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GAIL J. KNIGHT, MARTIN F. GUTIERREZ, MARK A. JA PROTECTMARRIAGE.COM – YES ON 8, A PROJECT OF	NSSON, and
* Admitted pro hac vice	
UNITED STATES DI NORTHERN DISTRICT	
KRISTIN M. PERRY, SANDRA B. STIER, PAUL	
T. KATAMI, and JEFFREY J. ZARRILLO,	CASE NO. 09-CV-2292 VRW
Plaintiffs,	DECLARATION OF NICOLE JO MOSS IN SUPPORT OF
CITY AND COUNTY OF SAN FRANCISCO,	DEFENDANT-INTERVENORS PROPOSITION 8 PROPONENTS
Plaintiff Intervenor	AND PROTECTMARRIAGE.COM'S OPPOSITION TO PLAINTIFFS'
ramum-intervenor,	MOTION FOR LEAVE TO REOPEN THE DEPOSITION OF RONALD
v.	PRENTICE
ARNOLD SCHWARZENEGGER, in his official	Trial Date: January 11, 2010 Location: Courtroom 6, 17th Floor
BROWN, JR., in his official capacity as Attorney	Judge: Chief Judge Vaughn R. Walker
General of California; MARK B. HORTON, in his official capacity as Director of the California	
	Charles J. Cooper (DC Bar No. 248070)* ccooper@cooperkirk.com David H. Thompson (DC Bar No. 450503)* dthompson@cooperkirk.com Howard C. Nielson, Jr. (DC Bar No. 473018)* hnielson@cooperkirk.com Nicole J. Moss (DC Bar No. 472424)* nmoss@cooperkirk.com Peter A. Patterson (OH Bar No. 0080840)* ppatterson@cooperkirk.com 1523 New Hampshire Ave. N.W., Washington, D.C. Telephone: (202) 220-9600, Facsimile: (202) 220-96 LAW OFFICES OF ANDREW P. PUGNO Andrew P. Pugno (CA Bar No. 206587) andrew@pugnolaw.com 101 Parkshore Drive, Suite 100, Folsom, California Telephone: (916) 608-3065, Facsimile: (916) 608-30 ALLIANCE DEFENSE FUND Brian W. Raum (NY Bar No. 2856102)* braum@telladf.org James A. Campbell (OH Bar No. 0081501)* jcampbell@telladf.org 15100 North 90th Street, Scottsdale, Arizona 85260 Telephone: (480) 444-0020, Facsimile: (480) 444-06 Attorneys for Defendant-Intervenors Dennis Gail J. Knight, Martin F. Gutterrez, Mark A. Ja ProtectMarriage.com - Yes on 8, A Project of * Admitted pro hac vice UNITED STATES DI NORTHERN DISTRIC: KRISTIN M. PERRY, SANDRA B. STIER, PAUL T. KATAMI, and JEFFREY J. ZARRILLO, Plaintiffs, CITY AND COUNTY OF SAN FRANCISCO, Plaintiff-Intervenor, V. ARNOLD SCHWARZENEGGER, in his official capacity as Governor of California; EDMUND G. BROWN, JR., in his official capacity as Attorney General of California; MARK B. HORTON, in his

1	Department of Public Health and State Registrar of
2	Vital Statistics; LINETTE SCOTT, in her official capacity as Deputy Director of Health Information
3	& Strategic Planning for the California Department of Public Health; PATRICK O'CONNELL, in his
4	official capacity as Clerk-Recorder for the County
5	of Alameda; and DEAN C. LOGAN, in his official capacity as Registrar-Recorder/County Clerk for
6	the County of Los Angeles,
7	Defendants,
8	and
9	PROPOSITION 8 OFFICIAL PROPONENTS DENNIS HOLLINGSWORTH, GAIL J.
10	KNIGHT, MARTIN F. GUTIERREZ, HAK- SHING WILLIAM TAM, and MARK A.
11	JANSSON; and PROTECTMARRIAGE.COM – YES ON 8, A PROJECT OF CALIFORNIA
12	RENEWAL,
13	Defendant-Intervenors.
14	
15	Additional Counsel for Defendant-Intervenors
16	ALLIANCE DEFENSE FUND
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23	* Admitted <i>pro hac vice</i>
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EXHIBIT A

Page 1

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

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KRISTIN M. PERRY, et al.,

Plaintiffs,

vs.

Case No. 09-CV-2292 VRW

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

Deposition of

RONALD PRENTICE

Volume I

Thursday, December 17, 2009

REPORTED BY: LESLIE CASTRO, CSR #8876

BONNIE L. WAGNER & ASSOCIATES
Court Reporting Services
41 Sutter Street, Suite 1605
San Francisco, California 94104
(415) 982-4849

15 (Pages 54 to 57)

		Page 54			Page 56
10:16:35	1	MS. STEWART: Just before you respond, I want to	10:19:38	1	(Whereupon, Exhibit No. 1 was
10:16:37	2	see if we can make a stipulation for the record going	10:19:54	2	Marked for identification.)
10:16:40	3	forward that I don't have to repeatedly ask the witness	10:20:06	3	MS. STEWART: Q A document that at the top says
10:16:45	4	if he is going to follow your instruction.	10:20:08	4	"Protect Marriage." And I'm going to ask you to take a
10:16:48	5	MS. MOSS: That is fine.	10:20:15	5	look at it and tell me if you recognize it.
10:16:49	6	MS. STEWART: I'm going to pretty much assume it	10:20:37	6	(Pause in the proceedings.)
10:16:51	7	unless there's something in the way he answers it	10:20:38	7	THE WITNESS: I would say I can only go so far as
10:16:52	8	that	10:20:42	8	to say I'm familiar with its general content. I don't
10:16:54	9	MS. MOSS: Sure.	10:20:45	9	know if it's in any way been altered, but yes.
10:16:55	10	MS. STEWART: that assumes otherwise.	10:20:48	10	MS. STEWART: Q And on the left, it has, sort of,
10:16:58	11	Q. So going back to the question with your	10:20:52	11	a gray box that says "ProtectMarriage.com" and has some
10:17:03	12	counsel's instruction, who was on the ad hoc committee	10:20:57	12	little people.
10:17:04	13	that the board of directors of California Renewal gave	10:20:59	13	Do you see that?
10:17:07	14	authority to form a ballot committee?	10:20:59	14	A. Yes.
10:17:11	15	A. There was myself. There was Ned Dolejsi.	10:21:00	15	Q. Is that the logo of ProtectMarriage.com or a
10:17:13	16	There was Mark Jansson. And there's the anonymous	10:21:07	16	logo?
10:17:18	17	·	10:21:07	17	(Ms. Piepmeier enters the room.)
10:17:19	18	person. O. What was the last name?	10:21:16	18	
10:17:19	19	•	10:21:10		THE WITNESS: I wouldn't say that it's a formal
10:17:20	20	A. I said anonymous.	10:21:19	19	logo, no.
		Q. Yourself, Ned Dolejsi, Mr. Jansson?		20	MS. STEWART: Q Has ProtectMarriage.com
10:17:27	21	A. Yes.	10:21:26	21	A. Thank-you.
10:17:29	22	Q. And then an anonymous person?	10:21:26	22	Q does it have a logo that it has adopted?
10:17:33	23	A. A person who chooses to remain confidential.	10:21:39	23	A. There was a logo that was used during the
10:17:40	24	Q. Did you form an entity that is did that ad	10:21:42	24	campaign. So when you refer to ProtectMarriage.com, it
10:17:46	25	hoc committee then form an entity?	10:21:48	25	does not have a formal logo.
		Page 55			Page 57
10:17:48	1	Page 55 A. Yes.	10:21:52	1	Page 57 Q. Was there a logo that it used on its website?
10:17:48 10:17:48	1 2	_	10:21:52 10:22:04	1 2	_
		A. Yes.			Q. Was there a logo that it used on its website?
10:17:48	2	A. Yes. Q. And what is that entity?	10:22:04	2	Q. Was there a logo that it used on its website? MS. MOSS: Just by point of clarification,
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10:17:48 10:17:51 10:17:55 10:17:58 10:18:01 10:18:02 10:18:04 10:18:06 10:18:09 10:18:19 10:18:28 10:18:31 10:18:33 10:18:39 10:18:47 10:18:56 10:19:01 10:19:06 10:19:16	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. And what is that entity? A. The primarily formed ballot measure committee of ProtectMarriage.com-Yes on 8. Q. And what is the form of that entity, if you know? A. When you say "form" Q. I mean the legal organization. A. Again, I would the best I can do is a ballot measure committee. Q. Is what is the title of that ballot measure committee? A. ProtectMarriage.com-Yes on 8. Q. Is ProtectMarriage.com used in any sense that's broader than that ballot measure committee? A. As you know, there are now there is now a (c)(3) and (c)(4), ProtectMarriage.com Education Foundation and ProtectMarriage.com Action Fund. Q. Do you sometimes use ProtectMarriage.com to describe a coalition of entities? A. I think that there are a number of entities	10:22:04 10:22:09 10:22:12 10:22:16 10:22:19 10:22:21 10:22:24 10:22:33 10:22:35 10:22:38 10:22:47 10:22:47 10:22:50 10:22:50 10:22:51 10:22:52 10:22:54 10:23:00 10:23:02	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Was there a logo that it used on its website? MS. MOSS: Just by point of clarification, objection. When you're referring to ProtectMarriage.com, are you referring to I guess what specifically are you referring to? Is it a shorthand for Yes on 8 or MS. STEWART: You're getting to my other line of questioning, which I diverted from. So let me go back to that and then we'll go back to the logo. As I mentioned earlier, sometimes it's not a linear process, this deposition business. Q. Do you see the first paragraph of this document where it says "ProtectMarriage.com is a growing broad-based coalition of organizations, churches and individuals who believe that marriage's foremost purpose is raising of healthy children in a family with a mom and a dad"? A. Yes. Q. Is that language that was on ProtectMarriage.com's website at some point in time? A. Apparently, this was printed off of its

16 (Pages 58 to 61)

		Page 58			Page 60
10:23:19	1	A. I would say that ProtectMarriage.com was	10:27:24	1	a generally directed purpose, not an entity.
10:23:24	2	used I would say "yes," and definitely say a	10:27:33	2	Q. Was it a coalition?
10:23:40	3	broad-based coalition loose loosely.	10:27:39	3	A. Only to the extent that people aligned with a
10:23:46	4	Q. And when you say "loosely," what do you mean?	10:27:42	4	generally directed purpose.
10:23:49	5	A. It's a loosely-formed coalition.	10:27:46	5	Q. Do you recall who was part of that coalition
10:23:52	6	Q. And who what were the organizations that	10:27:55	6	prior to the 2008?
10:24:00	7	were part of that loosely-based coalition?	10:27:57	7	A. Prior to the forming of the ballot measure
10:24:04	8	MS. MOSS: I'm going to object to the extent	10:27:58	8	committee, as it reads here, it's a broad-based
10:24:06	9	that two grounds: One, I still don't think it's	10:28:06	9	coalition of organizations, churches and individuals,
10:24:13	10	clear exactly which	10:28:08	10	and so there was no list. There was no there was no
10:24:13	11	THE WITNESS: I agree.	10:28:16	11	entity.
10:24:14	12	MS. MOSS: entity, ProtectMarriage.com entity	10:28:17	12	Q. Was there a website?
10:24:15	13	that you're referring to. But secondly, to the extent	10:28:20	13	Apparently, this came off of a website and
10:24:18	14	you understand or believe understand what entity	10:28:24	14	it's copyright '05.
10:24:23	15	she's referring to, if it's the Yes on 8 committee, if	10:28:26	15	Q. And did you have anything to do with that
10:24:28	16	they were affiliated with organizations and that's	10:28:28	16	website prior to 2008?
10:24:31	17	publicly known, you can disclose that. If there was any	10:28:37	17	A. I did not have anything to do with the
10:24:35	18	private affiliations that are not publicly known, I	10:28:39	18	creation of the website, no.
10:24:39	19	instruct you not to answer.	10:28:42	19	Q. Do you know who did?
10:24:40	20	THE WITNESS: And I interpret your question to	10:28:48	20	A. There has been a a changing relatively
10:24:42	21	refer to the Yes on 8 campaign. And there were people	10:28:57	21	fluid group of individuals who attempted to keep the
10:24:46	22	that would go on to the website and sign on endorsing	10:29:07	22	public informed of what was going on legally with
10:24:50	23	it. And that's how loose and how broad-based we	10:29:12	23	marriage.
10:24:55	24	interpreted the coalition to be.	10:29:15	24	Q. But do you know who created the
10:24:58	25	MS. STEWART: Q And so when the website here	10:29:22	25	ProtectMarriage.com website that existed before 2008?
		Page 59			Page 61
10:25:07	1	-	10:29:31	1	
10:25:07 10:25:09	1 2	refers to a broad-based coalition of organizations,	10:29:31	1 2	Page 61 A. I go not know who is responsible for its creation.
		refers to a broad-based coalition of organizations, churches and individuals, was that coalition formed			A. I go not know who is responsible for its
10:25:09	2	refers to a broad-based coalition of organizations, churches and individuals, was that coalition formed solely by people signing on to the website?	10:29:33	2	A. I go not know who is responsible for its creation.
10:25:09 10:25:18	2	refers to a broad-based coalition of organizations, churches and individuals, was that coalition formed	10:29:33 10:29:34	2	A. I go not know who is responsible for its creation. Q. Was it someone who worked for the California
10:25:09 10:25:18 10:25:21	2 3 4	refers to a broad-based coalition of organizations, churches and individuals, was that coalition formed solely by people signing on to the website? A. Well, actually, as I see at the bottom of	10:29:33 10:29:34 10:29:36	2 3 4	A. I go not know who is responsible for its creation. Q. Was it someone who worked for the California Family Council?
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10:25:09 10:25:18 10:25:21 10:25:24 10:25:36 10:25:41 10:25:43 10:25:51 10:25:53 10:25:56 10:26:03 10:26:20 10:26:26 10:26:38 10:26:45 10:26:51 10:26:54	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	refers to a broad-based coalition of organizations, churches and individuals, was that coalition formed solely by people signing on to the website? A. Well, actually, as I see at the bottom of this, it says "2005." So this may be if it's 2005, it obviously came before the formation of the ballot measure committee. And I don't know even then whether well, there's a page on the left it says "Endorsement" so I guess there was opportunity for people to align with this general cause. Q. So let me go back to 2005 then. And ask you: Was was there an entity to your knowledge called ProtectMarriage.com in 2005? A. No, not an entity. There have been times over there have been ProtectMarriage.com has been more a general general purpose of for the benefit of traditional marriage. And there have been and prior to the Yes on 8 campaign, there was not an official entity. Q. Was there something other than an official entity that you understood ProtectMarriage.com to refer	10:29:33 10:29:34 10:29:36 10:29:37 10:29:42 10:29:43 10:29:46 10:29:49 10:29:54 10:29:58 10:30:03 10:30:10 10:30:16 10:30:17 10:30:18 10:30:23 10:30:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I go not know who is responsible for its creation. Q. Was it someone who worked for the California Family Council? A. No. Q. And I believe you said that California Renewal had no employees; correct? A. Correct. Q. So you have no idea, as you sit here, who was responsible for creating the ProtectMarriage.com website before 2008? A. Well, I have some idea in that I've referred to a fluid committee of people. But I do not I do not know precisely who pulled this trigger. Q. If you look at the bottom of Exhibit 1, there's a copyright designation it says "Copyright 2005 ProtectMarriage.com." Do you see that? A. Yes. Q. And then it also says "After all rights reserved," it says "ProtectMarriage.com, a project of California Renewal."

17 (Pages 62 to 65)

		Page 62			Page 6
10:30:36	1	2005 that was called ProtectMarriage.com?	10:37:44	1	A. Okay.
10:30:44	2	A. There was a I believe that would have been	10:37:44	2	Q. And that's what this document suggests at the
10:30:49	3	an earlier iteration of a ballot measure committee.	10:37:46	3	top of it; do you see that
10:30:56	4	Q. So there was an earlier ballot measure	10:37:48	4	A. Yes.
10:30:59	5	committee formed by or with the authority of the board	10:37:48	5	Q ProtectMarriage.com is a growing
10:31:04	6	of California Renewal?	10:37:51	6	A. Yes.
10:31:05	7	A. With the approval, yes.	10:37:51	7	Q broad-based coalition of organizations,
10:31:08	8	Q. And were you on that ballot measure committee	10:37:54	8	churches, et cetera.
10:31:11	9	as well?	10:37:58	9	MS. STEWART: I'm going to ask you to take a look a
10:31:12	10	A. No.	10:38:00	10	at an exhibit that would be marked 2.
10:31:13	11	Q. Do you know who was?	10:38:02	11	(Whereupon, Exhibit No. 2 was
10:31:19	12	MS. MOSS: Again, I'm going to instruct you not to	10:38:15	12	Marked for identification.)
10:31:20	13	answer well, you can answer to the extent whoever the	10:38:18	13	MS. STEWART: Q And ask you if you recognize this
10:31:23	14	membership was public, whoever the volunteers were that	10:38:24	14	document.
10:31:27	15	were public.	10:38:33	15	A. Yes.
10:31:28	16	THE WITNESS: I don't know whether they were public	10:38:34	16	Q. And can you tell me what it is.
10:31:29	17	or not.	10:38:36	17	A. This came from the earlier ballot measure
10:31:33	18	MS. MOSS: If you'd like, we can confer and see if	10:38:36	18	committee of '05. And on that on that website then,
10:31:35	19	·	10:38:44	19	·
		we know if they were public or not to give you an			it did it did list endorsements.
10:31:38	20	answer.	10:39:03	20	Q. And is this list I think you said earlier
10:31:41	21	MS. STEWART: Sure.	10:39:09	21	that the broad coalition that ProtectMarriage.com was
10:31:43	22	THE VIDEOGRAPHER: Off record. 10:31.	10:39:15	22	used sometimes to refer to, consisted of people who
10:31:44	23	(Brief break.)	10:39:24	23	signed up on the web to endorse or support
10:36:10	24	THE VIDEOGRAPHER: Back on the record. 10:35.	10:39:34	24	A. I think the confusion is that
10:36:15	25	MS. STEWART: Q So Mr. Prentice, were you able to	10:39:37	25	ProtectMarriage.com a ballot measure committee in '05 is
		Page 63			Page 6
10:36:18	1	1			
	_	determine whether any of the members of the committee	10:39:42	1	something very different from the ballot measure
10:36:22	2	that formed the ProtectMarriage.com ballot measure	10:39:42 10:39:44	1 2	something very different from the ballot measure committee of ProtectMarriage.com-Yes on 8.
		·			• •
10:36:29	2	that formed the ProtectMarriage.com ballot measure	10:39:44	2	committee of ProtectMarriage.com-Yes on 8.
10:36:29 10:36:33	2	that formed the ProtectMarriage.com ballot measure committee in 2005 are public?	10:39:44 10:39:48	2	committee of ProtectMarriage.com-Yes on 8. Q. Well, staying with the one that is reflected
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10:36:22 10:36:33 10:36:36 10:36:37 10:36:38 10:36:41 10:36:45 10:36:45 10:36:56 10:36:56 10:36:58 10:37:03 10:37:03 10:37:03 10:37:27 10:37:27 10:37:27 10:37:31 10:37:35 10:37:35 10:37:38	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that formed the ProtectMarriage.com ballot measure committee in 2005 are public? A. There was one member who was public as the chairman. Q. And who was that? A. And that was Peter Henderson. Q. And again, you were not a member of that committee; is that correct? A. Correct. Q. Were you at the time that committee was formed the executive director of California Renewal? A. Yes. Q. And that ProtectMarriage.com ballot measure committee was a project of California Renewal; correct? A. Yes. Q. And you said I think earlier that it was a that the name "ProtectMarriage.com" was used also besides the official ballot committee to describe a coalition of groups and people; correct? A. Yes.	10:39:44 10:39:48 10:39:50 10:39:54 10:40:02 10:40:06 10:40:11 10:40:14 10:40:20 10:40:25 10:40:28 10:40:36 10:40:39 10:40:40:10 10:41:00 10:41:05 10:41:06	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Well, staying with the one that is reflected by the documents that we have here, which is the 2005 ProtectMarriage.com, is Exhibit 2 a list of members or some of the members of the coalition that is described on Exhibit 1? A. I think what I would take issue with would be the term "members." These were folks who agreed with the general direction, purpose of that ballot measure committee and went on themselves and placed themselves on as an endorser. Q. But when the ProtectMarriage website referred to a coalition of organizations, churches and individuals, was it referring, at least in part, to the entities and people listed on Exhibit 2? MS. MOSS: Objection. Lack of foundation. MS. STEWART: Q You can still answer the question. A. I choose not to. MS. STEWART: You can't. MS. MOSS: You can't choose not to.

