

# Exhibit “A”

**FENWICK & WEST LLP**

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October 29, 2009

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VIA EMAIL AND U.S. MAIL

James A. Campbell  
Alliance Defense Fund  
15100 N. 90th Street  
Scottsdale, AZ 85260

Re: Perry v. Schwarzenegger, Case No. 09-2292 VRW: Subpoena

Dear Mr. Campbell:

I write in response to your October 9 and October 23, 2009 correspondence regarding the subpoena issued to Equality California Issues PAC ("EQCA No on 8"). EQCA No on 8 continues to stand by the responses and objections to the subpoena served on September 17, 2009.

As stated in and subject to its formal responses and objections, EQCA No on 8 intends to produce and will be producing responsive non-privileged public documents in its possession, custody, or control. To the extent any documents are withheld on privilege grounds, EQCA No on 8 will comply with its obligations under Federal Rule of Civil Procedure 45(d)(2). We are currently in the process of completing collection and review of the documents, and will produce them shortly.

With respect to Proponents' attempts to reserve the ability to alter the scope of the subpoena, we believe it improper for Proponents to re-write and re-interpret its subpoena based on arguments and issues advanced by parties to the lawsuit that are not equally applicable to EQCA No on 8. Regardless of what is decided regarding Proponents' obligations to produce documents in response to Plaintiffs' request, EQCA No on 8 stands by its objections. In particular, EQCA No on 8 continues to object that the subpoena seeks production of information and documents that are irrelevant to the claims and defenses asserted in the lawsuit. For example, materials advocating against Proposition 8 have no bearing upon the rationale offered in support of Proposition 8. Therefore, any change in the outcome of Proponents' discovery dispute with Plaintiffs does not affect the scope of the subpoena or EQCA No on 8's obligations to produce documents, particularly as a non-party to this action.

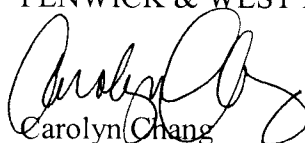
Accordingly, EQCA No on 8's service of responses and objections, and forthcoming documents fully satisfy its obligations with respect to the Proponents' August 27, 2009 subpoena.

James A. Campbell  
October 29, 2009  
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Thank you for your attention to this matter.

Sincerely,

FENWICK & WEST LLP



Carolyn Chang