewith).

11 3. Also on Monday, January 4, 2010, the Court set relevant hearing for Wednesday,
12 January 6, 2010, at 10:00 a.m. *See* Doc. # 333 at 2. Mr. Bopp learned of the newly set hearing
13 date at approximately 7:00 p.m. Eastern time on Monday the 4th. *See* Bopp Decl. ¶ 3.

14 4. Given such short notice, neither Mr. Bopp nor any of his law firm colleagues was
15 able to make arrangements to travel to San Francisco from their offices in Terre Haute, Indiana
16 to appear in person at the hearing.

17 5. Mr. Bopp’s direct telephone number for the time of the hearing is (812) 243-0825.

18 For these reasons, Objector Doug Swardstrom respectfully requests permission for his out-
19 of-state counsel James Bopp, Jr. to appear by telephone at tomorrow’s hearing on Plaintiffs’ mo-
20 tion to compel Mr. Swardstrom’s compliance with a deposition subpoena.

21 Dated: January 5, 2010.

22 Respectfully submitted,

23 /s/ Eric Grant
24 Eric Grant
Hicks Thomas LLP

25 James Bopp, Jr.
26 Richard E. Coleson
27 Kaylan Lytle Phillips
Bopp, Coleson & Bostrom

28 Counsel for Objector DOUG SWARDSTROM