18 (Pages 66 to 69)

		Page 66			Page 68
10:41:14	1	do so if you know, you can answer the question. I'm	10:44:32	1	California Renewal, I think there are specific IDs that
10:41:17	2	not instructing you not to answer.	10:44:36	2	go with them.
10:41:24	3	THE WITNESS: You'll need to repeat the question,	10:44:37	3	Could you specify which
10:41:25	4	please.	10:44:39	4	MS. STEWART: Let me use the date since I think
10:41:30	5	MS. STEWART: Can you read it back.	10:44:39	5	it's a little less cumbersome.
10:41:32	6	(Record read.)	10:44:43	6	MS. MOSS: That would be fine.
10:41:51	7	THE WITNESS: And again, that would be essentially	10:44:43	7	MS. STEWART: Q So are you saying that
10:41:54	8	before my time and my knowledge. And so forgive me for	10:44:45	8	Peter Henderson was the chairman of the 2005
10:42:01	9	misunderstanding. Again, what this reads in Exhibit 1	10:44:49	9	California I'm sorry the 2005 ProtectMarriage.com
10:42:12	10	of '05 is, indeed, that it's a growing broad-based	10:44:53	10	project of California Renewal?
10:42:17	11	coalition. I think it speaks for itself that those who	10:44:55	11	A. The 2005 ProtectMarriage.com ballot measure
10:42:24	12	signed on as endorsers claim to align with the general	10:45:00	12	Q. Is there
10:42:31	13	purpose of the measure.	10:45:01	13	A committee.
10:42:34	14	MS. STEWART: Q So when you say before your time,	10:45:02	14	Q between the project and the ballot measure?
10:42:36	15	I'm trying to understand that.	10:45:06	15	A. Well, this would go to my lack of legal
10:42:38	16	You were the executive director of California	10:45:08	16	intellect. And that would be that I believe though the
10:42:40	17	Renewal in 2005; correct?	10:45:16	17	ballot measure committee is a project of California
10:42:42	18	A. Yes.	10:45:19	18	Renewal, it simply went to the board of California
10:42:42	19		10:45:19		* **
10:42:42	20	Q. And ProtectMarriage.com was a project of	10:45:25	19	Renewal to ask for its use for the ballot measure
		California Renewal; correct?		20	committee.
10:42:48	21	A. Correct.	10:45:32	21	Q. Did Mr. Henderson have any responsibility for
10:42:52	22	Q. Are you saying that you didn't have knowledge	10:45:34	22	the website of ProtectMarriage.com at the time?
10:42:54	23	of the operations of that project of California Renewal?	10:45:38	23	A. I don't I'll I don't know.
10:42:58	24	A. I was not involved on a day-to-day basis,	10:45:44	24	Q. What was the ballot measure that was the
10:43:03	25	correct.	10:45:47	25	subject of ProtectMarriage.com in 2005?
		Page 67			Page 69
10:43:04	1	Page 67 Q. Were you involved on any basis?	10:45:52	1	Page 69 A. The it was again recognizing the need to
10:43:04 10:43:07	1 2	_	10:45:52 10:46:00	1 2	_
		Q. Were you involved on any basis?			A. The it was again recognizing the need to
10:43:07	2	Q. Were you involved on any basis?A. I was informed because we were it was a	10:46:00	2	A. The it was again recognizing the need to protect traditional marriage in California law.
10:43:07 10:43:15	2	Q. Were you involved on any basis? A. I was informed because we were it was a project of California Renewal. I had a responsibility	10:46:00 10:46:05	2	A. The it was again recognizing the need to protect traditional marriage in California law. Q. Was it different in any way from the 2008
10:43:07 10:43:15 10:43:18	2 3 4	Q. Were you involved on any basis? A. I was informed because we were it was a project of California Renewal. I had a responsibility to inform the board of directors who had given authority	10:46:00 10:46:05 10:46:06	2 3 4	A. The it was again recognizing the need to protect traditional marriage in California law. Q. Was it different in any way from the 2008 ballot measure that became known as Proposition 8?
10:43:07 10:43:15 10:43:18 10:43:22	2 3 4 5	Q. Were you involved on any basis? A. I was informed because we were it was a project of California Renewal. I had a responsibility to inform the board of directors who had given authority to use California Renewal for this purpose.	10:46:00 10:46:05 10:46:06 10:46:12	2 3 4 5	 A. The it was again recognizing the need to protect traditional marriage in California law. Q. Was it different in any way from the 2008 ballot measure that became known as Proposition 8? A. I believe so.
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10:43:07 10:43:15 10:43:18 10:43:22 10:43:26 10:43:29 10:43:32 10:43:34 10:43:38 10:43:40 10:43:40 10:43:42 10:43:50 10:43:52 10:43:55 10:43:55 10:44:00 10:44:16	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Were you involved on any basis? A. I was informed because we were it was a project of California Renewal. I had a responsibility to inform the board of directors who had given authority to use California Renewal for this purpose. Q. And as part of that responsibility, did you familiarize yourself with the activities of ProtectMarriage.com? A. I was I was kept informed of the general activities. Q. Okay. And who kept you informed. A. Peter Henderson. Q. And was Peter Henderson an employee of California Family Council? A. Yes, he was. Q. And was he the one primarily responsible for the ProtectMarriage.com project of California Renewal? A. As I stated earlier, Peter was the chairman of a separate and distinct committee of the '05 ballot measure.	10:46:00 10:46:05 10:46:12 10:46:14 10:46:14 10:46:25 10:46:30 10:46:37 10:46:37 10:46:41 10:46:41 10:46:41 10:46:48 10:46:48 10:46:53 10:46:53 10:47:07 10:47:07	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. The it was again recognizing the need to protect traditional marriage in California law. Q. Was it different in any way from the 2008 ballot measure that became known as Proposition 8? A. I believe so. Q. How was it different? A. I believe that the the MS. MOSS: You can answer the question, but I'm just going to insert an objection to the extent that calls for a legal conclusion. But you can offer your THE WITNESS: I do not have I do not have the difference before me. MS. STEWART: Q So are you saying you don't remember. A. I don't I don't recall the specific language. Q. Do you recall generally in lay persons terms how the measure was different in the 2005 measure from Proposition 8? A. The there was some discussion of yes, within the language there was discussion of where let's see of domestic partnerships.

19 (Pages 70 to 73)

		Page 70			Page 72
10:47:25	1	MS. STEWART: I'm not. I'm asking for his	10:50:41	1	THE WITNESS: And I'll restate that I was aware of
10:47:27	2	understanding.	10:50:45	2	what the language stated.
10:47:29	3	THE WITNESS: I think that the measure clarified	10:50:46	3	MS. STEWART: Q Did you have an understanding as
10:47:32	4	that there was a legal differentiation between domestic	10:50:48	4	to the effect of that language, a lay person's
10:47:37	5	partnerships and marriage.	10:50:53	5	understanding in 2005?
10:47:39	6	MS. STEWART: I'm going to ask you to look at	10:50:54	6	A. I had an understanding that this language
10:47:41	7	Exhibit 3.	10:51:02	7	would be highly contested.
10:47:41	8	(Whereupon, Exhibit No. 3 was marked	10:51:07	8	Q. Did you have an understanding of what it would
10:47:52	9	For identification.)	10:51:09	9	mean if it was passed?
10:47:53	10	MS. STEWART: Q Do you recognize this document?	10:51:12	10	A. Well, I when you ask that question, I we
10:48:33	11	A. I'm familiar with it.	10:51:15	11	had an understanding of what it may mean.
10:48:35	12	Q. Is this the ballot measure that was the	10:51:19	12	Q. And what was that understanding?
10:48:45	13	responsibility of ProtectMarriage.com the 2005 ballot	10:51:20	13	A. It may mean one of two things: It may mean
10:48:48	14	measure committee?	10:51:24	14	that it would, as it states here, on its face, bar
10:48:53	15	A. It appears so.	10:51:28	15	domestic partnerships from being valid or recognized as
10:48:55	16	Q. And does this refresh your recollection as to	10:51:31	16	legal unions. On the other hand, it may very well mean
10:48:59	17	what that ballot measure would have done had it taken	10:51:36	17	it would not it would not hold up in court.
10:49:02	18	effect?	10:51:44	18	Q. So in other words, it could be challenged is
10:49:03	19	A. Yes, it does.	10:51:46	19	what you're saying?
10:49:04	20	Q. And can you tell me what that is?	10:51:48	20	A. Correct.
10:49:06	21	A. Well, the language states that the marriage	10:51:49	21	Q. But if it held up, it would mean that there
10:49:11	22	between a man and a woman would be the only legal union	10:51:51	22	would be no more domestic partnerships
10:49:14	23	valid or recognized in California.	10:51:55	23	A. As it said on its face, yes.
10:49:16	24	Q. And it would bar domestic partnerships from	10:52:10	24	Q. Thank-you.
10:49:18	25	being recognized as valid legal unions in California; is	10:52:11	25	So earlier you were we got bogged down a
		Page 71			Page 73
10:49:22	1	that correct?	10:52:18	1	little bit in some confusion about the name
10:49:23	2	MS. MOSS: Objection. Calls for a legal	10:52:21	2	ProtectMarriage.com.
10:49:24	3	conclusion.	10:52:22	3	So we've now I think, if I understand your
10:49:28	4	THE WITNESS: That's what it states.	10:52:25	4	answers correctly, established that there was an entity
10:49:30	5				· ·
		MS. STEWART: Q Were you aware at the time that	10:52:33	5	and a coalition that used the title
10:49:32	6	the ballot measure that ProtectMarriage.com was	10:52:35	5 6	and a coalition that used the title "ProtectMarriage.com" in 2005; is that fair?
10:49:37	6 7	the ballot measure that ProtectMarriage.com was responsible for would have eliminated legal recognition	10:52:35 10:52:40	5 6 7	and a coalition that used the title "ProtectMarriage.com" in 2005; is that fair? A. There was a ballot measure committee in 2005
10:49:37 10:49:43	6 7 8	the ballot measure that ProtectMarriage.com was responsible for would have eliminated legal recognition for domestic relationships?	10:52:35 10:52:40 10:52:46	5 6 7 8	and a coalition that used the title "ProtectMarriage.com" in 2005; is that fair? A. There was a ballot measure committee in 2005 that used ProtectMarriage.com.
10:49:37 10:49:43 10:49:48	6 7 8 9	the ballot measure that ProtectMarriage.com was responsible for would have eliminated legal recognition for domestic relationships? MS. MOSS: Objection. Assumes legal facts not in	10:52:35 10:52:40 10:52:46 10:52:48	5 6 7 8 9	and a coalition that used the title "ProtectMarriage.com" in 2005; is that fair? A. There was a ballot measure committee in 2005 that used ProtectMarriage.com. Q. And there was also a coalition that used that
10:49:37 10:49:43 10:49:48 10:49:51	6 7 8 9 10	the ballot measure that ProtectMarriage.com was responsible for would have eliminated legal recognition for domestic relationships? MS. MOSS: Objection. Assumes legal facts not in evidence.	10:52:35 10:52:40 10:52:46 10:52:48 10:52:51	5 6 7 8 9	and a coalition that used the title "ProtectMarriage.com" in 2005; is that fair? A. There was a ballot measure committee in 2005 that used ProtectMarriage.com. Q. And there was also a coalition that used that terminology; correct?
10:49:37 10:49:43 10:49:48 10:49:51 10:49:53	6 7 8 9 10	the ballot measure that ProtectMarriage.com was responsible for would have eliminated legal recognition for domestic relationships? MS. MOSS: Objection. Assumes legal facts not in evidence. THE WITNESS: I was aware that this language	10:52:35 10:52:40 10:52:46 10:52:48 10:52:51 10:52:53	5 6 7 8 9 10	and a coalition that used the title "ProtectMarriage.com" in 2005; is that fair? A. There was a ballot measure committee in 2005 that used ProtectMarriage.com. Q. And there was also a coalition that used that terminology; correct? A. I believe — I believe I've answered that. I
10:49:37 10:49:43 10:49:48 10:49:51 10:49:53 10:49:57	6 7 8 9 10 11	the ballot measure that ProtectMarriage.com was responsible for would have eliminated legal recognition for domestic relationships? MS. MOSS: Objection. Assumes legal facts not in evidence. THE WITNESS: I was aware that this language existed from that earlier organization.	10:52:35 10:52:40 10:52:46 10:52:48 10:52:51 10:52:53 10:52:56	5 6 7 8 9 10 11	and a coalition that used the title "ProtectMarriage.com" in 2005; is that fair? A. There was a ballot measure committee in 2005 that used ProtectMarriage.com. Q. And there was also a coalition that used that terminology; correct? A. I believe I believe I've answered that. I believe that there was no formal coalition.
10:49:37 10:49:43 10:49:48 10:49:51 10:49:53 10:49:57 10:50:04	6 7 8 9 10 11 12 13	the ballot measure that ProtectMarriage.com was responsible for would have eliminated legal recognition for domestic relationships? MS. MOSS: Objection. Assumes legal facts not in evidence. THE WITNESS: I was aware that this language existed from that earlier organization. MS. STEWART: Q And at the time that organization	10:52:35 10:52:40 10:52:46 10:52:48 10:52:51 10:52:53 10:52:56 10:53:00	5 6 7 8 9 10 11 12	and a coalition that used the title "ProtectMarriage.com" in 2005; is that fair? A. There was a ballot measure committee in 2005 that used ProtectMarriage.com. Q. And there was also a coalition that used that terminology; correct? A. I believe I believe I've answered that. I believe that there was no formal coalition. Q. But there was a coalition informal?
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20 (Pages 74 to 77)

		Page 74			Page 76
10:53:55	1	Q. Was there a difficulty raising the funds to	10:57:51	1	MS. STEWART: Can you read back his last answer.
10:53:59	2	get those signatures?	10:58:12	2	(Record read.)
10:54:00	3	A. I'm aware as far as the funding was very	10:58:12	3	MS. STEWART: Q So I want to refer to that
10:54:05	4	limited.	10:58:14	4	coalition that you just mentioned as the
10:54:16	5	Q. Who did the fundraising for that effort?	10:58:16	5	"ProtectMarriage.com coalition." To distinguish it from
10:54:21	6	MS. MOSS: To the extent that's publically known,	10:58:19	6	the "ProtectMarriage.com official ballot measure
10:54:25	7	you can respond. To the extent it would require you to	10:58:23	7	committee."
10:54:28	8	reveal somebody whose association with that ballot	10:58:25	8	Do you understand that distinction?
10:54:33	9	measure committee is not known, I would direct you not	10:58:26	9	A. Yes.
10:54:36	10	to answer.	10:58:28	10	Q. And I'm doing that so that we don't keep
10:54:36	11	THE WITNESS: I'm not aware.	10:58:31	11	getting bogged down in our questioning "Well, which
10:54:39	12	MS. STEWART: Q You're not aware at all or you're	10:58:35	12	are you referring to the entity, the official entity or
10:54:41	13	not aware of anyone non-public?	10:58:38	13	are you referring more broadly to the coalition?"
10:54:44	14	A. I'm not aware of anyone at all.	10:58:41	14	So do you understand that use of the term?
10:54:55	15	Q. I want to fast forward a little bit to 2008	10:58:43	15	A. I do. I however I believe I'm still at
10:54:58	16	but before I do, I want to cover the period between the	10:58:49	16	a place with a lack of understanding or a lack of
10:55:05	17	measure we were just talking about, 2005 and 2008, and	10:58:55	17	agreement as to when we refer to a "coalition," you
10:55:09	18	ask you: Was the name "ProtectMarriage.com" used for	10:59:01	18	earlier used the term "member" and there were no such
10:55:15	19	any purpose, to your knowledge, between when the 2005	10:59:04	19	there was no such entity.
10:55:22	20	measure failed to get enough signatures and 2008?	10:59:08	20	Q. Okay.
10:55:30	21	A. I believe that there had been actually, I'm	10:59:10	21	Well, let me ask you this: If you go to
10:55:38	22	not sure. I don't know.	10:59:15	22	ProtectMarriage.com's website today, and I think this
10:55:43	23	Q. Do you is it a failure of memory or you	10:59:18	23	was true in 2008 as well, under the heading about
10:55:46	24	really you don't know at all?	10:59:26	24	ProtectMarriage.com it says "ProtectMarriage.com is a
10:55:50	25	A. It could be both.	10:59:30	25	broad-based coalition of California families, community
		Page 75			Page 77
		_			
10:55:53	1	Q. Okay.	10:59:35	1	leaders, religious leaders, pro family organizations and
10:55:56	2	A. I'm I don't have a recollection.	10:59:40	2	individuals from all walks of life who have joined
10:55:58	3	Q. Okay. Fair enough.	10:59:44	3	together to support Proposition 8."
10:56:02	4	In any event, in 2008, the name	10:59:48	4	First of all, is that an accurate statement?
10:56:05	5	"ProtectMarriage.com" was used again; is that correct?	10:59:52	5	A. It's an accurate statement to the degree that
10:56:10	6	A. Correct.	10:59:54	6	we have a an understanding of what "joined together"
10:56:10	7	Q. Can you tell me the purposes for which the	10:59:59	7	means.
10:56:14	8	name "ProtectMarriage.com" was used in 2008?	10:59:59	8 9	Q. And what does "join together" mean in that website?
10:56:19	9	A. Well, ProtectMarriage.com was used for the	11:00:02		
10.EC.04	1 0		11.00.02		
10:56:24	10	ballot measure committee. And then once we received an	11:00:03	10	A. It means that we are like-minded towards the
10:56:32	11	initiative number, Yes on 8 was added to that.	11:00:06	10 11	A. It means that we are like-minded towards the definition of marriage.
10:56:32 10:56:39	11 12	initiative number, Yes on 8 was added to that. Q. Okay.	11:00:06 11:00:08	10 11 12	A. It means that we are like-minded towards the definition of marriage.Q. Does that mean that you work together towards
10:56:32 10:56:39 10:56:40	11 12 13	initiative number, Yes on 8 was added to that. Q. Okay. So it was used for the ballot measure	11:00:06 11:00:08 11:00:10	10 11 12 13	 A. It means that we are like-minded towards the definition of marriage. Q. Does that mean that you work together towards the passage of Proposition 8?
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21 (Pages 78 to 81)

		Page 78			Page 80
11:00:53	1	apologize, we will have this printed out later but	11:09:52	1	was formed. And you said I think 2007.
11:00:57	2	when the language on the website again says "That	11:09:56	2	A. Mid-November, yes.
11:01:00	3	ProtectMarriage.com is a broad-based coalition of	11:09:57	3	Q. And did you play a role in the formation of
11:01:04	4	California families, community leaders, religious	11:10:00	4	that entity?
11:01:07	5	leaders, pro family organizations, and individuals from	11:10:02	5	A. I was a member of the ad hoc executive
11:01:09	6	all walks of life who have joined together to support	11:10:05	6	committee.
11:01:15	7	Proposition 8."	11:10:05	7	Q. And who else was an ad a member of that ad
11:01:16	8	So in some sense, did those entities, those	11:10:14	8	hoc executive committee for the 2008 entity?
11:01:21	9	groups, families, religious leaders, et cetera join	11:10:21	9	MS. MOSS: I think that's been asked and answered.
11:01:26	10	together to support Proposition 8?	11:10:21	10	You can answer it again, but the same instruction.
11:01:28	11	A. I would say I would not agree with the	11:10:24	11	Don't reveal the one individual who's asked us to keep
11:01:31	12	accuracy of that statement on the website. I would	11:10:28	12	his
11:01:34	13	have I would have taken issue with it and	11:10:29	13	THE WITNESS: One individual has asked for
11:01:37	14	(Ms. Piepmeier leaves the room.)	11:10:32	14	confidentiality. And then Mark Jansson, Ned Dolejsi and
11:01:39	15	THE WITNESS: and said working towards the	11:10:37	15	myself.
11:01:40	16	passage. And I would have left out "joined together."	11:10:39	16	MS. STEWART: Q Was Mr. Pugno a member of the
11:01:46	17	MS. STEWART: Q So speaking now about	11:10:40	17	executive committee?
11:01:55	18	ProtectMarriage.com the ballot measure committee, the	11:10:42	18	A. No.
11:02:04	19	one that supported Proposition 8, when was that	11:10:42	19	Q. Did the membership of the executive committee
11:02:08	20	committee formed?	11:10:46	20	change at any time?
11:02:11	21	A. To the best of my knowledge, the middle of	11:10:47	21	A. During the campaign? Is that what you're
11:02:16	22	November, '07.	11:10:51	22	asking?
11:02:38	23	Q. Was a website then created by that committee	11:10:53	23	Q. Yes.
11:02:43	24	or for that committee?	11:10:55	24	A. No, not to my knowledge, no.
11:02:47	25	A. There had been a website during that time,	11:10:57	25	Q. So yourself, Ned Dolejsi, Mr. Jansson and
		Page 79			Page 81
11:02:52	1				
		yes.	11:11:04	1	we'll call him Mr. Doe; correct?
11:02:52	2	yes. Q. Did the website that was that we saw on	11:11:04 11:11:08	1 2	we'll call him Mr. Doe; correct? A. Correct. Mr. or Ms.
11:02:52 11:02:57	2	·			,
		Q. Did the website that was that we saw on	11:11:08	2	A. Correct. Mr. or Ms.
11:02:57	3	Q. Did the website that was that we saw on Exhibits 1 and 2 earlier remain online into 2008?	11:11:08 11:11:26	2	A. Correct. Mr. or Ms. Q. Fair enough.
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29 (Pages 110 to 113)

		Page 110			Page 112
12:03:42	1	A. A simulcast is where an event takes place in	12:06:21	1	Q. And McPherson's church you said was The Rock
12:03:46	2	one facility and the event is broadcast into other	12:06:25	2	Church?
12:03:53	3	facilities.	12:06:26	3	A. Correct.
12:03:55	4	O. At the same time?	12:06:26	4	Q. And where is that?
12:03:55	5	A. Yes.	12:06:28	5	A. Point Loma-San Diego.
12:03:56	6	Q. Hence the simul part of simulcast?	12:06:31	6	Q. Thank-you. I'm bad with Southern California.
12:04:00	7	A. Yeah.	12:06:37	7	So the Pastors Rapid Response Team put them
12:04:01	8	Q. So you mentioned earlier that there were	12:06:46	8	on.
12:04:04	9	simulcasts done in the effort to pass Prop 8.	12:06:47	9	Were they sponsored by ProtectMarriage.com?
12:04:14	10	Can you describe those events, those simulcast	12:06:50	10	A. You need to tell me what you mean by
12:04:18	11	events.	12:06:51	11	"sponsored."
12:04:19	12	A. Those were put on by Pastors Rapid Response	12:06:54	12	Q. Did ProtectMarriage.com promote them in any
12:04:24	13	Team, and were oriented towards pastors and churches.	12:07:00	13	way?
12:04:34	14	Q. And how many were there?	12:07:10	14	A. I'm not I'm not remembering a time. I
12:04:40	15	A. I believe there were three.	12:07:14	15	would imagine we may have we may have communicated
12:04:47	16	Q. And did you participate in any way in those	12:07:18	16	that they took place or that they were going to take
12:04:55	17	simulcasts?	12:07:21	17	place. But it wasn't a major part of our communication.
12:04:56	18	A. No.	12:07:27	18	Q. Did ProtectMarriage.com provide funding for
12:04:57	19	Q. Were you present at the were they held in	12:07:31	19	them?
12:05:02	20	churches?	12:07:31	20	A. Yes.
12:05:05	21	MS. MOSS: Let me just interject. Obviously, you	12:07:34	21	Q. What level of funding, if you recall, did
12:05:07	22	can only answer what you know, and you can answer that.	12:07:38	22	ProtectMarriage.com provide for the simulcasts?
12:05:09	23	I just want to for the record note a lack of foundation	12:07:43	23	A. We provided for the total funding of the
12:05:12	24	to the extent that he said he didn't.	12:07:46	24	simulcast.
12:05:15	25	MS. STEWART: He can say if he doesn't know	12:07:54	25	MS. STEWART: I'm going to suggest we take a lunch
					8 8 8
		Page 111			Page 113
12:05:17	1		12:07:56	1	Page 113
12:05:17 12:05:19	1 2	MS. MOSS: If he knows. I just want to preserve	12:07:56 12:07:59	1 2	
					Page 113 break. Is this a good time for you guys?
12:05:19	2	MS. MOSS: If he knows. I just want to preserve the foundation objection.	12:07:59	2	Page 113 break. Is this a good time for you guys? MS. MOSS: Sure.
12:05:19 12:05:23	2 3	MS. MOSS: If he knows. I just want to preserve the foundation objection. MS. STEWART: Preserve.	12:07:59 12:08:05	2	Page 113 break. Is this a good time for you guys? MS. MOSS: Sure. THE VIDEOGRAPHER: Off record at 12:07.
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30 (Pages 114 to 117)

