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

20 KRISTIN M. PERRY, *et al.*,
21 Plaintiffs,
22 and
CITY AND COUNTY OF SAN FRANCISCO,
23 Plaintiff-Intervenor,
24 v.
ARNOLD SCHWARZENEGGER, *et al.*,
25 Defendants,
26 and
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'
OPPOSITION TO HAK-SHING WILLIAM
TAM'S MOTION TO WITHDRAW**

Trial Date: January 11, 2010
Judge: Chief Judge Walker
Location: Courtroom 6, 17th Floor

1 I, Rebecca Justice Lazarus, declare as follows:

2 1. I, Rebecca Justice Lazarus, am an attorney at law, duly licensed to practice before all
3 courts of the State of California and before the United States District Court for the Northern District
4 of California. I am an associate with Gibson, Dunn & Crutcher LLP, counsel of record for Plaintiffs
5 in the above-captioned matter. I have personal knowledge of the facts stated herein and could and
6 would testify competently thereto if called upon to do so.

7
8 2. On January 12, 2010, I directed my colleague, Serena Liu, to access Dr. Tam's
9 website at <http://billtam.homestead.com/articles.html> and retrieve "Articles on Parenting." Attached
10 hereto as **Exhibit A** is a true and correct copy of a print out of this webpage.

11 3. On January 12, 2010, I directed my colleague, Serena Liu, to access Dr. Tam's
12 website at <http://billtam.homestead.com/articles2.html> and retrieve a page containing additional
13 articles on topics related to Proposition 8. Articles on this page include those titled: "Articles on
14 Science and Creation," "Articles on Spousal Relationships," "Articles on Social Issues," and
15 "Miscellaneous Topics." Attached hereto as **Exhibit B** is a true and correct copy of a print out of this
16 webpage.

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18 4. On January 12, 2010, I directed my colleague, Serena Liu, to access Dr. Tam's
19 website at <http://billtam.homestead.com/articles.html> and click on "Brokeback" to retrieve a Chinese
20 language document, which the webpage indicates is about how "*Brokeback Mountain* breaks
21 families." Attached hereto as **Exhibit C** is a true and correct copy of this article.

22
23 5. On January 12, 2010, I directed my colleague, Serena Liu, to access Dr. Tam's
24 website at <http://billtam.homestead.com/articles.html> and click on the "Divorce" link to retrieve a
25 Chinese language article. Attached hereto as **Exhibit D** is a true and correct copy of this article.

26 6. On January 12, 2010, I directed my colleague, Serena Liu, to access Dr. Tam's
27 website at <http://billtam.homestead.com/articles.html> and clicked on the "Homosexuality" link to
28

1 retrieve a Chinese language article. Attached hereto as **Exhibit E** is a true and correct copy of this
2 article.

3 7. On January 12, 2010, I directed my colleague, Serena Liu, to access Dr. Tam's
4 website at <http://billtam.homestead.com/articles.html> and click on the "ssm_kids" link to retrieve a
5 Chinese language article. Attached hereto as **Exhibit F** is a true and correct copy of this article.
6

7 8. On January 12, 2010, I directed my colleague, Serena Liu, to access Dr. Tam's
8 website at <http://billtam.homestead.com/articles2.html> and click on the "ss_marriage.htm" link under
9 "Articles on Social Issues" to retrieve a Chinese language article. Attached hereto as **Exhibit G** is a
10 true and correct copy of this article.

11 9. Attached hereto as **Exhibit H** is a true and correct copy of the Traditional Family
12 Coalition Newsletter, Volume 3, Issue 3 (July-Dec. 2008), bates number DEFINT_PM_005075,
13 which was produced on December, 28, 2009 in Defendant Intervenor's Seventh Production.
14

15 10. On January 12, 2010, I directed my colleague, Serena Liu, to access Presence
16 Ministry's website at <http://presencefamily.org> and click on the "Products" link and then click on the
17 link for the "FAQ: Same-Sex Marriage & Homosexuality" DVD. Attached hereto as **Exhibit I** is a
18 true and correct copy of a printout of this webpage where this product is for sale.

19 11. On January 12, 2010, I directed my colleague, Serena Liu, to access Presence
20 Ministry's website at <http://presencefamily.org> and click on the "Products" link and then click on the
21 link for the "Sexual Brokenness Conference" DVD. Attached hereto as **Exhibit J** is a true and
22 correct copy of a printout of this webpage where this product is for sale.
23

24 12. On January 12, 2010, I directed my colleague, Serena Liu, to access Presence
25 Ministry's website at <http://presencefamily.org> and clicked on the "Products" link and then clicked on
26 the link for the "Church, Stand Up As Salt and Light" book. Attached hereto as **Exhibit K** is a true
27 and correct copy of a printout of this webpage where this product is for sale.
28

1 13. Attached hereto as **Exhibit L** is a true and correct copy of the cover letter to the
2 supplemental production of documents being produced in accordance with Magistrate Judge Spero's
3 Order of January 8, 2010, sent from Nicole Moss to Rebecca Justice Lazarus on January 10, 2010.

4 14. On January 10, 2010, I e-mailed Nicole Moss, counsel for Proponents to inquire
5 whether Proponents intend to produce all responsive documents authored or received by William
6 Tam that were, as of January 6, 2010, in Proponents' possession, custody or control. Ms. Moss
7 responded to that e-mail on January 11, 2010 and stated that she would need to check with Dr. Tam's
8 counsel in order to respond to my inquiry. Attached hereto as **Exhibit M** is a true and correct copy of
9 that e-mail chain.
10

11 15. I did not receive any further communication on this point from Ms. Moss.

12 16. On January 12, 2010, my colleague, Ethan Dettmer, sent an e-mail message to Terry
13 Thompson, counsel for Dr. Tam, and Nicole Moss, counsel for Proponents inquiring as to (1) when
14 Plaintiffs can expect to receive all responsive documents authored or received by Dr. Tam in his
15 possession, custody or control; and (2) arrangements for his appearance at trial, if any. I was copied
16 on that e-mail message. Attached hereto as **Exhibit N** is a true and correct copy of that email
17 message.
18

19 17. We have not received any response to this e-mail message.

20 18. Attached hereto as **Exhibit O** is a true and correct copy of selected portions of the
21 transcript of Hak-Shing William Tam's deposition taken December 1, 2009.
22

23 I declare under penalty of perjury that the foregoing is true and correct. Executed this 12th
24 day of January, 2010.

25 By: _____/s/_____
26 Rebecca Justice Lazarus
27

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.

/s/ Theodore Boutrous, Jr
Theodore Boutrous, Jr.

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