		Page 114			Page 11
01:20:07	1	Was that one of the responsibilities of the	01:24:02	1	"coordinating." But if you understand it, you can
01:20:09	2	executive committee?	01:24:05	2	answer.
01:20:10	3	A. It was one of our strategies.	01:24:05	3	THE WITNESS: I don't well enough.
01:20:12	4	Q. And were you personally involved in that	01:24:55	4	MS. STEWART: I'm going to ask you to look at an
01:20:18	5	effort of coordinating with the organizations churches	01:25:02	5	exhibit that will be marked 6.
01:20:22	6	and individuals that made up the coalition?	01:25:04	6	(Whereupon, Exhibit No. 6 was
01:20:28	7	A. I participated in communicating to churches	01:25:28	7	Marked for identification.)
01:20:36	8	and pastors.	01:25:43	8	MS. STEWART: Q Take a moment, if you need to, to
01:20:49	9	Q. Did anyone did any of the consultants that	01:25:45	9	look at the document. Because I'm going to ask you if
01:21:31	10	ProtectMarriage.com retained for the Prop 8 campaign	01:25:48	10	you recognize it and can tell me what it is.
01:21:39	11	also participate in coordinating with the organizations,	01:26:13	11	(Pause in the proceedings.)
01:21:42	12	churches and individuals that made up the	01:27:08	12	THE WITNESS: Okay.
01:21:46	13	ProtectMarriage coalition?	01:27:10	13	MS. STEWART: Q Do you recognize this as the
01:21:59	14	A. To my knowledge, no.	01:27:12	14	income tax return for 2006 for the California Family
01:22:01	15	Q. Not even Shubert-Flint?	01:27:16	15	Council Foundation?
01:22:01	16	A. Well, I continue to go back to the idea of	01:27:18	16	
01:22:04		·			A. Yes.
	17	coordinating. I think they were invited as I mentioned,	01:27:19	17	Q. Is the California Family Council Foundation
01:22:09	18	but they didn't put those together.		18	the entity that we were talking about earlier today that
01:22:19	19	Q. Well, I'm not specifically I'm not	01:27:27	19	we referred to as the California Family Council? Are
01:22:21	20	referring to some specific from the nature of your	01:27:30	20	there two entities or is it one?
01:22:24	21	answer from what you said, I want to be clear. I'm not	01:27:32	21	A. It is the same entity.
01:22:29	22	referring to a conference call in particular.	01:27:34	22	Q. Thank-you.
01:22:31	23	I'm just asking in general, did any of the	01:27:35	23	And is it part of your responsibility or
01:22:35	24	consultants you know, did you charge them with some	01:27:39	24	let me ask more specifically.
01:22:40	25	responsibility to coordinate with organizations and	01:27:41	25	In 2006, was it part of your responsibility to
		Page 115			Page 11
01:22:45	1	churches and individuals that made up the coalition, the	01:27:44	1	see that the tax returns for the entity were prepared
01:22:49	2	broad ProtectMarriage coalition?	01:27:51	2	and filed?
01:22:51	3				una mea.
		MS. MOSS: I'll object to the term vague the	01:27:52	3	A. Yes, ultimately.
01:22:55	4	MS. MOSS: I'll object to the term vague the term "coordination" is vague.	01:27:52 01:27:54		
	4 5	•		3	A. Yes, ultimately.
01:22:57		term "coordination" is vague.	01:27:54	3 4	A. Yes, ultimately.Q. And if you look at page 9 of this document, is
01:22:57 01:22:59	5	term "coordination" is vague. THE WITNESS: I am struggling with it.	01:27:54 01:27:58	3 4 5	A. Yes, ultimately.Q. And if you look at page 9 of this document, is that your signature on the document?
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51 (Pages 198 to 201)

1		Page 198			Page 200
04:28:34	1	Q. Well, it states that ProtectMarriage.com is	04:32:03	1	gathered I see were gathered in 2005. And that
04:28:37	2	now moving forward with another attempt to qualify a	04:32:08	2	was the measure that didn't make it onto the ballot; is
04:28:40	3	ballot measure.	04:32:12	3	that what you're saying?
04:28:41	4	That would seem to indicate that the document	04:32:13	4	A. Correct.
04:28:43	5	was prepared and circulated before Proposition 8 had	04:32:13	5	Q. And now it says in the next paragraph that
04:28:49	6	actually qualified for the ballot would it not?	04:32:15	6	"ProtectMarriage.com is moving forward with another
04:28:52	7	A. Yes.	04:32:19	7	attempt to qualify a ballot measure."
04:28:53	8	However, the ProtectMarriage.com that's	04:32:22	8	Is it your understanding that that refers to
04:28:56	9	referenced here is not the same ProtectMarriage.com that	04:32:24	9	what eventually became Proposition 8?
04:29:05	10	registered as a ballot measure committee.	04:32:27	10	A. Yes.
04:29:08	11	Q. And how do you know that?	04:32:56	11	Q. Look at the middle panel on the second page of
04:29:10	12	A. Well, because even members on this coalition	04:33:00	12	the document in the last piece of text in the bullet
04:29:14	13	were not members were not participating in were	04:33:05	13	point. It says "In mid-2008, the California Supreme
04:29:23	14	not actively participating in in the passage of	04:33:09	14	Court will decide whether the definition of marriage as
04:29:27	15	Prop 8.	04:33:13	15	only between a man and a woman, Proposition 22, is
04:29:28	16	Q. Okay.	04:33:16	16	constitutionally protected."
04:29:29	17	So were not actively participating in the	04:33:18	17	Do you see that?
04:29:32	18	passage of Prop 8 at what time period?	04:33:18	18	A. Yes.
04:29:35	19	A. During the campaign.	04:33:19	19	Q. So obviously this document was prepared before
04:29:36	20		04:33:21	20	
04:29:38	21	Q. So when you said, "during the campaign," do	04:33:21	21	the California Supreme Court issued its decision in May of 2008: correct?
04:29:50	22	you mean after the measure had qualified for the ballot?	04:33:24	22	A. Correct.
	23	A. I I don't know. I don't know precisely the	04:33:20	23	
04:29:55		timeline of this.			Q. And was there a coalition of organizations
04:29:56	24	Q. In in 2008 when this brochure appears to	04:33:34	24	that were in someway moving forward as of sometime in
04:30:07	25	have been produced, you were the I'm forgetting	04:33:49	25	the middle of 2008 or early 2008 to qualify another
		Page 199			Page 201
04:30:13	1	avacutive director of the California Family Council			
04.30.10		executive director of the California Family Council?	04:33:54	1	measure for the ballot?
04:30:18	2	MS. MOSS: Object to the extent I don't think it's	04:33:54 04:33:57	1 2	measure for the ballot? MS. MOSS: Object to the form of the question. I
04:30:18	2	·			
		MS. MOSS: Object to the extent I don't think it's	04:33:57	2	MS. MOSS: Object to the form of the question. I
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04:30:19 04:30:23 04:30:26 04:30:38 04:30:44 04:30:53 04:30:56 04:30:58 04:31:00 04:31:10 04:31:12 04:31:15 04:31:15 04:31:25 04:31:33 04:31:33	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MS. MOSS: Object to the extent I don't think it's been established when this brochure was, in fact, created. Whether it was MS. STEWART: Q Let me just ask this: Let me go back to the second page and look at that right-hand panel again. And the paragraph above the one that's got a lot of bold-faced type, it says "The ProtectMarriage Coalition's volunteer effort gathered nearly 300,000 signatures through church communications." Do you see that? A. Uh-huh. Q. Is that true that a coalition that called itself "ProtectMarriage" used volunteers to gather 300,000 signatures? A. I would probably take issue with the fact that it would be the ProtectMarriage coalition. I would say that there were a number of groups who participated churches and otherwise who participated in attempting to gather signatures. Q. And when did the coalition succeed in gathering 300,000 signatures?	04:33:57 04:33:58 04:34:01 04:34:05 04:34:12 04:34:19 04:34:28 04:34:39 04:34:40 04:34:43 04:34:51 04:34:51 04:35:00 04:35:00 04:35:01 04:35:01 04:35:11 04:35:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MS. MOSS: Object to the form of the question. I think again to the extent that there's been some disagreement about exactly what coalition means, to the extent you understand that term, you may answer the question. THE WITNESS: Well, clearly, the by referring to this last bullet point in mid-2008, the timing of this appears to have been either just before or during the petition-gathering phase. MS. STEWART: Q Fair enough. And was there the third panel says "ProtectMarriage.com is now moving" the third panel on the second page "ProtectMarriage.com is now moving forward with another attempt to qualify a ballot measure." Do you see that? A. Yes. Q. And is it your understanding that there was some kind of coalition or group of group in the first half of 2008 that were working to qualify to get the signatures to qualify what became Prop 8?

52 (Pages 202 to 205)

		Page 202			Page 204
04-35-36			04:38:28	1	
04:35:36	1	taking orders from any authoritative group. And these		1	that received it.
04:35:49	2	entities were like-minded about the passage of such a	04:38:32 04:38:37	2	Q. And I apologize, again, if I there's a lot
04:35:55	3	measure, but but that's that's the extent of the		3	of entities here, and so I'm not sure what I've asked
04:36:01	4	relationship.	04:38:41	4	about and what I haven't. I'm trying to keep track.
04:36:02	5	Q. Okay.	04:38:45	5	But when did the official ballot measure
04:36:02	6	So without changing that non-authoritative	04:38:48	6	committee for Proposition 8 actually form?
04:36:07	7	informal coalition definition of coalition, were the	04:38:52	7	A. The ballot committee formed the I'm doing
04:36:10	8	groups listed on the first page of this brochure moving	04:39:01	8	the math here. I believe it was
04:36:17	9	forward with an attempt to qualify Proposition 8 for the	04:39:06	9	MS. MOSS: That actually has been asked and
04:36:19	10	ballot?	04:39:08	10	answered earlier.
04:36:21	11	A. Individually, independently.	04:39:10	11	THE WITNESS: I thought so.
04:36:24	12	Q. And one of those entities was the California	04:39:11	12	MS. MOSS: His testimony earlier was in
04:36:27	13	Family Council?	04:39:14	13	mid-November, 2007.
04:36:28	14	A. Correct.	04:39:15	14	THE WITNESS: Thank-you.
04:36:28	15	Q. And another was Focus on the Family?	04:39:16	15	MS. STEWART: Q So why would you describe
04:36:32	16	A. Yes.	04:39:19	16	ProtectMarriage.com as a coalition in a brochure if a
04:36:33	17	Q. And another was Concerned Women for America?	04:39:36	17	coalition of groups working to put a measure on the
04:36:38	18	A. I'm not aware of any activity that they were	04:39:39	18	ballot if strike that.
04:36:40	19	accomplishing in this timeline.	04:39:52	19	At the time this brochure was prepared by the
04:36:42	20	Q. Do you know why they would have been listed on	04:39:55	20	California Family Council, there had actually been a
04:36:45	21	a California Family Council brochure as being part of	04:40:01	21	ballot measure committee formed; is that right?
04:36:49	22	the effort if they were not doing anything?	04:40:04	22	A. I don't think that's been established in terms
04:36:52	23	A. I think there was I believe that this piece	04:40:05	23	of the timeline of the creation of this (indicating).
04:36:57	24	was created at the request of a a church that wanted	04:40:10	24	Q. Let me tell you that the title of the document
04:37:04	25	information. And that that church asked that we might	04:40:13	25	in the document production has a date on in the Bates
		Page 203			Page 205
04:37:09	1				
		list numerous groups that had expressed interest in its	04:40:29	1	number, and it's February 20, 2008.
04:37:14	2	list numerous groups that had expressed interest in its passage.	04:40:29 04:40:32	1 2	number, and it's February 20, 2008. Now, I don't know what that means because I
04:37:14		passage.			Now, I don't know what that means because I
	2	passage. Q. Okay.	04:40:32	2	Now, I don't know what that means because I don't know how those numbers were put on there because
04:37:14	2 3 4	passage. Q. Okay. Would you have listed a group to be described	04:40:32 04:40:35	2	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form.
04:37:14 04:37:15	2 3 4 5	passage. Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify	04:40:32 04:40:35 04:40:41	2 3 4	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way
04:37:14 04:37:15 04:37:25	2 3 4 5 6	passage. Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify a ballot measure if it wasn't doing anything?	04:40:32 04:40:35 04:40:41 04:40:45	2 3 4 5	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way A. No.
04:37:14 04:37:15 04:37:25 04:37:33 04:37:37	2 3 4 5 6 7	passage. Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify a ballot measure if it wasn't doing anything? A. I would have listed a group that was	04:40:32 04:40:35 04:40:41 04:40:45 04:40:48	2 3 4 5 6 7	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way A. No. Q. But we know that at some point before the
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04:37:14 04:37:15 04:37:25 04:37:33 04:37:37 04:37:38 04:37:46 04:37:48	2 3 4 5 6 7 8 9 10	Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify a ballot measure if it wasn't doing anything? A. I would have listed a group that was like-minded and whose yeah, I I would have listed a group that was like-minded. Q. Even if it had not in any way committed to work on the ballot measure?	04:40:32 04:40:35 04:40:41 04:40:48 04:40:50 04:40:54 04:40:57 04:41:00 04:41:05	2 3 4 5 6 7 8 9 10	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way A. No. Q. But we know that at some point before the Supreme Court decided and knowing that the court would decide in the middle of 2008, this document was prepared? A. Yes.
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04:37:14 04:37:15 04:37:25 04:37:33 04:37:38 04:37:46 04:37:48 04:37:50 04:37:50 04:37:56 04:38:00 04:38:00 04:38:01 04:38:01 04:38:05 04:38:05 04:38:05	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	passage. Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify a ballot measure if it wasn't doing anything? A. I would have listed a group that was like-minded and whose yeah, I I would have listed a group that was like-minded. Q. Even if it had not in any way committed to work on the ballot measure? A. I would have asked each of these groups whether they would allow us to put their name on this. Q. Was that done in connection with preparing this brochure? A. I believe it was. Q. And were you the one who did it? A. No. Q. Do you know who did? A. No.	04:40:32 04:40:35 04:40:41 04:40:45 04:40:50 04:40:57 04:41:05 04:41:05 04:41:11 04:41:19 04:41:21 04:41:22 04:41:22 04:41:30 04:41:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way A. No. Q. But we know that at some point before the Supreme Court decided and knowing that the court would decide in the middle of 2008, this document was prepared? A. Yes. Q. And we know from the "what you can do" section that it was talking about a million signatures being needed between now and Easter, 2008. Do you see that? A. Yes. Q. And what is the period within which you have to collect signatures for a ballot measure in California? A. 150 days.
04:37:14 04:37:15 04:37:25 04:37:33 04:37:38 04:37:46 04:37:48 04:37:50 04:37:56 04:37:56 04:38:00 04:38:01 04:38:01 04:38:05 04:38:05 04:38:08 04:38:09	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	passage. Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify a ballot measure if it wasn't doing anything? A. I would have listed a group that was like-minded and whose yeah, I I would have listed a group that was like-minded. Q. Even if it had not in any way committed to work on the ballot measure? A. I would have asked each of these groups whether they would allow us to put their name on this. Q. Was that done in connection with preparing this brochure? A. I believe it was. Q. And were you the one who did it? A. No. Q. Do you know who did? A. No. Q. What was the to whom did this brochure	04:40:32 04:40:35 04:40:41 04:40:45 04:40:50 04:40:57 04:41:05 04:41:05 04:41:19 04:41:21 04:41:22 04:41:22 04:41:30 04:41:30 04:41:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way A. No. Q. But we know that at some point before the Supreme Court decided and knowing that the court would decide in the middle of 2008, this document was prepared? A. Yes. Q. And we know from the "what you can do" section that it was talking about a million signatures being needed between now and Easter, 2008. Do you see that? A. Yes. Q. And what is the period within which you have to collect signatures for a ballot measure in California? A. 150 days. Q. So would it be fair to say that this document
04:37:14 04:37:15 04:37:25 04:37:33 04:37:38 04:37:46 04:37:48 04:37:50 04:37:54 04:37:56 04:38:00 04:38:00 04:38:01 04:38:05 04:38:05 04:38:05 04:38:09 04:38:09 04:38:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	passage. Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify a ballot measure if it wasn't doing anything? A. I would have listed a group that was like-minded and whose yeah, I I would have listed a group that was like-minded. Q. Even if it had not in any way committed to work on the ballot measure? A. I would have asked each of these groups whether they would allow us to put their name on this. Q. Was that done in connection with preparing this brochure? A. I believe it was. Q. And were you the one who did it? A. No. Q. Do you know who did? A. No. Q. What was the to whom did this brochure ultimately go?	04:40:32 04:40:35 04:40:41 04:40:48 04:40:50 04:40:57 04:41:05 04:41:05 04:41:11 04:41:19 04:41:22 04:41:22 04:41:22 04:41:30 04:41:33 04:41:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way A. No. Q. But we know that at some point before the Supreme Court decided and knowing that the court would decide in the middle of 2008, this document was prepared? A. Yes. Q. And we know from the "what you can do" section that it was talking about a million signatures being needed between now and Easter, 2008. Do you see that? A. Yes. Q. And what is the period within which you have to collect signatures for a ballot measure in California? A. 150 days. Q. So would it be fair to say that this document would have had to have been prepared approximately 150
04:37:14 04:37:15 04:37:25 04:37:33 04:37:38 04:37:46 04:37:48 04:37:50 04:37:56 04:37:56 04:38:00 04:38:00 04:38:01 04:38:05 04:38:05 04:38:05 04:38:08 04:38:13 04:38:16	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify a ballot measure if it wasn't doing anything? A. I would have listed a group that was like-minded and whose yeah, I I would have listed a group that was like-minded. Q. Even if it had not in any way committed to work on the ballot measure? A. I would have asked each of these groups whether they would allow us to put their name on this. Q. Was that done in connection with preparing this brochure? A. I believe it was. Q. And were you the one who did it? A. No. Q. Do you know who did? A. No. Q. What was the to whom did this brochure ultimately go? A. Again, I'm not I'm not able to answer that.	04:40:32 04:40:35 04:40:41 04:40:45 04:40:50 04:40:57 04:41:05 04:41:05 04:41:11 04:41:19 04:41:21 04:41:22 04:41:22 04:41:30 04:41:30 04:41:36 04:41:46	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way A. No. Q. But we know that at some point before the Supreme Court decided and knowing that the court would decide in the middle of 2008, this document was prepared? A. Yes. Q. And we know from the "what you can do" section that it was talking about a million signatures being needed between now and Easter, 2008. Do you see that? A. Yes. Q. And what is the period within which you have to collect signatures for a ballot measure in California? A. 150 days. Q. So would it be fair to say that this document would have had to have been prepared approximately 150 days before Easter of 2008?
04:37:14 04:37:15 04:37:25 04:37:33 04:37:38 04:37:46 04:37:48 04:37:50 04:37:54 04:37:56 04:38:00 04:38:00 04:38:01 04:38:05 04:38:05 04:38:05 04:38:09 04:38:09 04:38:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	passage. Q. Okay. Would you have listed a group to be described as being involved or as working on attempting to qualify a ballot measure if it wasn't doing anything? A. I would have listed a group that was like-minded and whose yeah, I I would have listed a group that was like-minded. Q. Even if it had not in any way committed to work on the ballot measure? A. I would have asked each of these groups whether they would allow us to put their name on this. Q. Was that done in connection with preparing this brochure? A. I believe it was. Q. And were you the one who did it? A. No. Q. Do you know who did? A. No. Q. What was the to whom did this brochure ultimately go?	04:40:32 04:40:35 04:40:41 04:40:48 04:40:50 04:40:57 04:41:05 04:41:05 04:41:11 04:41:19 04:41:22 04:41:22 04:41:22 04:41:30 04:41:33 04:41:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Now, I don't know what that means because I don't know how those numbers were put on there because your counsel produced the documents in a digital form. But does that help you in any way A. No. Q. But we know that at some point before the Supreme Court decided and knowing that the court would decide in the middle of 2008, this document was prepared? A. Yes. Q. And we know from the "what you can do" section that it was talking about a million signatures being needed between now and Easter, 2008. Do you see that? A. Yes. Q. And what is the period within which you have to collect signatures for a ballot measure in California? A. 150 days. Q. So would it be fair to say that this document would have had to have been prepared approximately 150

57 (Pages 222 to 225)

		Page 222			Page 224
05:17:17	1	sometimes and with little Cs other times, was that a	05:21:10	1	and individuals from all walks of life who have joined
05:17:20	2	practice in your communications?	05:21:13	2	together to support Proposition 8."
05:17:25	3	A. I'm sorry, I don't recall.	05:21:16	3	Do you see that?
05:17:37	4	MS. STEWART: I'm going to ask you to look at a	05:21:16	4	A. Yes.
05:17:40	5	document labeled Exhibit 28.	05:21:17	5	Q. So Isn't it fair to say that the campaign
05:18:02	6	(Whereupon, Exhibit No. 28 was	05:21:20	6	frequently referred to ProtectMarriage.com in its
05:18:02	7	Marked for identification.)	05:21:24	7	communications as the broad-based coalition that you
05:18:38	8	MS. STEWART: Q Is this a press release that was	05:21:27	8	were talking about?
05:18:40	9	issued by ProtectMarriage.com?	05:21:35	9	MS. MOSS: I'm sorry, could you clarify? When he
05:18:43	10	A. Well, yes.	05:21:37	10	was talking about here or
05:18:46	11	Q. Who's Chip White?	05:21:40	11	MS. STEWART: Q Isn't it true that
05:18:48	12	A. Chip White was a contractor in our	05:21:44	12	ProtectMarriage.com in its communications with the
05:18:51	13	communications room.	05:21:48	13	public frequently referred to ProtectMarriage.com as a
05:18:52	14	Q. And in the third paragraph, last sentence says	05:21:52	14	broad-based coalition of California families, community
05:19:00	15	"Our coalition has no plans to seek any changes in that	05:21:55	15	leaders, religious leaders, pro-family organizations,
05:19:04	16	law, that law I think referring to Proposition 8."	05:21:58	16	and individuals?
05:19:08	17	Do you see that?	05:22:03	17	A. I don't I couldn't stipulate to frequently.
05:19:09	18	A. Yes.	05:22:07	18	Q. Did this footer, if you will, appear on many
05:19:11	19	O. What is the reference to "our coalition," what	05:22:13	19	releases issued by ProtectMarriage.com?
05:19:13	20	does that mean?	05:22:17	20	A. I'm not aware.
05:19:16	21	A. It's in my opinion, it's a misstatement and	05:22:18	21	Q. Okay.
05:19:21	22	should have said "the executive committee."	05:22:18	22	Did it appear on the organization's website?
05:19:25	23	Q. Why do you say that?	05:22:29	23	A. I I would need to look through here. But
05:19:27	24	A. Because we we did not speak on behalf of	05:22:32	24	it strikes me that we've already seen it from a website
05:19:31	25	people who participated cooperatively in the campaign.	05:22:36	25	piece.
,					•
		Page 223			Page 225
05-10-25	-	Page 223	05 - 22 - 27	1	Page 225
05:19:35	1	Q. So you did not speak on behalf of the	05:22:37	1	Q. How are voters to know which use you were
05:19:37	2	Q. So you did not speak on behalf of the coalition of organizations that supported Proposition 8?	05:22:40	2	Q. How are voters to know which use you were making of the term "ProtectMarriage.com" when you use
05:19:37 05:19:43	2	Q. So you did not speak on behalf of the coalition of organizations that supported Proposition 8? A. Well, again, you're asking me if we spoke on	05:22:40 05:22:43	2	Q. How are voters to know which use you were making of the term "ProtectMarriage.com" when you use that term in public communications?
05:19:37 05:19:43 05:19:45	2 3 4	Q. So you did not speak on behalf of the coalition of organizations that supported Proposition 8? A. Well, again, you're asking me if we spoke on behalf of a loose broadly-based group of organizations	05:22:40 05:22:43 05:22:53	2 3 4	Q. How are voters to know which use you were making of the term "ProtectMarriage.com" when you use that term in public communications? A. How how are voters to know sorry.
05:19:37 05:19:43 05:19:45 05:19:54	2 3 4 5	Q. So you did not speak on behalf of the coalition of organizations that supported Proposition 8? A. Well, again, you're asking me if we spoke on behalf of a loose broadly-based group of organizations that did many things on by their own will.	05:22:40 05:22:43 05:22:53 05:22:59	2 3 4 5	Q. How are voters to know which use you were making of the term "ProtectMarriage.com" when you use that term in public communications? A. How how are voters to know sorry. Q. I'm a voter. I receive a communication from
05:19:37 05:19:43 05:19:45 05:19:54 05:19:58	2 3 4 5 6	Q. So you did not speak on behalf of the coalition of organizations that supported Proposition 8? A. Well, again, you're asking me if we spoke on behalf of a loose broadly-based group of organizations that did many things on by their own will. Q. And yes, I am.	05:22:40 05:22:43 05:22:53 05:22:59 05:23:04	2 3 4 5	Q. How are voters to know which use you were making of the term "ProtectMarriage.com" when you use that term in public communications? A. How how are voters to know sorry. Q. I'm a voter. I receive a communication from ProtectMarriage.com talking about the efforts of
05:19:37 05:19:43 05:19:45 05:19:54 05:19:58 05:20:00	2 3 4 5 6 7	 Q. So you did not speak on behalf of the coalition of organizations that supported Proposition 8? A. Well, again, you're asking me if we spoke on behalf of a loose broadly-based group of organizations that did many things on by their own will. Q. And yes, I am. A. And the answer is no. 	05:22:40 05:22:43 05:22:53 05:22:59 05:23:04 05:23:09	2 3 4 5 6 7	Q. How are voters to know which use you were making of the term "ProtectMarriage.com" when you use that term in public communications? A. How how are voters to know sorry. Q. I'm a voter. I receive a communication from ProtectMarriage.com talking about the efforts of ProtectMarriage.com.
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58 (Pages 226 to 229)

		Page 226			Page 228
05:24:38	1	communications that were from that referred to	05:29:47	1	A. I don't have any memory of this.
05:24:44	2	ProtectMarriage.com to make a distinction between the	05:29:50	2	Q. You testified earlier that you did participate
05:24:46	3	coalition that's mentioned on Exhibit 25 and the	05:29:54	3	in some conference calls organized by the Pastors Rapid
05:25:05	4	ProtectMarriage campaign executive committee?	05:29:59	4	Response Team; correct?
05:25:10	5	A. Did I expect the voters to be able to make a	05:30:00	5	A. Yes.
05:25:12	6	distinction between what	05:30:01	6	Q. Do you have any reason to doubt well, let
05:25:14	7	Q. Between in reviewing communications that	05:30:04	7	me focus your attention on the third page of this
05:25:16	8	they received from ProtectMarriage.com that referred to	05:30:09	8	document, which appears to be some, sort of, perhaps
05:25:20	9	ProtectMarriage.com, did you expect voters to	05:30:13	9	agenda, it's not entirely clear, for a conference call
05:25:24	10		05:30:13	10	
05:25:28	11	distinguish between the executive committee or the	05:30:20	11	it has a July 30, 2008 date. And on the third page,
05:25:31		primarily formed ballot committee on the one hand, and		12	Item 5 it says "How to Educate your State."
	12	the broad coalition that you've described on or that	05:30:30		Do you see that?
05:25:35	13	is described on Exhibit 25 in the last paragraph?	05:30:30	13	A. Yes.
05:25:42	14	A. Well, I can't speak for everyone who wrote on	05:30:31	14	Q. And it lists Tony Perkins with a website
05:25:45	15	behalf of the campaign committee. But I think that	05:30:35	15	www.FRC.org.
05:25:49	16	there were very clearly incidents where we were very	05:30:37	16	Do you see that?
05:25:54	17	specific about the ProtectMarriage.com-Yes on 8 campaign	05:30:39	17	A. Yes.
05:26:00	18	committee.	05:30:40	18	Q. And underneath that your name and
05:26:00	19	Q. What were you the chairman of?	05:30:42	19	www.CaliforniaFamily.org.
05:26:04	20	A. I was the chairman of the ad hoc executive	05:30:46	20	Do you see?
05:26:07	21	committee.	05:30:47	21	A. Yes.
05:26:07	22	Q. Were you also the chairman of ProtectMarriage	05:30:47	22	Q. And underneath that Frank Shubert,
05:26:12	23	in the broader sense of that term?	05:30:48	23	Shubert-Flint Public Affairs, Sacramento.
05:26:15	24	A. Define the broader sense of the term.	05:30:52	24	Do you see that?
05:26:17	25	Q. The coalition described at the bottom of	05:30:53	25	A. Yes.
		Page 227			Page 229
05:26:20	1	Exhibit 25.	05:30:53	1	Q. Now, July 30th of 2008 was after the
05:26:23	2	A. No, because there was no there was no	05:30:59	2	Proposition 8 had qualified for the ballot; correct?
05:26:26	3	organization as such.	05:31:02	3	A. Yes.
05:26:28	4	Q. Look back at Exhibit 26, if you would.	05:31:02		A. Ics.
05:26:41	-		03.31.02	4	Q. So it was during the campaign itself?
	5	Do you see at the top it has a photograph of	05:31:02	4 5	
05:26:43	6	Do you see at the top it has a photograph of you?			Q. So it was during the campaign itself?
05:26:43 05:26:45			05:31:05	5	Q. So it was during the campaign itself?A. Yes.
	6	you? A. Yes.	05:31:05 05:31:05	5 6	Q. So it was during the campaign itself?A. Yes.Q. And do you recall participating in a
05:26:45	6 7	you?	05:31:05 05:31:05 05:31:15	5 6 7	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid
05:26:45 05:26:45	6 7 8	you? A. Yes. Q. And underneath it says "Ron Prentice,	05:31:05 05:31:05 05:31:15 05:31:20	5 6 7 8	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how
05:26:45 05:26:45 05:26:48	6 7 8 9	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes.	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23	5 6 7 8 9	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State?
05:26:45 05:26:45 05:26:48 05:26:49	6 7 8 9 10	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"?	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23	5 6 7 8 9	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No.
05:26:45 05:26:45 05:26:48 05:26:49 05:26:50	6 7 8 9 10 11	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25	5 6 7 8 9 10	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference
05:26:45 05:26:45 05:26:48 05:26:49 05:26:50	6 7 8 9 10 11	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29	5 6 7 8 9 10 11	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference
05:26:45 05:26:45 05:26:48 05:26:49 05:26:50 05:26:53	6 7 8 9 10 11 12 13	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes.	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33	5 6 7 8 9 10 11 12	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in
05:26:45 05:26:48 05:26:48 05:26:49 05:26:50 05:26:53 05:26:57	6 7 8 9 10 11 12 13	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com?	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33	5 6 7 8 9 10 11 12 13	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke?
05:26:45 05:26:45 05:26:48 05:26:49 05:26:50 05:26:53 05:26:57 05:27:10	6 7 8 9 10 11 12 13 14	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29.	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50	5 6 7 8 9 10 11 12 13 14	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I
05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:54	6 7 8 9 10 11 12 13 14 15	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50	5 6 7 8 9 10 11 12 13 14 15	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times.
05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:54 05:27:55 05:28:10	6 7 8 9 10 11 12 13 14 15 16 17	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.)	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:27 05:31:29 05:31:29 05:31:42 05:31:50 05:31:59 05:32:00	5 6 7 8 9 10 11 12 13 14 15 16 17	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay.
05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:54 05:27:55 05:28:10	6 7 8 9 10 11 12 13 14 15 16 17 18	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.) MS. STEWART: Q Take a minute to look at it and	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50 05:31:50 05:31:54 05:31:59 05:32:00	5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay. But you recall speaking with those two
05:26:45 05:26:48 05:26:49 05:26:50 05:26:53 05:26:57 05:27:10 05:27:32 05:27:54 05:27:55 05:28:10 05:28:10	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.) MS. STEWART: Q Take a minute to look at it and tell me if you have ever seen this document before.	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50 05:31:54 05:31:59 05:32:00 05:32:00	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay. But you recall speaking with those two individuals at conference calls?
05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:55 05:27:55 05:28:10 05:28:13 05:28:51	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.) MS. STEWART: Q Take a minute to look at it and tell me if you have ever seen this document before. (Pause in the proceedings.)	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50 05:31:54 05:31:59 05:32:00 05:32:03 05:32:03	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay. But you recall speaking with those two individuals at conference calls? A. I recall a you know, one or more webinar
05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:54 05:27:55 05:28:10 05:28:10 05:28:11 05:28:11	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.) MS. STEWART: Q Take a minute to look at it and tell me if you have ever seen this document before. (Pause in the proceedings.) THE WITNESS: I've never seen this document before.	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50 05:31:54 05:31:59 05:32:00 05:32:00 05:32:03 05:32:05	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay. But you recall speaking with those two individuals at conference calls? A. I recall a you know, one or more webinar conference calls where those gentlemen also spoke.
05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:55 05:27:55 05:28:10 05:28:13 05:28:51	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.) MS. STEWART: Q Take a minute to look at it and tell me if you have ever seen this document before. (Pause in the proceedings.)	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50 05:31:54 05:31:59 05:32:00 05:32:03 05:32:03	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay. But you recall speaking with those two individuals at conference calls? A. I recall a you know, one or more webinar

66 (Pages 258 to 261)

		Page 258			Page 260
06:43:13	1	umbrella?	06:46:59	1	the press release for ProtectMarriage.com is broad-based
06:43:15	2	A. I don't believe it was ever described under	06:47:07	2	coalition of California families, community leaders,
06:43:17	3	the umbrella.	06:47:11	3	religious leaders, pro-family organizations and
06:43:20	4	Q. Was the Mormon Church one of the churches,	06:47:14	4	individuals from all walks of life."
06:43:28	5	organizations, individuals described as part of the	06:47:17	5	I recognize that as not your phrasing that you
06:43:35	6	ProtectMarriage.com coalition?	06:47:21	6	drafted. But within the description that they have
06:43:43	7	A. I don't believe it was by the committee.	06:47:25	7	given, would you consider Focus on the Family to be part
06:43:46	8	Q. You don't believe it was described that way by	06:47:28	8	of that group?
06:43:49	9	the committee?	06:47:44	9	A. If we are defining coalition as a loose
06:43:49	10	A. Yes.	06:47:47	10	association of people walking in the same direction.
06:43:50	11	Q. Was who's Glenn Stanton?	06:48:19	11	Q. Using your definition of "coalition" that you
06:43:55	12	A. An employee at Focus on the Family.	06:48:23	12	just gave, a loose association of people walking in the
06:43:58	13	Q. What's his position with Focus on the Family?	06:48:27	13	same direction, and adding to it the direction being to
06:43:59	14	A. I don't know his title.	06:48:30	14	pass Proposition 8, would you consider the National
06:44:02	15	Q. Okay.	06:48:33	15	Organization for Marriage to be part of that coalition?
06:44:03	16	Do you know what his function is?	06:48:47	16	A. Yes.
06:44:07	17	A. Research.	06:48:51	17	Q. How about the Knights of Columbus, would you
06:44:10	18	Q. Was he did he play any role in the passage	06:48:53	18	consider them to be part of the coalition?
06:44:18	19	of Proposition 8, to your knowledge?	06:48:55	19	A. Again, the coalition being people who, and
06:44:24	20	MS. MOSS: Lack of foundation. But if you know,	06:49:00	20	organizations that supported the passage of Prop 8?
06:44:25	21	answer.	06:49:07	21	Yes.
06:44:28	22	THE WITNESS: No active role that I'm aware of.	06:49:08	22	Q. And how about Catholics for the Common Good,
06:44:31	23	MS. STEWART: Q Are you aware of him having done	06:49:10	23	were they part of that coalition?
06:44:36	24	public speaking on the issue in California during the	06:49:13	24	A. Yes.
06:44:39	25	campaign period?	06:49:15	25	Q. How about Catholics for ProtectMarriage.com,
		Da 250			
		Page 259			Page 261
06:44:39	1	A. No.	06:49:17	1	Page 261 were they part of the coalition?
06:44:39 06:44:42	1 2		06:49:17 06:49:22	1 2	
		A. No.			were they part of the coalition?
06:44:42	2	A. No.Q. Are you aware that he participated in some of	06:49:22	2	were they part of the coalition? MS. MOSS: Same definition?
06:44:42 06:44:45	2 3	A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier?	06:49:22 06:49:24	2	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes.
06:44:42 06:44:45 06:44:52	2 3 4	 A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier? A. You remind me that his name may have been in 	06:49:22 06:49:24 06:49:31	2 3 4	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes. THE WITNESS: Yes.
06:44:42 06:44:45 06:44:52 06:44:57	2 3 4 5	 A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier? A. You remind me that his name may have been in the one that you pointed out to me. But I don't recall 	06:49:22 06:49:24 06:49:31 06:49:32	2 3 4 5	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes. THE WITNESS: Yes. MS. STEWART: Q And how about the California
06:44:42 06:44:45 06:44:52 06:44:57 06:45:00	2 3 4 5 6	A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier? A. You remind me that his name may have been in the one that you pointed out to me. But I don't recall his involvement.	06:49:22 06:49:24 06:49:31 06:49:32 06:49:34	2 3 4 5 6	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes. THE WITNESS: Yes. MS. STEWART: Q And how about the California Catholic Conference, were they part of that coalition?
06:44:42 06:44:45 06:44:52 06:44:57 06:45:00	2 3 4 5 6 7	 A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier? A. You remind me that his name may have been in the one that you pointed out to me. But I don't recall his involvement. Q. Was Focus on the Family one of the churches, 	06:49:22 06:49:24 06:49:31 06:49:32 06:49:34	2 3 4 5 6 7	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes. THE WITNESS: Yes. MS. STEWART: Q And how about the California Catholic Conference, were they part of that coalition? A. I think up to now you've talked about
06:44:42 06:44:45 06:44:52 06:44:57 06:45:00 06:45:05	2 3 4 5 6 7 8	 A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier? A. You remind me that his name may have been in the one that you pointed out to me. But I don't recall his involvement. Q. Was Focus on the Family one of the churches, organizations and individuals that was described as the 	06:49:22 06:49:24 06:49:31 06:49:32 06:49:40 06:49:40	2 3 4 5 6 7 8	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes. THE WITNESS: Yes. MS. STEWART: Q And how about the California Catholic Conference, were they part of that coalition? A. I think up to now you've talked about activity. And when you name the structure of the
06:44:42 06:44:45 06:44:52 06:44:57 06:45:00 06:45:05 06:45:08	2 3 4 5 6 7 8	A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier? A. You remind me that his name may have been in the one that you pointed out to me. But I don't recall his involvement. Q. Was Focus on the Family one of the churches, organizations and individuals that was described as the coalition the ProtectMarriage.com coalition?	06:49:22 06:49:24 06:49:31 06:49:32 06:49:34 06:49:40 06:49:50	2 3 4 5 6 7 8	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes. THE WITNESS: Yes. MS. STEWART: Q And how about the California Catholic Conference, were they part of that coalition? A. I think up to now you've talked about activity. And when you name the structure of the Catholic Conference, that's an endorsement.
06:44:42 06:44:45 06:44:57 06:45:00 06:45:05 06:45:08 06:45:16 06:45:24	2 3 4 5 6 7 8 9	A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier? A. You remind me that his name may have been in the one that you pointed out to me. But I don't recall his involvement. Q. Was Focus on the Family one of the churches, organizations and individuals that was described as the coalition the ProtectMarriage.com coalition? MS. MOSS: I'll object to the extent the term	06:49:22 06:49:24 06:49:31 06:49:34 06:49:40 06:49:42 06:49:50 06:50:03	2 3 4 5 6 7 8 9	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes. THE WITNESS: Yes. MS. STEWART: Q And how about the California Catholic Conference, were they part of that coalition? A. I think up to now you've talked about activity. And when you name the structure of the Catholic Conference, that's an endorsement. Q. I'm a little confused by your answer.
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06:44:42 06:44:45 06:44:52 06:44:57 06:45:05 06:45:08 06:45:16 06:45:24 06:45:27 06:45:30 06:45:32 06:45:42 06:45:51 06:45:51 06:45:57 06:45:58 06:46:05 06:46:15 06:46:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. No. Q. Are you aware that he participated in some of the simulcasts that you testified about earlier? A. You remind me that his name may have been in the one that you pointed out to me. But I don't recall his involvement. Q. Was Focus on the Family one of the churches, organizations and individuals that was described as the coalition the ProtectMarriage.com coalition? MS. MOSS: I'll object to the extent the term "coalition" or the description your understanding of coalition, you can answer. THE WITNESS: I would again reframe it. I would say that Focus on the Family was described in our in the committees in the campaign committee's communications as participating for the passage of Prop 8. MS. STEWART: Q And earlier we saw an exhibit which was a ProtectMarriage.com communication from your press consultants, as I recall, that described ProtectMarriage.com as a I want to get the exact terminology so nobody objects	06:49:22 06:49:24 06:49:31 06:49:34 06:49:40 06:49:42 06:49:50 06:50:03 06:50:08 06:50:08 06:50:20 06:50:24 06:50:24 06:50:24 06:50:24 06:50:29 06:50:32 06:50:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	were they part of the coalition? MS. MOSS: Same definition? MS. STEWART: Yes. THE WITNESS: Yes. MS. STEWART: Q And how about the California Catholic Conference, were they part of that coalition? A. I think up to now you've talked about activity. And when you name the structure of the Catholic Conference, that's an endorsement. Q. I'm a little confused by your answer. Are you saying that the California Catholic Conference didn't play any kind of active role but rather simply endorsed Proposition 8? A. The California Catholic Conference of Bishops? Q. Yes. A. Yes, endorsed Prop 8. Q. And how about the U.S. Conference of Catholic Bishops, were they a member of coalition as we've been using that term in the last few questions? A. Their objective was to participate in the passage of Prop 8. Q. So again, my question I want to make sure I

67 (Pages 262 to 265)

Ī		Page 262			Page 264
06:50:58	1	Catholic Bishops to be part of the coalition as we	06:54:17	1	MS. STEWART: know.
06:51:03	2	defined it a few minutes ago?	06:54:17	2	MS. MOSS: But even if he knows something, it
06:51:13	3	A. By saying that the definition that we used	06:54:21	3	doesn't mean that you've established that he has a basis
06:51:18	4	a few minutes ago talked about activity and action. And	06:54:23	4	for accurate or complete or detailed information.
06:51:22	5	in my clarification regarding the California Catholic	06:54:27	5	MS. STEWART: I'm not suggesting that by my
06:51:25	6	Conference of Bishops, I referred to an endorsement	06:54:29	6	question.
06:51:28	7	versus an activity. And the U.S. Council of Catholic	06:54:29	7	MS. MOSS: Well
06:51:37	8	Bishops is more of an endorsement than it is an	06:54:30	8	MS. STEWART: Make your objection. That's all
06:51:43	9	·	06:54:31	9	
06:51:43	10	activity.	06:54:32	10	right. Q. So what role did Pacific Justice Institute
		Q. Okay.			
06:51:49	11	Are you familiar with a website called	06:54:35	11	play, to your knowledge?
06:51:51	12	MarriageMattersToKids.org?	06:54:36	12	A. Pacific Justice Institute promoted the passage
06:51:54	13	A. No.	06:54:41	13	of Prop 8 on their own website.
06:52:02	14	Q. Did ProtectMarriage.com, the primary ballot	06:54:44	14	Q. Did the American Family Association, to your
06:52:15	15	committee, the narrow ProtectMarriage.com, have a U-Tube	06:54:53	15	knowledge, promote the passage of Proposition 8 on its
06:52:21	16	channel that it used to communicate with voters?	06:54:58	16	own website?
06:52:34	17	A. Not to my knowledge.	06:55:00	17	A. I'm not sure.
06:52:47	18	Q. The Rock Church, Pastor McPherson's church in	06:55:02	18	Q. Did Focus on the Family promote passage of
06:52:52	19	San Diego, is that part of the ProtectMarriage.com	06:55:06	19	Proposition 8 on its website?
06:52:55	20	coalition as we defined it a few minutes ago?	06:55:20	20	A. Yes.
06:53:00	21	A. Actively working to pass Proposition 8?	06:55:22	21	Q. Did the Family let me reframe that.
06:53:03	22	Q. Yes.	06:55:35	22	Did the I think you testified earlier that
06:53:04	23	A. The Rock Church did so, yes.	06:55:42	23	you did not know whether the Mormon Church had a website
06:53:06	24	Q. And did the Skyline Church also do so?	06:55:45	24	specifically to promote Proposition 8; correct?
06:53:11	25	A. Yes.	06:55:50	25	A. Correct.
		Page 263			Page 265
06:53:17	1	Q. And did Pastor Garlow and Pastor McPherson			
06:53:23	_		06:55:50	1	O Do you know whether the Mormon Church used any
00.55.25	2	,	06:55:50	1	Q. Do you know whether the Mormon Church used any
06.53.25	2	also do so?	06:55:55	2	website to promote passage of Proposition 8?
06:53:25	3	also do so? A. As the heads of those churches?	06:55:55 06:55:59	2	website to promote passage of Proposition 8? A. No, I don't know.
06:53:28	3 4	also do so? A. As the heads of those churches? Q. Yes.	06:55:55 06:55:59 06:56:02	2 3 4	website to promote passage of Proposition 8? A. No, I don't know. Q. Is the Family Research Council a part of the
06:53:28 06:53:28	3 4 5	also do so? A. As the heads of those churches? Q. Yes. A. Yes.	06:55:55 06:55:59 06:56:02 06:56:08	2 3 4 5	website to promote passage of Proposition 8? A. No, I don't know. Q. Is the Family Research Council a part of the coalition that we defined earlier, shortly ago that
06:53:28 06:53:28 06:53:30	3 4 5 6	also do so? A. As the heads of those churches? Q. Yes. A. Yes. Q. Did never mind.	06:55:55 06:55:59 06:56:02 06:56:08 06:56:16	2 3 4 5 6	website to promote passage of Proposition 8? A. No, I don't know. Q. Is the Family Research Council a part of the coalition that we defined earlier, shortly ago that works to pass Proposition 8?
06:53:28 06:53:28 06:53:30 06:53:39	3 4 5 6 7	also do so? A. As the heads of those churches? Q. Yes. A. Yes. Q. Did never mind. How about The Pacific Justice Institute, did	06:55:55 06:55:59 06:56:02 06:56:08 06:56:16 06:56:21	2 3 4 5 6 7	A. No, I don't know. Q. Is the Family Research Council a part of the coalition that we defined earlier, shortly ago that works to pass Proposition 8? A. You mean the vague non-descript loose
06:53:28 06:53:28 06:53:30 06:53:39 06:53:43	3 4 5 6 7 8	also do so? A. As the heads of those churches? Q. Yes. A. Yes. Q. Did never mind. How about The Pacific Justice Institute, did that entity, to your knowledge, play any role in the	06:55:55 06:55:59 06:56:02 06:56:08 06:56:16 06:56:21	2 3 4 5 6 7 8	A. No, I don't know. Q. Is the Family Research Council a part of the coalition that we defined earlier, shortly ago that works to pass Proposition 8? A. You mean the vague non-descript loose association that you're referring to as the coalition?
06:53:28 06:53:28 06:53:30 06:53:39 06:53:43	3 4 5 6 7 8	also do so? A. As the heads of those churches? Q. Yes. A. Yes. Q. Did never mind. How about The Pacific Justice Institute, did that entity, to your knowledge, play any role in the passage of Proposition 8?	06:55:55 06:55:59 06:56:02 06:56:08 06:56:16 06:56:21 06:56:25 06:56:28	2 3 4 5 6 7 8	A. No, I don't know. Q. Is the Family Research Council a part of the coalition that we defined earlier, shortly ago that works to pass Proposition 8? A. You mean the vague non-descript loose association that you're referring to as the coalition? Q. Yes.
06:53:28 06:53:28 06:53:30 06:53:39 06:53:43 06:53:48	3 4 5 6 7 8 9	also do so? A. As the heads of those churches? Q. Yes. A. Yes. Q. Did never mind. How about The Pacific Justice Institute, did that entity, to your knowledge, play any role in the passage of Proposition 8? A. Yes.	06:55:55 06:55:59 06:56:02 06:56:08 06:56:16 06:56:21 06:56:25 06:56:28	2 3 4 5 6 7 8 9	A. No, I don't know. Q. Is the Family Research Council a part of the coalition that we defined earlier, shortly ago that works to pass Proposition 8? A. You mean the vague non-descript loose association that you're referring to as the coalition? Q. Yes. A. Family Research Council participated in the
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06:53:28 06:53:30 06:53:39 06:53:43 06:53:48 06:53:52 06:53:52 06:53:56 06:53:57 06:53:59 06:54:00 06:54:02 06:54:06 06:54:09 06:54:11 06:54:13	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. As the heads of those churches? Q. Yes. A. Yes. Q. Did never mind. How about The Pacific Justice Institute, did that entity, to your knowledge, play any role in the passage of Proposition 8? A. Yes. Q. What role did The Pacific Justice Institute play? MS. MOSS: Lack of foundation. But to the extent you know, you can answer. MS. STEWART: You know what, I'd stipulate that you can preserve that objection for every question if you want MS. MOSS: It's not for every question. I want it to be clear on the record that you're asking him areas that he may have limited knowledge. But I want it to be clear for the record he	06:55:55 06:55:59 06:56:02 06:56:08 06:56:16 06:56:21 06:56:28 06:56:32 06:56:32 06:56:33 06:56:44 06:56:44 06:56:48 06:56:48 06:56:51 06:56:52 06:56:55 06:57:02 06:57:06	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. No, I don't know. Q. Is the Family Research Council a part of the coalition that we defined earlier, shortly ago that works to pass Proposition 8? A. You mean the vague non-descript loose association that you're referring to as the coalition? Q. Yes. A. Family Research Council participated in the promotion of the passage of Proposition 8. Q. And not only am I using it that way, but ProtectMarriage.com in its communications has sometimes used it that way; correct? A. I don't know that that wording has ever been used. Q. Well, the Exhibit 25 that we've gone back to a few times uses the phrase "coalition" referring to a broad-based coalition of California families, community leaders, religious leaders, pro-family organization and individuals from all walks of life who have joined
06:53:28 06:53:30 06:53:39 06:53:43 06:53:48 06:53:52 06:53:52 06:53:56 06:53:57 06:53:59 06:54:00 06:54:02 06:54:06 06:54:06 06:54:11 06:54:13	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	also do so? A. As the heads of those churches? Q. Yes. A. Yes. Q. Did never mind. How about The Pacific Justice Institute, did that entity, to your knowledge, play any role in the passage of Proposition 8? A. Yes. Q. What role did The Pacific Justice Institute play? MS. MOSS: Lack of foundation. But to the extent you know, you can answer. MS. STEWART: You know what, I'd stipulate that you can preserve that objection for every question if you want MS. MOSS: It's not for every question. I want it to be clear on the record that you're asking him areas that he may have limited knowledge. But I want it to be clear for the record he MS. STEWART: I'm saying "to your knowledge."	06:55:55 06:55:59 06:56:02 06:56:08 06:56:16 06:56:21 06:56:25 06:56:32 06:56:33 06:56:38 06:56:42 06:56:44 06:56:46 06:56:48 06:56:51 06:56:52 06:56:55 06:57:02 06:57:09 06:57:09	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	website to promote passage of Proposition 8? A. No, I don't know. Q. Is the Family Research Council a part of the coalition that we defined earlier, shortly ago that works to pass Proposition 8? A. You mean the vague non-descript loose association that you're referring to as the coalition? Q. Yes. A. Family Research Council participated in the promotion of the passage of Proposition 8. Q. And not only am I using it that way, but ProtectMarriage.com in its communications has sometimes used it that way; correct? A. I don't know that that wording has ever been used. Q. Well, the Exhibit 25 that we've gone back to a few times uses the phrase "coalition" referring to a broad-based coalition of California families, community leaders, religious leaders, pro-family organization and individuals from all walks of life who have joined together to support Proposition 8." That's the

68 (Pages 266 to 269)

		Page 266			Page 268
06:57:29	1	Q. Was the Family Research Council a part of that	07:01:01	1	that coalition?
06:57:32	2	coalition?	07:01:11	2	THE WITNESS: Can I?
06:57:37	3	A. I would probably go back to take issue with	07:01:13	3	MS. MOSS: Yes.
06:57:43	4	what I'm understanding to be your interpretation of this	07:01:54	4	(Pause in the proceedings.)
06:57:47	5	coalition. My sense is that you my sense is that	07:01:58	5	THE WITNESS: Would you repeat the question?
06:57:58	6	you're inferring that it's something monolithic and that	07:02:00	6	(Record read.)
06:58:02	7	the committee is authoritarian.	07:02:24	7	THE WITNESS: As I understand the definition that
06:58:04	8	Q. I'm not at all. I'm not inferring anything of	07:02:26	8	you're using for "coalition," no.
06:58:07	9	the sort. I'm taking the language used by	07:02:29	9	MS. STEWART: Q And was Advocates for Faith and
06:58:10	10	ProtectMarriage.com in its press release and in which	07:02:31	10	Freedom a part of that coalition?
06:58:14	11	A. This is I see what you're saying.	07:02:34	11	A. No.
06:58:17	12	Q without any other adjectives or descriptors	07:02:35	12	Q. And how about the Western Center for Law and
06:58:21	13	of how it functions. But rather a I'm using the term	07:02:37	13	Policy?
06:58:27	14	"coalition" or "The ProtectMarriage.com coalition" to	07:02:38	14	A. No.
06:58:30	15	refer to a broad-based coalition of California families,	07:02:40	15	Q. And how about Fieldstead and Company?
06:58:34	16	community leaders, religious leaders, pro-family	07:02:44	16	A. No.
06:58:38	17	organizations and individuals from all walks of life who	07:02:54	17	Q. How about the Concerned Women for America?
06:58:40	18	have joined together to support Proposition 8." That's	07:02:57	18	A. No.
06:58:44	19	it. That's the definition. Okay?	07:02:57	19	MS. STEWART: Duly noted, thank-you, Mr. Pugno.
06:58:46	20	A. Okay.	07:03:22	20	We will stop and give everybody a rest until
06:58:46	21	Q. Can we have that understanding that that's how	07:03:25	21	morning.
06:58:49	22	I'm using the word in my question?	07:03:23	22	THE VIDEOGRAPHER: This marks the end of tape No. 5
06:58:52	23	A. Well, actually, I would prefer that we could	07:03:29	23	in volume 1. And we're off the record at 7:03.
06:58:55	24	understand that it's a vague non-descript loose	07:03:23	24	COURT REPORTER: For the record, who would like a
06:59:00	25	·	07:03:35	25	copy?
00.39.00	25	assimilation of groups attempting to pass Proposition 8.	07.03.33	23	copy:
		Page 267			Page 269
06:59:11	1	MS. STEWART: Can you read that back.	07:03:45	1	MS. MOSS: Yes.
06:59:13	2	(Record read.)	07:03:47	2	(Whereupon, the deposition adjourned.
06:59:49	3	MS. STEWART: Q Have you ever referred to the	07:03:47	3	At 7:03 p.m.)
06:59:51	4	coalition of groups that worked to pass Proposition 8 in	07:03:47	4	
06:59:57	5	the way you just stated a minute, that is as a vague,	07:03:47	5	
07:00:03	6	non-descript, assimilation of groups attempting to pass	07:03:47	6	
07:00:07	7	Proposition 8?			RONALD PRENTICE
07:00:08	8	A. No.		7	
07:00:09	9	Q. I would prefer to stick to the description		8	
07:00:13	10	that ProtectMarriage.com has used on its own materials		9	
07:00:16	11	rather than come up with something completely different,		10 11	
07:00:19	12	if you don't mind.		12	
07:00:21	13	And it's my understanding that that		13	
07:00:22	14	description is still on ProtectMarriage.com's website		14	
07:00:25	15	today. And it's the same language that's in this		15	
07:00:29	16	Exhibit 25, a broad-based coalition of California		16	
07:00:34	17	families, community leaders, religious leaders,		17	
07:00:38	18	pro-family organizations and individuals from all walks		18	
07:00:40	19	of life who have joined together to support		19	
07:00:43	20	Proposition 8.		20	
07:00:45	21	So that's how I'm using the term coalition in		21	
07:00:48	22	my question. And you can say "yes" or "no" and if it		22	
07:00:51	23	doesn't fit, it doesn't fit.		23	
07:00:53	24	So with that understanding of the term		24	
07:00:55	25	"coalition," was the Family Research Council apart of		25	

69 (Pages 270 to 273)

	Page 270		Page 272
1	DEPOSITION OFFICER'S CERTIFICATE	1	ERRATA SHEET
2	-	2	
3	STATE OF CALIFORNIA)	3	PAGE LINE CHANGE
4) Ss.	4	
5	COUNTY OF CONTRA COSTA)	5	
6	,	6	
7	I LESLIE CASTRO, CSR, hereby certify:	7	
8	I am a duly qualified Shorthand Reporter in	8	
9	the State of California, holder of Certificate Number	9	
10	8876 issued by the Court Reporter's Board of California	10	
11	and which is in full force and effect. (Fed R. Civ. P.	11	
12	28(a)).	12	
13	I am authorized to administer oaths of	13	
14	affirmations pursuant to California Code of Civil	14	
15	Procedure, Section 2093(b), and prior to being examined,	15	
16	the deponent was first duly sworn by me. (Fed. R. Civ.	16	
17	P. 28(a), 30(f) (1)).	17 18	
18	I am not a relative or employee or attorney or	19	
19	counsel of any of the parties, nor am I a relative or	20	
20	employee of such attorney or counsel, nor am I	21	I, RONALD PRENTICE, have made the following changes
21	financially interested in this action. (Fed. R. Civ. P.	22	to my deposition taken in the matter of PERRY, ET AL.
22	28).	23	vs. SCHWARZENEGGER, ET AL. taken on DECEMBER 17, 2009.
23	I am the deposition officer that	24	DATE:
24	stenographically recorded the testimony in the foregoing		RONALD PRENTICE
25	deposition and the foregoing transcript is a true record	25	
	Page 271		Page 273
1	Page 271	1	Page 273
1	of the testimony given by the deponent. (Fed. R. Civ.	1 2	Page 273 CERTIFICATION OF WITNESS
2	of the testimony given by the deponent. (Fed. R. Civ. P. 30(f) (1)).	2	
2	of the testimony given by the deponent. (Fed. R. Civ. P. 30(f) (1)). Before completion of the deposition, review of		
2	of the testimony given by the deponent. (Fed. R. Civ. P. 30(f) (1)). Before completion of the deposition, review of the transcript [] was [X] was not requested. If	2	CERTIFICATION OF WITNESS
2 3 4	of the testimony given by the deponent. (Fed. R. Civ. P. 30(f) (1)). Before completion of the deposition, review of the transcript [] was [X] was not requested. If requested, any changes made by the deponent (and	2 3 4	CERTIFICATION OF WITNESS I, RONALD PRENTICE, hereby declare that I have read
2 3 4 5	of the testimony given by the deponent. (Fed. R. Civ. P. 30(f) (1)). Before completion of the deposition, review of the transcript [] was [X] was not requested. If	2 3 4 5	CERTIFICATION OF WITNESS I, RONALD PRENTICE, hereby declare that I have read the foregoing testimony, and the same is true and a
2 3 4 5 6	of the testimony given by the deponent. (Fed. R. Civ. P. 30(f) (1)). Before completion of the deposition, review of the transcript [] was [X] was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed, are	2 3 4 5 6	CERTIFICATION OF WITNESS I, RONALD PRENTICE, hereby declare that I have read the foregoing testimony, and the same is true and a correct transcription of my said testimony except as I
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70 (Page 274)

Page 274	
BONNIE L. WAGNER & ASSOCIATES COURT REPORTING SERVICE 41 SUTTER STREET, SUITE 1605 SAN FRANCISCO, CALIFORNIA 94104 (415) 982-4849	
January 4, 2010 Ronald Prentice c/o Nicole J. Moss, Esq. Cooper & Kirk 1523 New Hampshire Avenue, N.W. Washington, D.C. 20036 Re: Perry, et al. vs. Schwarzenegger, et al.	
Dear Mr. Prentice: You are hereby notified that pursuant to the California Code of Civil Procedure Section 2019(E), your deposition is available for your review within 35 days from the date of this letter.	
If you are represented by an attorney in this matter contact your attorney before contacting this office. Do not ask that we send you the original deposition. State law does not allow us to do so.	
Yours very truly,	
Leslie Castro, CSR Bonnie L. Wagner & Associates	
CC: Original Transcript All Counsel	

EXHIBIT B

Page 1

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

---000---

KRISTIN M. PERRY, et al.,

Plaintiffs,

vs.

Case No. 09-CV-2292 VRW

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

Deposition of

RONALD PRENTICE

Volume I

Thursday, December 17, 2009

REPORTED BY: LESLIE CASTRO, CSR #8876

BONNIE L. WAGNER & ASSOCIATES
Court Reporting Services
41 Sutter Street, Suite 1605
San Francisco, California 94104
(415) 982-4849

22 (Pages 82 to 85)

		Page 82			Page 84
11:13:13	1	go ahead to let me back up.	11:17:15	1	those functions?
11:13:22	2	Did the California Renewal board ask the	11:17:16	2	A. Yes.
11:13:28	3	individuals you mentioned to serve on a committee at	11:17:19	3	Q. Did the executive committee oversee any aspect
11:13:33	4	some point in time?	11:17:22	4	of the campaign after the measure was qualified for the
11:13:35	5	A. I apologize that I don't have knowledge of the	11:17:27	5	ballot?
11:13:39	6	timing of the minutes of the California Renewal board I	11:17:31	6	A. The executive committee met and received
11:13:46	7	would say that I lack a definite date as to when that	11:17:34	7	reports and gave and supervised the primary vendors that
11:13:54	8	took place.	11:17:42	8	were selected, yes.
11:13:55	9	Q. But it did take place?	11:17:45	9	Q. So is it fair to say that the first job that
11:13:57	10	A. In terms of asking those specific individuals?	11:17:52	10	the executive committee had was to get a measure
11:13:59	11	Q. Yes.	11:17:56	11	qualified for the ballot?
11:13:59	12	A. I think it was more I was given the	11:17:58	12	A. Yes.
11:14:01	13	authority to move forward with the ballot measure being	11:18:00	13	Q. First big job anyway?
11:14:12	14	a project of California Renewal.	11:18:01	14	A. Uh-huh.
11:14:17	15	Q. And did you request the other members the	11:18:02	15	Q. And how did the executive committee do that?
11:14:20	16	people who became the members of the executive committee	11:18:11	16	A. Through communication, through informing the
11:14:23	17	to serve in that capacity?	11:18:14	17	general population of the of title and summary and
11:14:28	18	A. It's an odd it's an odd thing to try to	11:18:24	18	petitions. By working with different networks within
11:14:33	19	describe because we can talk about an ad hoc executive	11:18:32	19	the State, whether if be individuals who would contact
11:14:36	20	committee and even that we wouldn't have referred to	11:18:38	20	us and say "We want to help with petitions," and we
11:14:44	21	ourselves as "members." We were we were n an	11:18:43	21	would just attempt to make it something better than
11:14:50	22	association of individuals who by our discussions	11:18:48	22	chaos in getting those petitions out.
11:14:57	23	recognized the need or the desire to move forward.	11:18:51	23	Q. And when you say "networks within the State,"
11:15:03	24	Q. All right.	11:18:54	24	what networks?
11:15:04	25	A. Sorry.	11:18:56	25	A. They were there again, there were there
		·			
		Page 83			Page 85
11:15:04	1	Page 83 Q. You said California Renewal	11:19:03	1	Page 85 were local networks of people who would say we're part
11:15:10	2	Page 83	11:19:03 11:19:10	1 2	Page 85 were local networks of people who would say we're part of this church or we're part of we're a group of
11:15:10 11:15:13	2	Page 83 Q. You said California Renewal MS. STEWART: Can you read back, like, two answers ago.	11:19:03 11:19:10 11:19:16	1 2 3	Page 85 were local networks of people who would say we're part of this church or we're part of we're a group of pastors in this area. Or that's how it all came to
11:15:10 11:15:13 11:15:31	2 3 4	Page 83 Q. You said California Renewal MS. STEWART: Can you read back, like, two answers ago. (Record read.)	11:19:03 11:19:10 11:19:16 11:19:23	1 2 3 4	Page 85 were local networks of people who would say we're part of this church or we're part of we're a group of pastors in this area. Or that's how it all came to be. They weren't established organizations or entities,
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11:15:10 11:15:13 11:15:31 11:15:35 11:15:37 11:15:39 11:15:44 11:15:50 11:15:53 11:15:56 11:15:58	2 3 4 5 6 7 8 9 10 11	Page 83 Q. You said California Renewal MS. STEWART: Can you read back, like, two answers ago. (Record read.) MS. STEWART: Q When you were given the authority to move forward with the ballot measure being a project, California Renewal, did you go to Mr. Dolejsi and Mr. Jansson and Mr. or Ms. Doe and ask them to assist you in that endeavor in some way? A. There was no there was no official moment in time when I went to any one of them and said, "Will you assist me?" There was dialogue. And as a group of	11:19:03 11:19:10 11:19:16 11:19:23 11:19:26 11:19:30 11:19:38 11:20:01 11:20:08 11:20:15 11:20:16	1 2 3 4 5 6 7 8 9 10 11	Page 85 were local networks of people who would say we're part of this church or we're part of we're a group of pastors in this area. Or that's how it all came to be. They weren't established organizations or entities, they were just, once again, loosely associated people who were like-minded in this general direction. Q. You said that you were strike that. How did you did you raise money to do paid signature gathering for the ballot measure? MS. MOSS: Did you ask did or how? MS. STEWART: Did. THE WITNESS: Yes, we participated in that.
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42 (Pages 162 to 165)

		Page 162			Page 164
03:05:41	1	the executive committee for the Prop 8 campaign.	03:09:17	1	executive committee had people of each of those three
03:05:46	2	Do you recall that?	03:09:21	2	faith groups?
03:05:47	3	A. (Witness nods head.)	03:09:24	3	MS. MOSS: Objection to the form of the question.
03:05:48	4	Q. And you indicated that the group that became	03:09:26	4	You can answer.
03:05:59	5	that committee had been meeting and talking for sometime	03:09:30	5	THE WITNESS: Yes.
03:06:02	6	before it became a real committee.	03:09:34	6	MS. STEWART: Q Did you ask any of the other
03:06:05	7	Do you recall that testimony?	03:09:42	7	members of the committee to participate in the
03:06:06	8	A. Yes.	03:09:50	8	discussions that led up to forming of the committee?
03:06:11	9	Q. How did the group of people who became the	03:09:54	9	A. No.
03:06:14	10	executive committee come together?	03:09:56	10	Q. Did you ask any of the members of the
03:06:32	11	A. I can't answer specifically how they came	03:09:58	11	committee to serve on the committee?
03:06:34	12	together. I can I can only speak to like-minded	03:10:02	12	A. No.
03:06:41	13	perspective.	03:10:26	13	Q. Did Mr. Dolejsi make an effort to involve
03:06:42	14	Q. Let me ask it this way: The executive	03:10:41	14	other Catholics in the campaign to support
03:06:52	15	committee had a representative of the Church of the	03:10:47	15	Proposition 8?
03:06:53	16	Latter-Day Saints; is that correct?	03:10:48	16	MS. MOSS: I'm going to object to both the form of
03:07:00	17	MS. MOSS: Objection. Facts not in evidence.	03:10:51	17	the question and to the extent you understand what
03:07:02	18	THE WITNESS: That's not, as she said, in evidence.	03:10:53	18	"efforts" if you understand what "effort" means, you
03:07:06	19	MS. STEWART: Q Was Mr. Jansson a representative	03:10:56	19	can answer.
03:07:09	20	of the Church of Jesus Christ of the Latter-Day Saints	03:10:56	20	And to the extent you understand that, I would ask
03:07:15	21	on the executive committee?	03:10:59	21	you to limit your response to actions and activities
03:07:34	22	MS. MOSS: You can answer.	03:11:02	22	that you know Mr. Dolejsi took that are public.
03:07:35	23	THE WITNESS: No.	03:11:10	23	THE WITNESS: I'm not aware of any his actions and
03:07:37	24	MS. STEWART: Q He is a member of that church is	03:11:14	24	activities that were public.
03:07:40	25	he not?	03:11:32	25	MS. STEWART: Q Did Mr what was the
					MBI BIE WINCE & BIG INFO
		Page 163			Page 165
03:07:41	1	Page 163 A. Yes.	03:12:24	1	-
03:07:41 03:07:42	1 2				Page 165
		A. Yes.	03:12:24	1	Page 165 involvement of The Church of Jesus Christ of the
03:07:42	2	A. Yes. Q. And was there a member of the executive	03:12:24 03:12:31	1 2	Page 165 involvement of The Church of Jesus Christ of the Latter-Day Saints in the Proposition 8 campaign.
03:07:42 03:07:48	2	A. Yes. Q. And was there a member of the executive committee who represented the Catholic Church?	03:12:24 03:12:31 03:12:36	1 2 3	Page 165 involvement of The Church of Jesus Christ of the Latter-Day Saints in the Proposition 8 campaign. MS. MOSS: Object to the form of the question to
03:07:42 03:07:48 03:08:00	2 3 4	A. Yes. Q. And was there a member of the executive committee who represented the Catholic Church? A. Specific to your literal question, no.	03:12:24 03:12:31 03:12:36 03:12:38	1 2 3 4	Page 165 involvement of The Church of Jesus Christ of the Latter-Day Saints in the Proposition 8 campaign. MS. MOSS: Object to the form of the question to the term "involvement." It's overly broad. But to the
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43 (Pages 166 to 169)

		Page 166		_	Page 16
03:13:46	1	met with the leaders of the Mormon Church about	03:17:19	1	central to the Creator's plan for his children?
03:13:50	2	Proposition 8?	03:17:24	2	A. I don't recall that.
03:13:53	3	MS. MOSS: If this is if this is something that	03:17:26	3	Q. Do you recall that the letter that do you
03:13:57	4	you did that's public, you can answer. If if it's	03:17:30	4	recall that the Mormon Church wrote a letter to its
03:14:02	5	not, then I would direct you not to answer the question.	03:17:34	5	constituency asking members of the church to do all they
03:14:07	6	THE WITNESS: I think it's public so I'll say.	03:17:39	6	can to support the amendment?
03:14:12	7	Yes, we did meet with some of the leadership.	03:17:43	7	MS. MOSS: Objection. Lack of foundation. If you
	8	· ·	03:17:44	8	
03:14:16		MS. STEWART: Q And did the leader invite you to	03:17:44		know, you can answer.
03:14:18	9	come and speak to them about Proposition 8, the leader		9	THE WITNESS: I I was never privy to the letter.
03:14:21	10	of the Mormon Church?	03:17:52	10	MS. STEWART: I'm going to ask you to look at a
03:14:25	11	A. Yes.	03:17:53	11	document that we will mark Exhibit 13.
03:14:26	12	Q. And what was the purpose of your meeting with	03:17:58	12	(Whereupon, Exhibit No. 13 was
03:14:33	13	them?	03:18:10	13	Marked for identification.)
03:14:35	14	A. This was this was prior to their	03:18:54	14	MS. STEWART: Q First of all, can you tell me what
03:14:41	15	endorsement and to answer questions.	03:18:56	15	this document is?
03:14:50	16	Q. And was this prior to the Proposition 8	03:19:06	16	A. I can't I can't verify that it's accurate,
03:15:05	17	qualifying for the ballot?	03:19:12	17	but I can verify that it appears to be a printout of an
03:15:08	18	A. No.	03:19:16	18	E-mail.
03:15:13	19	Q. Did the well, when was it?	03:19:17	19	Q. An E-mail sent out by ProtectMarriage.com?
03:15:22	20	A. I don't know the date.	03:19:23	20	A. Yes.
03:15:22	21	Q. But it was, in any event	03:19:24	21	Q. And you see that the subject line says
03:15:25	22	A. Yes.	03:19:27	22	"Protect marriage newsletter"?
03:15:25	23	Q after the ballot measure had qualified?	03:19:30	23	A. Yes.
03:15:29	24	And have you described the Mormon Church	03:19:31	24	Q. Did ProtectMarriage.com send out newsletters
03:15:36	25	involvement in the campaign as them being the foot	03:19:36	25	in this form on a periodic basis as part of the
		Page 167			Page 16
03:15:43	1	soldiers?	03:19:40	1	Proposition 8 campaign?
03:15:47	2	A. I don't know that I've publicly described them	03:19:46	2	A. Yes.
03:15:49	3	that way.			
	•		03-19-47		O And is that the form that the newsletters
	4	·	03:19:47	3	Q. And is that the form that the newsletters
03:15:52	4	Q. Were they the foot soldiers for the campaign?	03:19:52	3 4	typically took? Did they look like this in, sort of,
03:15:56	5	Q. Were they the foot soldiers for the campaign?MS. MOSS: I'm going to object both to the form of	03:19:52 03:19:55	3 4 5	typically took? Did they look like this in, sort of, look and feel?
03:15:56 03:15:57	5 6	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to	03:19:52 03:19:55 03:20:03	3 4 5 6	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall.
03:15:56 03:15:57 03:16:02	5 6 7	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not	03:19:52 03:19:55 03:20:03 03:20:05	3 4 5 6 7	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page
03:15:56 03:15:57 03:16:02 03:16:06	5 6 7 8	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public.	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08	3 4 5 6 7 8	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11	5 6 7 8 9	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08 03:20:14	3 4 5 6 7 8	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"?
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11	5 6 7 8	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8?	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08 03:20:14 03:20:16	3 4 5 6 7 8	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes.
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:19	5 6 7 8 9	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08 03:20:14	3 4 5 6 7 8	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"?
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11	5 6 7 8 9	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8?	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08 03:20:14 03:20:16	3 4 5 6 7 8 9	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes.
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:19	5 6 7 8 9 10	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes.	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08 03:20:14 03:20:16	3 4 5 6 7 8 9 10	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:19 03:16:20	5 6 7 8 9 10 11	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08 03:20:14 03:20:16 03:20:16	3 4 5 6 7 8 9 10 11	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8?
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:20 03:16:26	5 6 7 8 9 10 11 12	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08 03:20:14 03:20:16 03:20:16 03:20:18	3 4 5 6 7 8 9 10 11 12	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently.
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:19 03:16:20 03:16:26	5 6 7 8 9 10 11 12 13	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California?	03:19:52 03:19:55 03:20:03 03:20:05 03:20:08 03:20:14 03:20:16 03:20:16 03:20:18 03:20:24 03:20:31	3 4 5 6 7 8 9 10 11 12 13	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it?
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:20 03:16:20 03:16:30 03:16:32	5 6 7 8 9 10 11 12 13 14	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California? MS. MOSS: Objection. Lack of foundation. If you	03:19:52 03:19:55 03:20:03 03:20:05 03:20:14 03:20:16 03:20:16 03:20:18 03:20:24 03:20:31	3 4 5 6 7 8 9 10 11 12 13 14	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it? A. I probably would have based on my
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:20 03:16:20 03:16:30 03:16:32	5 6 7 8 9 10 11 12 13 14 15	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California? MS. MOSS: Objection. Lack of foundation. If you know, you can answer.	03:19:52 03:19:55 03:20:03 03:20:05 03:20:14 03:20:16 03:20:16 03:20:18 03:20:24 03:20:31 03:20:36 03:20:40	3 4 5 6 7 8 9 10 11 12 13 14 15	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it? A. I probably would have based on my understanding of the decision by the leadership of the
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:20 03:16:20 03:16:30 03:16:32 03:16:34 03:16:41	5 6 7 8 9 10 11 12 13 14 15 16	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California? MS. MOSS: Objection. Lack of foundation. If you know, you can answer. THE WITNESS: In California.	03:19:52 03:19:55 03:20:03 03:20:05 03:20:14 03:20:16 03:20:16 03:20:18 03:20:24 03:20:31 03:20:36 03:20:40 03:20:46	3 4 5 6 7 8 9 10 11 12 13 14 15 16	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it? A. I probably would have based on my understanding of the decision by the leadership of the LDS Church, I would have stated that they endorsed
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:20 03:16:20 03:16:30 03:16:32 03:16:34 03:16:44	5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California? MS. MOSS: Objection. Lack of foundation. If you know, you can answer. THE WITNESS: In California. MS. STEWART: Q You know that it was disseminated	03:19:52 03:19:55 03:20:03 03:20:05 03:20:14 03:20:16 03:20:16 03:20:24 03:20:31 03:20:36 03:20:40 03:20:46 03:20:52	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it? A. I probably would have based on my understanding of the decision by the leadership of the LDS Church, I would have stated that they endorsed Proposition 8.
03:15:56 03:15:57 03:16:02 03:16:01 03:16:11 03:16:15 03:16:20 03:16:26 03:16:30 03:16:32 03:16:34 03:16:41 03:16:44	5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California? MS. MOSS: Objection. Lack of foundation. If you know, you can answer. THE WITNESS: In California. MS. STEWART: Q You know that it was disseminated in California?	03:19:52 03:19:55 03:20:03 03:20:05 03:20:14 03:20:16 03:20:16 03:20:18 03:20:24 03:20:31 03:20:36 03:20:40 03:20:40 03:20:46 03:20:52	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it? A. I probably would have based on my understanding of the decision by the leadership of the LDS Church, I would have stated that they endorsed Proposition 8. Q. And isn't it true, Mr. Prentice, that the LDS,
03:15:56 03:15:57 03:16:02 03:16:06 03:16:11 03:16:15 03:16:20 03:16:26 03:16:30 03:16:32 03:16:34 03:16:44 03:16:48 03:16:48	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California? MS. MOSS: Objection. Lack of foundation. If you know, you can answer. THE WITNESS: In California. MS. STEWART: Q You know that it was disseminated in California? A. Yes. 	03:19:52 03:19:55 03:20:03 03:20:08 03:20:14 03:20:16 03:20:18 03:20:24 03:20:31 03:20:36 03:20:40 03:20:40 03:20:52	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it? A. I probably would have based on my understanding of the decision by the leadership of the LDS Church, I would have stated that they endorsed Proposition 8. Q. And isn't it true, Mr. Prentice, that the LDS, the Church of Jesus Christ of the Latter-Day Saints, got
03:15:56 03:15:57 03:16:02 03:16:11 03:16:15 03:16:19 03:16:20 03:16:30 03:16:32 03:16:34 03:16:44 03:16:48 03:16:48 03:16:48	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California? MS. MOSS: Objection. Lack of foundation. If you know, you can answer. THE WITNESS: In California. MS. STEWART: Q You know that it was disseminated in California? A. Yes. Q. Do you recall that the church leadership wrote 	03:19:52 03:19:55 03:20:03 03:20:08 03:20:14 03:20:16 03:20:18 03:20:24 03:20:36 03:20:40 03:20:40 03:20:52 03:20:59 03:20:59	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it? A. I probably would have based on my understanding of the decision by the leadership of the LDS Church, I would have stated that they endorsed Proposition 8. Q. And isn't it true, Mr. Prentice, that the LDS, the Church of Jesus Christ of the Latter-Day Saints, got involved in Proposition 22?
03:15:56 03:15:57 03:16:02 03:16:11 03:16:15 03:16:19 03:16:20 03:16:30 03:16:32 03:16:34 03:16:44 03:16:48 03:16:48 03:16:55 03:17:06	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Were they the foot soldiers for the campaign? MS. MOSS: I'm going to object both to the form of the question and to the extent it's calling for him to comment on something he said that is potentially not public. MS. STEWART: Q Did the Mormon Church take an official stand on Proposition 8? A. Yes. Q. And was their official stand communicated to their church leaders worldwide and particularly in California? MS. MOSS: Objection. Lack of foundation. If you know, you can answer. THE WITNESS: In California. MS. STEWART: Q You know that it was disseminated in California? A. Yes. Q. Do you recall that the church leadership wrote that the church's teachings and position on this moral	03:19:52 03:19:55 03:20:03 03:20:08 03:20:14 03:20:16 03:20:18 03:20:24 03:20:31 03:20:36 03:20:40 03:20:40 03:20:52 03:20:52 03:20:54 03:20:59 03:21:06	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	typically took? Did they look like this in, sort of, look and feel? A. I I don't recall. Q. Do you see the language on the second page under the heading "LDS Church Takes Active Role in Supporting Prop 8"? A. Yes. Q. Is that heading accurate? Do you know that the LDS Church took an active role in supporting Prop 8? A. I would have phrased it differently. Q. How would you have phrased it? A. I probably would have based on my understanding of the decision by the leadership of the LDS Church, I would have stated that they endorsed Proposition 8. Q. And isn't it true, Mr. Prentice, that the LDS, the Church of Jesus Christ of the Latter-Day Saints, got involved in Proposition 22? MS. MOSS: Objection. Lack of foundation. If you

44 (Pages 170 to 173)

		Page 170			Page 172
03:21:18	1	also	03:23:46	1	connection with Proposition 8 that the LDS were
03:21:17	2	A. I should back up.	03:23:50	2	significant in the battle both in terms of finances and
03:21:19	3	When you say "the LDS Church," you're	03:23:53	3	foot soldiers?
03:21:21	4	referring to tell me, if you would, how you're	03:23:56	4	MS. MOSS: Object to the extent there's a lack of
03:21:27	5	referring to it?	03:23:58	5	foundation. And he's already testified he doesn't know
03:21:29	6	Q. The church and its members got involved in	03:24:03	6	the particular religious faith of the donors. If you
03:21:32	7	Proposition 22; isn't that correct?	03:24:12	7	think of more, you can add to it.
03:21:36	8	A. I believe that the church endorsed it and its	03:24:15	8	THE WITNESS: I really don't.
03:21:43	9	members got involved.	03:24:17	9	MS. STEWART: Q You don't know?
03:21:44	10	Q. And they were significant in the	03:24:18	10	A. I don't have anything more to add other than
03:21:47	11	Proposition 22 battle; is that correct?	03:24:20	11	what I've already stated.
03:21:50	12	MS. MOSS: Objection to the term "significant." If	03:24:21	12	Q. But you didn't answer my question. Either you
03:21:54	13	you understand it, you can answer.	03:24:23	13	know or don't know. It's a "yes" or "no" question.
03:22:02	14	THE WITNESS: Define "significant," if you would.	03:24:26	14	Isn't it true that in Proposition 8, the LDS
03:22:02	15	MS. STEWART: Q Do you know what the word	03:24:20	15	were significant in the battle both in finances and foot
03:22:04	16	"significant" means?	03:24:35	16	solders?
03:22:03	17		03:24:35	17	
		A. Depending upon the context, certainly. What	03:24:35		A. I continue to take issue with the vague
03:22:10	18	is your context?		18	generalization of the LDS. I have attempted to
03:22:12	19	Q. I am saying they played a significant role, an	03:24:41	19	stipulate that the LDS leadership has endorsed it. And
03:22:16	20	important role.	03:24:45	20	Mormans in California were active in participation in
03:22:17	21	A. Important role? Yes.	03:24:49	21	giving.
03:22:19	22	Q. And did they play a significant role in	03:24:49	22	Q. And so they both the church and its member
03:22:24	23	Proposition 8?	03:24:53	23	collectively both gave money and time; is that true?
03:22:27	24	MS. MOSS: Same objection to the form of the	03:25:02	24	MS. MOSS: Objection. I think the fact on what
03:22:29	25	question.	03:25:06	25	they gave I think was an in-kind contribution
		question.	03.23.00		uicy gave I dillik was all III-kilid collabution
		Page 171	03123100		Page 173
03:22:32	1		03:25:10	1	
03:22:32 03:22:35		Page 171			Page 173
	1	Page 171 THE WITNESS: Members of the LDS Church played an	03:25:10	1	Page 173 MS. STEWART: The church gave.
03:22:35	1 2	Page 171 THE WITNESS: Members of the LDS Church played an important role.	03:25:10 03:25:11	1 2	Page 173 MS. STEWART: The church gave. MS. MOSS: That the church gave.
03:22:35 03:22:36	1 2 3	Page 171 THE WITNESS: Members of the LDS Church played an important role. MS. STEWART: Q And they did so both in terms of	03:25:10 03:25:11 03:25:13	1 2 3	Page 173 MS. STEWART: The church gave. MS. MOSS: That the church gave. MS. STEWART: Q Did the church members, to your
03:22:35 03:22:36 03:22:38	1 2 3 4	Page 171 THE WITNESS: Members of the LDS Church played an important role. MS. STEWART: Q And they did so both in terms of money; correct? They did so in terms of money?	03:25:10 03:25:11 03:25:13 03:25:14	1 2 3 4	Page 173 MS. STEWART: The church gave. MS. MOSS: That the church gave. MS. STEWART: Q Did the church members, to your knowledge, donate significant amounts of money to the
03:22:35 03:22:36 03:22:38 03:22:42	1 2 3 4 5	Page 171 THE WITNESS: Members of the LDS Church played an important role. MS. STEWART: Q And they did so both in terms of money; correct? They did so in terms of money? MS. MOSS: Objection. Lack of foundation.	03:25:10 03:25:11 03:25:13 03:25:14 03:25:18	1 2 3 4 5	Page 173 MS. STEWART: The church gave. MS. MOSS: That the church gave. MS. STEWART: Q Did the church members, to your knowledge, donate significant amounts of money to the Proposition 8 campaign?
03:22:35 03:22:36 03:22:38 03:22:42 03:22:48	1 2 3 4 5	Page 171 THE WITNESS: Members of the LDS Church played an important role. MS. STEWART: Q And they did so both in terms of money; correct? They did so in terms of money? MS. MOSS: Objection. Lack of foundation. THE WITNESS: I don't I don't know the degree to	03:25:10 03:25:11 03:25:13 03:25:14 03:25:18 03:25:20	1 2 3 4 5 6	MS. STEWART: The church gave. MS. MOSS: That the church gave. MS. STEWART: Q Did the church members, to your knowledge, donate significant amounts of money to the Proposition 8 campaign? A. To my knowledge, yes.
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45 (Pages 174 to 177)

		Page 174			Page 176
03:26:43	1	Q. Is it misleading in your view?	03:29:51	1	A. I I knew of Pastor Garlow's desire to
03:26:49	2	A. It doesn't state it as clearly as I would have	03:29:57	2	connect with the pastor community.
03:26:52	3	liked.	03:29:59	3	Q. And is it true that "The Call" in June was the
03:26:59	4	Q. Is it true that as the second paragraph says	03:30:07	4	first of a series of pastor meetings, as the letter
03:27:00	5	that the LDS Church rarely takes an official stand on	03:30:11	5	indicates, in the as the newsletter indicates in the
03:27:05	6	political issues?	03:30:14	6	next paragraph.
03:27:11	7	A. Yes.	03:30:17	7	A. And is it true?
03:27:13	8	Q. And is it true that in this case the first	03:30:20	8	Q. Yes.
03:27:17	9	presidency sent a letter to church leaders in	03:30:21	9	A. If the meetings are the webinars that we've
03:27:22	10	California, at least, regarding supporting	03:30:23	10	already discussed, yes.
03:27:28	11	Proposition 8?	03:30:26	11	Q. And did the pastor meetings serve to kick off
03:27:30	12	A. I believe that it's true that it was sent to	03:30:32	12	an aggressive grassroots campaign amongst churches of
03:27:33	13	California's leaders.	03:30:38	13	varying denominations?
03:27:35	14	Q. Were you ever shown or told any part of the	03:30:47	14	A. The pastor meeting that Jim Garlow put
03:27:38	15	content of that letter?	03:30:50	15	together was the first of several. That's that's as
03:27:39	16	A. No. No.	03:31:03	16	much as I know.
03:27:51	17	Q. I want you to look at the third page of this	03:31:04	17	Q. Did the pastor meetings result in a
03:27:53	18	document where it has a heading "Pastor's committee	03:31:08	18	development of a grassroots campaign?
03:28:02	19	continues push to organize churches."	03:31:20	19	A. I'm I'm struggling for allow me a
03:28:04	20	Do you see that?	03:31:32	20	minute, if you would.
03:28:05	21	A. Yes.	03:31:43	21	To answer your question, all that I can say is
03:28:05	22	Q. Were you well, first of all, do you have an	03:31:46	22	that this served to kick off Jim Garlow's aggressive
03:28:08	23	understanding of what this newsletter means by the	03:31:56	23	campaign amongst churches.
03:28:14	24	reference to pastor's committee?	03:31:58	24	Q. And what do you know about Jim Garlow's
03:28:20	25	A. No.	03:32:01	25	aggressive campaign amongst churches?
		Page 175			Page 177
03:28:23	1		03:32:05	1	-
03:28:23	1 2	Q. So when it says "Pastor's committee continues	03:32:05	1 2	A. Only what we've already addressed, webinars.
03:28:29	2	Q. So when it says "Pastor's committee continues push to organize churches," do you have any	03:32:08	2	A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had
		Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to?			A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out
03:28:29 03:28:33	2 3	Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to? A. No.	03:32:08 03:32:11	2	A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out A. No.
03:28:29 03:28:33 03:28:35	2 3 4	Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to? A. No. Q. And underneath that it says "On June 17th,	03:32:08 03:32:11 03:32:13	2 3 4	A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out A. No. Q into their church communities?
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03:28:29 03:28:33 03:28:35 03:28:35 03:28:45 03:28:45	2 3 4 5 6 7 8	Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to? A. No. Q. And underneath that it says "On June 17th, 2008, Jim Garlow, a senior pastor of Skyline Church in San Diego, released an invitation letter to the State's pastor community asking them to participate in a	03:32:08 03:32:11 03:32:13 03:32:13	2 3 4 5 6	 A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out A. No. Q into their church communities? A. No, I don't.
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03:28:29 03:28:33 03:28:35 03:28:39 03:28:45 03:28:48 03:28:51 03:28:53 03:28:54	2 3 4 5 6 7 8 9 10 11	Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to? A. No. Q. And underneath that it says "On June 17th, 2008, Jim Garlow, a senior pastor of Skyline Church in San Diego, released an invitation letter to the State's pastor community asking them to participate in a state-wide conference call for pastors." Do you see that? A. Yes. Q. Were you aware of that when it was happening?	03:32:08 03:32:11 03:32:13 03:32:15 03:32:16 03:32:21 03:32:25 03:32:27 03:32:28 03:32:34	2 3 4 5 6 7 8 9 10 11	A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out A. No. Q into their church communities? A. No, I don't. Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots parts of the Yes on 8 effort?
03:28:29 03:28:33 03:28:35 03:28:39 03:28:45 03:28:48 03:28:51 03:28:53 03:28:54 03:28:54	2 3 4 5 6 7 8 9 10 11 12	Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to? A. No. Q. And underneath that it says "On June 17th, 2008, Jim Garlow, a senior pastor of Skyline Church in San Diego, released an invitation letter to the State's pastor community asking them to participate in a state-wide conference call for pastors." Do you see that? A. Yes. Q. Were you aware of that when it was happening? A. After the fact.	03:32:08 03:32:11 03:32:13 03:32:15 03:32:16 03:32:21 03:32:25 03:32:27 03:32:28 03:32:34 03:32:38	2 3 4 5 6 7 8 9 10 11 12	A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out A. No. Q into their church communities? A. No, I don't. Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots parts of the Yes on 8 effort? MS. MOSS: To the extent that's public, which I
03:28:29 03:28:33 03:28:35 03:28:39 03:28:45 03:28:48 03:28:51 03:28:53 03:28:54 03:28:54 03:29:04 03:29:06	2 3 4 5 6 7 8 9 10 11 12 13	Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to? A. No. Q. And underneath that it says "On June 17th, 2008, Jim Garlow, a senior pastor of Skyline Church in San Diego, released an invitation letter to the State's pastor community asking them to participate in a state-wide conference call for pastors." Do you see that? A. Yes. Q. Were you aware of that when it was happening? A. After the fact. Q. Okay.	03:32:08 03:32:11 03:32:13 03:32:15 03:32:16 03:32:21 03:32:25 03:32:27 03:32:28 03:32:34 03:32:38	2 3 4 5 6 7 8 9 10 11 12 13	A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out A. No. Q into their church communities? A. No, I don't. Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots parts of the Yes on 8 effort? MS. MOSS: To the extent that's public, which I don't believe it is, but to the extent it is, you can
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03:28:29 03:28:33 03:28:35 03:28:39 03:28:45 03:28:48 03:28:51 03:28:54 03:28:54 03:29:06 03:29:06 03:29:09	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to? A. No. Q. And underneath that it says "On June 17th, 2008, Jim Garlow, a senior pastor of Skyline Church in San Diego, released an invitation letter to the State's pastor community asking them to participate in a state-wide conference call for pastors." Do you see that? A. Yes. Q. Were you aware of that when it was happening? A. After the fact. Q. Okay. And were you aware when you say "after the fact," how far after the fact?	03:32:08 03:32:11 03:32:13 03:32:15 03:32:16 03:32:21 03:32:25 03:32:27 03:32:28 03:32:34 03:32:34 03:32:43 03:32:43	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out A. No. Q into their church communities? A. No, I don't. Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots parts of the Yes on 8 effort? MS. MOSS: To the extent that's public, which I don't believe it is, but to the extent it is, you can answer. If not, I direct you not to answer under First Amendment grounds.
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03:28:29 03:28:33 03:28:35 03:28:39 03:28:45 03:28:48 03:28:51 03:28:54 03:28:54 03:29:04 03:29:06 03:29:06 03:29:09 03:29:11 03:29:17 03:29:19 03:29:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. So when it says "Pastor's committee continues push to organize churches," do you have any understanding of what that's referring to? A. No. Q. And underneath that it says "On June 17th, 2008, Jim Garlow, a senior pastor of Skyline Church in San Diego, released an invitation letter to the State's pastor community asking them to participate in a state-wide conference call for pastors." Do you see that? A. Yes. Q. Were you aware of that when it was happening? A. After the fact. Q. Okay. And were you aware when you say "after the fact," how far after the fact? A. I I don't know. Q. When did you first become aware that Pastor Garlow was inviting pastors to participate in conference calls?	03:32:08 03:32:11 03:32:13 03:32:15 03:32:16 03:32:21 03:32:27 03:32:28 03:32:34 03:32:34 03:32:41 03:32:43 03:32:49 03:32:50 03:32:50	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Only what we've already addressed, webinars. Q. You don't know what results those webinars had in terms of pastors going out A. No. Q into their church communities? A. No, I don't. Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots parts of the Yes on 8 effort? MS. MOSS: To the extent that's public, which I don't believe it is, but to the extent it is, you can answer. If not, I direct you not to answer under First Amendment grounds. THE WITNESS: I choose not to answer. MS. STEWART: Q Were the pastors and the churches in part responsible for the grassroots effort? A. Are you asking if they participated?
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EXHIBIT C

Page 1

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

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KRISTIN M. PERRY, et al.,

Plaintiffs,

vs.

Case No. 09-CV-2292 VRW

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

Deposition of

RONALD PRENTICE

Volume I

Thursday, December 17, 2009

REPORTED BY: LESLIE CASTRO, CSR #8876

BONNIE L. WAGNER & ASSOCIATES
Court Reporting Services
41 Sutter Street, Suite 1605
San Francisco, California 94104
(415) 982-4849

27 (Pages 102 to 105)

		Page 102			Page 104
11:49:48	1	second page under the heading "IProtectMarriage.com	11:53:02	1	MS. MOSS: Did you work with them, and I think
11:49:55	2	targets the youth vote, the facts about the Prop 8	11:53:05	2	whether, you know, he's already explained that he's got
11:49:59	3	campaign."	11:53:09	3	some confusion over what in conjunction with means and
11:50:00	4	Do you see that.	11:53:13	4	now you're asking did they work together. So I think
11:50:01	5	A. Yes.	11:53:15	5	you're getting at how did they original themselves.
11:50:01	6	Q. And it says in the first paragraph under that	11:53:18	6	I don't know what they did or didn't do, but I
11:50:04	7	heading "In conjunction with the Pastors Rapid Response	11:53:20	7	think if they had a private non-public relationship,
11:50:08	8	Network, we recently launched a website targeting the	11:53:26	8	then he does not have to acknowledge that. But there
11:50:11	9	youth vote in California. At the IProtectMarriage.com	11:53:31	9	may be something public.
11:50:16	10	website young people in California can learn about the	11:53:33	10	THE WITNESS: Well, I would I would it's not
11:50:19	11	important issues involved in Proposition 8 and can sign	11:53:38	11	a simple "yes" or "no". The actual answer is when you
11:50:20	12	up to help."	11:53:42	12	phrase it did we work with, we were invited by
11:50:21	13	Do you see that language?	11:53:46	13	Jim Garlow, one or another a member of the executive
11:50:22	14	A. Yes.	11:53:53	14	committee or Shubert and Flint to give updates to this
11:50:23	15	Q. Is it true that in conjunction with the	11:54:00	15	network that Jim Garlow created and oftentimes did so
11:50:26	16	Pastors Rapid Response Network, the ProtectMarriage.com	11:54:03	16	(indicating).
11:50:34	17	launched the website known as IProtectMarriage.com?	11:54:05	17	MS. STEWART: Q When you say this network, you
11:50:42	18	A. To the degree that it states it here, I would	11:54:05	18	mean the Pastors Rapid Response Team?
11:50:44	19	say it appears to be true. It was it wasn't under my	11:54:10	19	A. Rapid Response Network is what he called it.
11:50:51	20	primary supervision.	11:54:13	20	Q. Got it.
11:50:53	21	Q. But do you dispute the accuracy of that	11:54:15	21	And you were invited by them to give updates
11:50:58	22	statement?	11:54:19	22	about the campaign itself?
11:51:03	23	A. Well, I guess the accuracy would hinge on the	11:54:22	23	A. Yes.
11:51:06	24	term "conjunction." There the Pastors Rapid Response	11:54:23	24	Q. And did they keep the executive committee or
11:51:13	25	Network acted for the passage of Prop 8. And whether	11:54:29	25	yourself appraised of their efforts in connection with
					joursen appraised of their errorts in connection with
		Page 102			Page 105
		Page 103		_	Page 105
11:51:21	1	they or IProtectMarriage.com really sought approval from	11:54:35	1	passing Proposition 8?
11:51:27	2	they or IProtectMarriage.com really sought approval from the executive committee, it would not necessarily always	11:54:46	2	passing Proposition 8? A. Yes, to some degree.
11:51:27 11:51:36	2 3	they or IProtectMarriage.com really sought approval from the executive committee, it would not necessarily always be accurate.	11:54:46 11:55:51	2	passing Proposition 8? A. Yes, to some degree. MS. STEWART: I'm going to ask you to look at a
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28 (Pages 106 to 109)

		Page 106			Page 108
11:57:20	1	A. Uh-huh.	12:00:32	1	communicate with voters by conference calls?
11:57:20	2	Q. Does it refresh your recollection as to who	12:00:45	2	A. There may have been there there were
11:57:22	3	was a part of that informal entity?	12:00:50	3	fundraising calls, if that's what you mean. That's the
11:57:26	4	A. The only person that I knew was a part of it	12:00:54	4	only thing that comes to mind where major donors or
11:57:30	5	was Jim Garlow.	12:01:00	5	potential major donors were brought together for
11:57:32	6	Q. You did know, did you not that Miles McPherson	12:01:02	6	conference calls.
11:57:36	7	created or had created for him or for his under his	12:01:03	7	Q. Were there conference calls with pastors?
11:57:46	8	supervision the IProtectMarriage.com website?	12:01:08	8	A. That were sponsored directly by the campaign?
11:57:50	9	A. Yes.	12:01:13	9	Q. Well, let's start there, yeah.
11:58:10	10		12:01:18	10	A. The only conference calls I'm familiar with
11:58:12	11	Q. I'm going to go back.	12:01:10	11	•
		We were talking earlier about how the campaign			pastors came through Jim Garlow and his Pastors Rapid
11:58:17	12	communicated with actual and potential voters.	12:01:29	12	Response Team.
11:58:21	13	Do you recall that discussion?	12:01:31	13	Q. And when you say "came through," explain what
11:58:22	14	A. Yes.	12:01:35	14	you mean by that.
11:58:23	15	Q. And we went through a number of ways, and I	12:01:36	15	A. Created, developed and implemented through
11:58:25	16	want to circle back because I'm not sure if we covered	12:01:38	16	him.
11:58:29	17	them all.	12:01:38	17	Q. So there were conference calls that
11:58:30	18	So you mentioned as ways that the campaign	12:01:41	18	Pastor Garlow he's a pastor; correct?
11:58:33	19	communicated with voters or potential voters and can	12:01:43	19	A. Correct.
11:58:38	20	I just for shorthand say "voters" to mean potential	12:01:44	20	Q organized
11:58:43	21	voters as well.	12:01:47	21	A. Correct.
11:58:44	22	A. Yes.	12:01:47	22	Q through the Pastors Rapid Response Team?
11:58:45	23	Q. Would that be acceptable do you understand	12:01:54	23	And were you part of those conference calls?
11:58:46	24	that?	12:01:56	24	A. Some. I was invited to participate in some.
11:58:47	25	A TTL LL.	12.02.05	25	0 777 /1 1 0/1 // //
	23	A. Uh-huh.	12:02:05	25	Q. Were other members of the executive committee
		Page 107	12:02:05	25	Q. Were other members of the executive committee
11:58:47	1		12:02:03	1	
		Page 107			Page 109
11:58:47	1	Page 107 Q. You have to answer audibly.	12:02:08	1	Page 109 participants in those conference calls?
11:58:47 11:58:49	1 2	Page 107 Q. You have to answer audibly. A. Yes. Sorry.	12:02:08 12:02:15	1 2	Page 109 participants in those conference calls? A. Let's see. I'm I don't know for sure.
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29 (Pages 110 to 113)

		Page 110			Page 112
12:03:42	1	A. A simulcast is where an event takes place in	12:06:21	1	Q. And McPherson's church you said was The Rock
12:03:46	2	one facility and the event is broadcast into other	12:06:25	2	Church?
12:03:53	3	facilities.	12:06:26	3	A. Correct.
12:03:55	4	O. At the same time?	12:06:26	4	Q. And where is that?
12:03:55	5	A. Yes.	12:06:28	5	A. Point Loma-San Diego.
12:03:56	6	Q. Hence the simul part of simulcast?	12:06:31	6	Q. Thank-you. I'm bad with Southern California.
12:04:00	7	A. Yeah.	12:06:37	7	So the Pastors Rapid Response Team put them
12:04:01	8	Q. So you mentioned earlier that there were	12:06:46	8	on.
12:04:04	9	simulcasts done in the effort to pass Prop 8.	12:06:47	9	Were they sponsored by ProtectMarriage.com?
12:04:14	10	Can you describe those events, those simulcast	12:06:50	10	A. You need to tell me what you mean by
12:04:18	11	events.	12:06:51	11	"sponsored."
12:04:19	12	A. Those were put on by Pastors Rapid Response	12:06:54	12	Q. Did ProtectMarriage.com promote them in any
12:04:24	13	Team, and were oriented towards pastors and churches.	12:07:00	13	way?
12:04:34	14	Q. And how many were there?	12:07:10	14	A. I'm not I'm not remembering a time. I
12:04:40	15	A. I believe there were three.	12:07:14	15	would imagine we may have we may have communicated
12:04:47	16	Q. And did you participate in any way in those	12:07:18	16	that they took place or that they were going to take
12:04:55	17	simulcasts?	12:07:21	17	place. But it wasn't a major part of our communication.
12:04:56	18	A. No.	12:07:27	18	Q. Did ProtectMarriage.com provide funding for
12:04:57	19	Q. Were you present at the were they held in	12:07:31	19	them?
12:05:02	20	churches?	12:07:31	20	A. Yes.
12:05:05	21	MS. MOSS: Let me just interject. Obviously, you	12:07:34	21	Q. What level of funding, if you recall, did
12:05:07	22	can only answer what you know, and you can answer that.	12:07:38	22	ProtectMarriage.com provide for the simulcasts?
12:05:09	23	I just want to for the record note a lack of foundation	12:07:43	23	A. We provided for the total funding of the
12:05:12	24	to the extent that he said he didn't.	12:07:46	24	simulcast.
12:05:15	25	MS. STEWART: He can say if he doesn't know	12:07:54	25	MS. STEWART: I'm going to suggest we take a lunch
					8 8 8
		Page 111			Page 113
12:05:17	1		12:07:56	1	Page 113
12:05:17 12:05:19	1 2	MS. MOSS: If he knows. I just want to preserve	12:07:56 12:07:59	1 2	
					Page 113 break. Is this a good time for you guys?
12:05:19	2	MS. MOSS: If he knows. I just want to preserve the foundation objection.	12:07:59	2	Page 113 break. Is this a good time for you guys? MS. MOSS: Sure.
12:05:19 12:05:23	2 3	MS. MOSS: If he knows. I just want to preserve the foundation objection. MS. STEWART: Preserve.	12:07:59 12:08:05	2	Page 113 break. Is this a good time for you guys? MS. MOSS: Sure. THE VIDEOGRAPHER: Off record at 12:07.
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36 (Pages 138 to 141)

		Page 138			Page 140
02:23:21	1	Q. Does that at all refresh your recollection	02:27:02	1	specifically did anybody have webinars or did
02:23:23	2	about what CCN is?	02:27:05	2	ProtectMarriage.com-Yes on 8 have webinars?
02:23:29	3	A. I think we've already addressed that. You	02:27:13	3	MS. STEWART: Q Did anybody have webinars?
02:23:33	4	asked me what Church Communication Network was, and I	02:27:14	4	A. Yes.
02:23:38	5	said they provide simulcasts.	02:27:17	5	Q. What is a webinar?
02:23:40	6	Q. I didn't know the CCN was their initials. I	02:27:18	6	A. Webinar is a communication that goes online
02:23:43	7	hadn't put two and two together, to be honest.	02:27:22	7	and people see it on computers.
02:23:46	8	So CCN is campaign wait. I'm sorry.	02:27:24	8	Q. And is it something that you have to, sort of,
02:23:53	9	Is it what did you just say? Is it Church	02:27:26	9	be there simultaneously for to participate in it?
02:23:56	10	Communication Network, Inc.? Because that's the thing	02:27:32	10	A. I believe so.
02:23:59	11	that you said	02:27:32	11	Q. Is it interactive in some way?
02:24:00	12	A. Yes.	02:27:38	12	A. No.
02:24:00	13	Q simulcasts?	02:27:41	13	Q. And you said there were webinars, tell me what
02:24:04	14	So CCN is Church Communication Network, Inc.,	02:27:45	14	you know about those webinars.
02:24:09	15	correct, this has refreshed your recollection about CCN?	02:27:48	15	Let me start with who did webinars in
02:24:13	16	A. I am attributing I can only go by you	02:27:53	16	connection with the Prop 8 campaign?
02:24:19	17	having previously mentioned Church Communication Network	02:28:01	17	A. The Pastors Rapid Response Team, not
02:24:24	18	and me now seeing CCN.	02:28:08	18	necessarily in connection with the campaign, put on
02:24:28	19	Q. Okay. Fair enough.	02:28:13	19	webinars.
02:24:34	20	Did you know that these simulcasts were being	02:28:13	20	Q. When you say "not necessarily in connection
02:25:00	21	planned at the time they were, in fact, being planned?	02:28:15	21	with the campaign," you mean I'm not sure I follow.
02:25:05	22	A. Yes.	02:28:20	22	Did they have to do with Prop 8?
02:25:06	23	Q. Did you know who the speakers were going to be	02:28:22	23	A. Yes, but I guess we need to clarify whether or
02:25:12	24	at the time they were being planned?	02:28:25	24	not it had to do with the campaign committee.
02:25:14	25	A. No.	02:28:28	25	Q. So you mean when you say not necessarily
		Page 139			Page 141
02:25:16	1	Q. Did you know what the content would be at the	02:28:32	1	in
02:25:19	2	time they were being planned?	02:28:32	2	A. Campaign
02:25:20	3	A. No.	02:28:33	_	
02:25:41				3	Q committee?
	4	Q. We were earlier going through the ways in	02:28:34	4	Q committee? A. Yes.
02:25:44	4 5	Q. We were earlier going through the ways in which the ProtectMarriage.com campaign communicated with			•
02:25:44 02:25:50			02:28:34	4	A. Yes.
	5	which the ProtectMarriage.com campaign communicated with	02:28:34 02:28:35	4 5	A. Yes. Q. But they were Prop 8 related?
02:25:50	5 6	which the ProtectMarriage.com campaign communicated with voters. And we covered a lot of things, but I wanted to	02:28:34 02:28:35 02:28:37	4 5 6	A. Yes. Q. But they were Prop 8 related? A. Yes.
02:25:50 02:25:59	5 6 7	which the ProtectMarriage.com campaign communicated with voters. And we covered a lot of things, but I wanted to ask about a couple that we didn't touch on.	02:28:34 02:28:35 02:28:37 02:28:38	4 5 6 7	A. Yes.Q. But they were Prop 8 related?A. Yes.Q. Did you participate in any of those webinars?
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37 (Pages 142 to 145)

		Page 142			Page 144
02:29:34	1	A. I don't believe so.	02:32:52	1	Q. And who ho organized that event?
02:29:36	2	Q. And do you remember who organized the	02:32:55	2	A. A gentleman out of Kansas City.
02:29:38	3	webinars you said it was the PRRT?	02:32:58	3	Q. What was his name?
02:29:46	4	A. Yes.	02:32:59	4	A. Lou Engle.
02:29:49	5	Q. And in each instance in which you	02:32:33	5	Q. Did he did you know that event was being
02:29:53	6	participated, you provided an update about about	02:33:04	6	planned at the time it was being planned?
02:29:57	7	what?	02:33:11	7	A. Yes.
02:29:59	8	A. Oh, whatever I was requested to give an update	02:33:14	8	Q. Did ProtectMarriage.com have any involvement
02:30:04	9	on. It was typically it varied depending upon the	02:33:19	9	whatsoever in "The Call"?
02:30:04	10	webinar.	02:33:19	10	MS. MOSS: To the extent their involvement was
02:30:12	11		02:33:22	11	
		Q. And did do you know who the audience, if	02:33:24		public I don't know if they had any involvement
02:30:16	12	you will, was for those webinars?		12	but if they did and it was public, you can respond. If
02:30:24	13	A. The audience was yeah, I would say	02:33:30	13	not, I would direct you not to answer.
02:30:31	14	religious workers.	02:33:33	14	THE WITNESS: I'm not aware of any public.
02:30:36	15	Q. And when you say "workers," what do you mean?	02:33:36	15	MS. STEWART: Q Did you go to "The Call"?
02:30:38	16	A. It could be lay people. It could be pastors,	02:33:38	16	A. Yes.
02:30:42	17	priests, rabbis.	02:33:39	17	Q. Did you speak at "The Call"?
02:30:44	18	Q. Do you have any idea how many people were	02:33:40	18	A. No.
02:30:49	19	do you have any idea of the audience size for those	02:33:44	19	Q. Was "The Call." kind of a modeled after
02:30:53	20	webinars?	02:33:50	20	old-fashioned revival events? Do you know what I'm
02:30:54	21	A. No.	02:33:54	21	talking about?
02:30:56	22	Q. Were the webinars separate from the conference	02:33:55	22	MS. MOSS: Objection. Lack of foundation. If you
02:30:58	23	calls that we talked about earlier?	02:33:57	23	know.
02:31:02	24	A. Remind me of the conference calls.	02:33:59	24	THE WITNESS: I didn't attend any old-fashioned
02:31:04	25	Q. I believe you indicated that there were some	02:34:01	25	revival events so
		Page 143			Page 145
02:31:11	1	conference calls that Pastor Garlow and the PRRT invited	02:34:04		MS. STEWART: Q Me neither. I think I read that
			02:34:04	1	
02:31:17	2	you to participate in.	02:34:04	2	somewhere about it.
02:31:17 02:31:19					·
	2	you to participate in.	02:34:06	2	somewhere about it.
02:31:19	2 3	you to participate in. A. They were the same.	02:34:06 02:34:11	2	somewhere about it. Can you describe what it was like?
02:31:19 02:31:20	2 3 4	you to participate in. A. They were the same. Q. They were the same. Okay.	02:34:06 02:34:11 02:34:15	2 3 4	somewhere about it. Can you describe what it was like? A. A lot of people in the stands and a lot of
02:31:19 02:31:20 02:31:22	2 3 4 5	you to participate in. A. They were the same. Q. They were the same. Okay. So the webinars involve both being online and	02:34:06 02:34:11 02:34:15 02:34:17	2 3 4 5	somewhere about it. Can you describe what it was like? A. A lot of people in the stands and a lot of people on the stage and a lot of people praying.
02:31:19 02:31:20 02:31:22 02:31:28	2 3 4 5 6	you to participate in. A. They were the same. Q. They were the same. Okay. So the webinars involve both being online and watching something and then hearing something on the	02:34:06 02:34:11 02:34:15 02:34:17 02:34:22	2 3 4 5 6	somewhere about it. Can you describe what it was like? A. A lot of people in the stands and a lot of people on the stage and a lot of people praying. Q. And whether were the speakers if you remember?
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02:31:19 02:31:20 02:31:22 02:31:32 02:31:37 02:31:40 02:31:45 02:31:45 02:31:45 02:31:50 02:31:58 02:32:05	2 3 4 5 6 7 8 9 10 11 12 13 14	you to participate in. A. They were the same. Q. They were the same. Okay. So the webinars involve both being online and watching something and then hearing something on the telephone at the same time. A. Yes. Q. Or is it you're hearing it via your computer? A. Both. Q. As you can see, I'm technologically challenged. Were there you mentioned the simulcasts. And I think you told me earlier that they were oriented towards pastors and churches.	02:34:06 02:34:11 02:34:15 02:34:17 02:34:22 02:34:30 02:34:35 02:34:38 02:34:40 02:34:53 02:34:53	2 3 4 5 6 7 8 9 10 11 12 13 14	Can you describe what it was like? A. A lot of people in the stands and a lot of people on the stage and a lot of people praying. Q. And whether were the speakers if you remember? A. I remember two: Lou Engle and Jim Garlow. Q. Do you remember an ex-gay, I think that's how she was billed, speaking at that event? A. No. Q. Do you remember a number of people who claimed to have once been but ceased to be gay speaking at that event? A. No. Q. Did a part of the way the campaign
02:31:19 02:31:20 02:31:22 02:31:32 02:31:37 02:31:40 02:31:45 02:31:45 02:31:45 02:31:50 02:31:58 02:32:05 02:32:06	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	you to participate in. A. They were the same. Q. They were the same. Okay. So the webinars involve both being online and watching something and then hearing something on the telephone at the same time. A. Yes. Q. Or is it you're hearing it via your computer? A. Both. Q. As you can see, I'm technologically challenged. Were there you mentioned the simulcasts. And I think you told me earlier that they were oriented towards pastors and churches. Do I have that right?	02:34:06 02:34:11 02:34:15 02:34:17 02:34:26 02:34:30 02:34:35 02:34:40 02:34:42 02:34:53 02:34:53	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Somewhere about it. Can you describe what it was like? A. A lot of people in the stands and a lot of people on the stage and a lot of people praying. Q. And whether were the speakers if you remember? A. I remember two: Lou Engle and Jim Garlow. Q. Do you remember an ex-gay, I think that's how she was billed, speaking at that event? A. No. Q. Do you remember a number of people who claimed to have once been but ceased to be gay speaking at that event? A. No. Q. Did a part of the way the campaign communicated involve door-to-door precinct walking?
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45 (Pages 174 to 177)

		Page 174			Page 17
03:26:43	1	Q. Is it misleading in your view?	03:29:51	1	A. I I knew of Pastor Garlow's desire to
03:26:49	2	A. It doesn't state it as clearly as I would have	03:29:57	2	connect with the pastor community.
03:26:52	3	liked.	03:29:59	3	Q. And is it true that "The Call" in June was the
03:26:59	4	Q. Is it true that as the second paragraph says	03:30:07	4	first of a series of pastor meetings, as the letter
03:27:00	5	that the LDS Church rarely takes an official stand on	03:30:11	5	indicates, in the as the newsletter indicates in the
03:27:05	6	political issues?	03:30:14	6	next paragraph.
03:27:11	7	A. Yes.	03:30:17	7	A. And is it true?
03:27:13	8	Q. And is it true that in this case the first	03:30:20	8	Q. Yes.
03:27:17	9	presidency sent a letter to church leaders in	03:30:21	9	A. If the meetings are the webinars that we've
03:27:22	10	California, at least, regarding supporting	03:30:23	10	already discussed, yes.
03:27:28	11	Proposition 8?	03:30:26	11	Q. And did the pastor meetings serve to kick off
03:27:30	12	A. I believe that it's true that it was sent to	03:30:32	12	an aggressive grassroots campaign amongst churches of
03:27:33	13	California's leaders.	03:30:38	13	varying denominations?
3:27:35	14	Q. Were you ever shown or told any part of the	03:30:47	14	A. The pastor meeting that Jim Garlow put
3:27:38	15	content of that letter?	03:30:50	15	together was the first of several. That's that's as
3:27:39	16	A. No. No.	03:31:03	16	much as I know.
03:27:51	17		03:31:04	17	
		Q. I want you to look at the third page of this			Q. Did the pastor meetings result in a
03:27:53	18	document where it has a heading ''Pastor's committee	03:31:08	18	development of a grassroots campaign?
03:28:02	19	continues push to organize churches."	03:31:20	19	A. I'm I'm struggling for allow me a
03:28:04	20	Do you see that?	03:31:32	20	minute, if you would.
03:28:05	21	A. Yes.	03:31:43	21	To answer your question, all that I can say is
03:28:05	22	Q. Were you well, first of all, do you have an	03:31:46	22	that this served to kick off Jim Garlow's aggressive
03:28:08	23	understanding of what this newsletter means by the	03:31:56	23	campaign amongst churches.
03:28:14	24	reference to pastor's committee?	03:31:58	24	Q. And what do you know about Jim Garlow's
03:28:20	25	A. No.	03:32:01	25	aggressive campaign amongst churches?
		Page 175			Page 17
03:28:23	1	Q. So when it says "Pastor's committee continues	03:32:05	1	A. Only what we've already addressed, webinars.
03:28:29	2	push to organize churches," do you have any	03:32:08	2	Q. You don't know what results those webinars had
03:28:33	3	understanding of what that's referring to?	03:32:11	3	in terms of pastors going out
03:28:35	4	A. No.	03:32:13	4	A. No.
03:28:35	5	Q. And underneath that it says "On June 17th,	03:32:13	5	Q into their church communities?
03:28:39	6	2008, Jim Garlow, a senior pastor of Skyline Church in	03:32:15	6	A. No, I don't.
03:28:45	7	San Diego, released an invitation letter to the State's	03:32:16		
			03.32.10	7	Q. Is it true that the Yes on 8 campaign was the
	8	pastor community asking them to participate in a	03:32:21	7 8	
03:28:48	8 9	pastor community asking them to participate in a state-wide conference call for pastors."			Q. Is it true that the Yes on 8 campaign was the
03:28:48 03:28:51		state-wide conference call for pastors."	03:32:21	8	Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history?
03:28:48 03:28:51 03:28:53	9		03:32:21 03:32:25	8 9	 Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay.
03:28:48 03:28:51 03:28:53 03:28:54	9 10	state-wide conference call for pastors." Do you see that? A. Yes.	03:32:21 03:32:25 03:32:27	8 9 10	 Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots
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03:28:48 03:28:51 03:28:53 03:28:54 03:28:54	9 10 11 12	state-wide conference call for pastors." Do you see that? A. Yes. Q. Were you aware of that when it was happening?	03:32:21 03:32:25 03:32:27 03:32:28 03:32:34	8 9 10 11 12	 Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots
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03:28:48 03:28:51 03:28:53 03:28:54 03:29:04 03:29:06 03:29:06 03:29:09 03:29:11 03:29:17	9 10 11 12 13 14 15 16 17 18	state-wide conference call for pastors." Do you see that? A. Yes. Q. Were you aware of that when it was happening? A. After the fact. Q. Okay. And were you aware when you say "after the fact," how far after the fact? A. I I don't know. Q. When did you first become aware that Pastor Garlow was inviting pastors to participate in	03:32:21 03:32:25 03:32:27 03:32:28 03:32:34 03:32:41 03:32:43 03:32:48 03:32:49 03:32:50 03:32:52	8 9 10 11 12 13 14 15 16 17 18	Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots parts of the Yes on 8 effort? MS. MOSS: To the extent that's public, which I don't believe it is, but to the extent it is, you can answer. If not, I direct you not to answer under First Amendment grounds. THE WITNESS: I choose not to answer. MS. STEWART: Q Were the pastors and the churches in part responsible for the grassroots effort?
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03:28:48 03:28:51 03:28:53 03:28:54 03:28:54 03:29:04 03:29:06 03:29:06 03:29:09 03:29:11	9 10 11 12 13 14 15 16 17 18 19 20 21	Do you see that? A. Yes. Q. Were you aware of that when it was happening? A. After the fact. Q. Okay. And were you aware when you say "after the fact," how far after the fact? A. I I don't know. Q. When did you first become aware that Pastor Garlow was inviting pastors to participate in conference calls? A. Well, again, I'm not sure of the date that I	03:32:21 03:32:25 03:32:27 03:32:28 03:32:34 03:32:41 03:32:43 03:32:48 03:32:49 03:32:50 03:32:50	8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Is it true that the Yes on 8 campaign was the largest grassroots campaign in California history? A. I believe so. Q. Okay. And who was responsible for the grassroots parts of the Yes on 8 effort? MS. MOSS: To the extent that's public, which I don't believe it is, but to the extent it is, you can answer. If not, I direct you not to answer under First Amendment grounds. THE WITNESS: I choose not to answer. MS. STEWART: Q Were the pastors and the churches in part responsible for the grassroots effort? A. Are you asking if they participated? Q. Yes.

46 (Pages 178 to 181)

		Page 178			Page 180
03:33:07	1	Q. So is your answer	03:36:06	1	correct?
03:33:09	2	A. I would choose not to answer.	03:36:07	2	A. Yes.
03:33:11	3	Q. You don't know of any other people or groups	03:36:12	3	Q. Did Mr. Shubert and Flint inform you that they
03:33:18	4	who participated in a grassroots effort in a public way	03:36:25	4	were going to publish that article before they did so?
03:33:22	5	except for the pastors of the churches; is that fair?	03:36:28	5	A. No.
03:33:26	6	A. I don't know of any publicly communicated	03:36:30	6	Q. Did you have an objection to them publishing
03:33:35	7	effort that participated in the grassroots campaign.	03:36:34	7	it?
03:33:40	8	Q. Were the simulcasts a part of a grassroots	03:36:36	8	A. After the fact would I have
03:33:44	9		03:36:40	9	Q. Did you? Did you ever object?
03:33:49	10	campaign? A. I guess it would depend upon your definition	03:36:43	10	MS. MOSS: To the extent that it's asking for
03:33:49			03:36:46	11	
	11	of "grassroots."			internal communications that you had with Mr. Shubert or
03:33:53	12	Q. Well, have you used the phrase "grassroots" to	03:36:49	12	Mr. Flint or you know anybody else, I would instruct you
03:33:56	13	describe the success of the Yes on 8 campaign?	03:36:54	13	not to answer. If you publicly objected, then you can
03:34:00	14	A. I'm sure I have.	03:36:57	14	answer.
03:34:01	15	Q. And have you stated that that campaign was the	03:37:00	15	THE WITNESS: I would take your counsel.
03:34:07	16	largest grassroots effort in California ever?	03:37:03	16	MS. STEWART: Q And is it true are you saying
03:34:11	17	A. Yes.	03:37:07	17	that you didn't were not aware that they were going
03:34:12	18	Q. And so as you use that term, were the	03:37:09	18	to publish the article before they did?
03:34:18	19	simulcasts a part of an effort to create a grassroots	03:37:13	19	A. I believe I answered that.
03:34:26	20	campaign?	03:37:14	20	Q. And the answer is "yes"?
03:34:27	21	A. Were was it my understanding that the	03:37:16	21	A. Yes.
03:34:30	22	simulcasts were part of the grassroots campaign?	03:37:20	22	Q. Were you unhappy about them having published
03:34:33	23	Q. Yes.	03:37:23	23	it when you did find out about it?
03:34:33	24	A. Yes.	03:37:35	24	A. Yes.
03:34:34	25	Q. And Pastor Garlow as least was involved in the	03:37:35	25	Q. And did you express that in any way?
		Page 179			Page 181
03:34:40					
	1	simulcasts; correct?	03:37:40	1	MS. MOSS: The same instruction as earlier. If it
03:34:42	1 2	simulcasts; correct? A. Yes.	03:37:40 03:37:42	1 2	MS. MOSS: The same instruction as earlier. If it was a public expression of your views, you can respond
03:34:42 03:34:43		· · · · · · · · · · · · · · · · · · ·			
	2	A. Yes.	03:37:42	2	was a public expression of your views, you can respond
03:34:43	2 3	A. Yes. Q. Two of them; right?	03:37:42 03:37:46	2	was a public expression of your views, you can respond if it was done
03:34:43 03:34:45	2 3 4	A. Yes. Q. Two of them; right? A. Yes.	03:37:42 03:37:46 03:37:47	2 3 4	was a public expression of your views, you can respond if it was done THE WITNESS: It wasn't a public expression of my
03:34:43 03:34:45 03:34:46 03:34:51	2 3 4 5	A. Yes. Q. Two of them; right? A. Yes. Q. And Pastor Miles? A. McPherson.	03:37:42 03:37:46 03:37:47 03:37:50	2 3 4 5	was a public expression of your views, you can respond if it was done THE WITNESS: It wasn't a public expression of my views. MS. STEWART: Q And did Mr. Shubert and Flint
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58 (Pages 226 to 229)

		Page 226			Page 228
05:24:38	1	communications that were from that referred to	05:29:47	1	A. I don't have any memory of this.
05:24:44	2	ProtectMarriage.com to make a distinction between the	05:29:50	2	Q. You testified earlier that you did participate
05:24:46	3	coalition that's mentioned on Exhibit 25 and the	05:29:54	3	in some conference calls organized by the Pastors Rapid
05:25:05	4	ProtectMarriage campaign executive committee?	05:29:59	4	Response Team; correct?
05:25:10	5	A. Did I expect the voters to be able to make a	05:30:00	5	A. Yes.
05:25:12	6	distinction between what	05:30:01	6	Q. Do you have any reason to doubt well, let
05:25:14	7	Q. Between in reviewing communications that	05:30:04	7	me focus your attention on the third page of this
05:25:16	8	they received from ProtectMarriage.com that referred to	05:30:09	8	document, which appears to be some, sort of, perhaps
05:25:20	9	ProtectMarriage.com, did you expect voters to	05:30:13	9	agenda, it's not entirely clear, for a conference call
05:25:24	10		05:30:13	10	
05:25:28	11	distinguish between the executive committee or the	05:30:20	11	it has a July 30, 2008 date. And on the third page,
05:25:31		primarily formed ballot committee on the one hand, and		12	Item 5 it says "How to Educate your State."
	12	the broad coalition that you've described on or that	05:30:30		Do you see that?
05:25:35	13	is described on Exhibit 25 in the last paragraph?	05:30:30	13	A. Yes.
05:25:42	14	A. Well, I can't speak for everyone who wrote on	05:30:31	14	Q. And it lists Tony Perkins with a website
05:25:45	15	behalf of the campaign committee. But I think that	05:30:35	15	www.FRC.org.
05:25:49	16	there were very clearly incidents where we were very	05:30:37	16	Do you see that?
05:25:54	17	specific about the ProtectMarriage.com-Yes on 8 campaign	05:30:39	17	A. Yes.
05:26:00	18	committee.	05:30:40	18	Q. And underneath that your name and
05:26:00	19	Q. What were you the chairman of?	05:30:42	19	www.CaliforniaFamily.org.
05:26:04	20	A. I was the chairman of the ad hoc executive	05:30:46	20	Do you see?
05:26:07	21	committee.	05:30:47	21	A. Yes.
05:26:07	22	Q. Were you also the chairman of ProtectMarriage	05:30:47	22	Q. And underneath that Frank Shubert,
05:26:12	23	in the broader sense of that term?	05:30:48	23	Shubert-Flint Public Affairs, Sacramento.
05:26:15	24	A. Define the broader sense of the term.	05:30:52	24	Do you see that?
05:26:17	25	Q. The coalition described at the bottom of	05:30:53	25	A. Yes.
		Page 227			Page 229
05:26:20	1	Exhibit 25.	05:30:53	1	Q. Now, July 30th of 2008 was after the
05:26:23	2	A. No, because there was no there was no	05:30:59	2	Proposition 8 had qualified for the ballot; correct?
05:26:26	3	organization as such.	05:31:02	3	A. Yes.
05:26:28	4	Q. Look back at Exhibit 26, if you would.	05:31:02		A. Ics.
05:26:41	-		03.31.02	4	Q. So it was during the campaign itself?
	5	Do you see at the top it has a photograph of	05:31:02	4 5	
05:26:43	6	Do you see at the top it has a photograph of you?			Q. So it was during the campaign itself?
05:26:43 05:26:45			05:31:05	5	Q. So it was during the campaign itself?A. Yes.
	6	you? A. Yes.	05:31:05 05:31:05	5 6	Q. So it was during the campaign itself?A. Yes.Q. And do you recall participating in a
05:26:45	6 7	you?	05:31:05 05:31:05 05:31:15	5 6 7	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid
05:26:45 05:26:45	6 7 8	you? A. Yes. Q. And underneath it says "Ron Prentice,	05:31:05 05:31:05 05:31:15 05:31:20	5 6 7 8	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how
05:26:45 05:26:45 05:26:48	6 7 8 9	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes.	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23	5 6 7 8 9	 Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State?
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05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:55 05:27:55 05:28:10 05:28:13 05:28:51	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.) MS. STEWART: Q Take a minute to look at it and tell me if you have ever seen this document before. (Pause in the proceedings.)	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50 05:31:54 05:31:59 05:32:00 05:32:03 05:32:03	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay. But you recall speaking with those two individuals at conference calls? A. I recall a you know, one or more webinar
05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:54 05:27:55 05:28:10 05:28:10 05:28:11 05:28:11	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.) MS. STEWART: Q Take a minute to look at it and tell me if you have ever seen this document before. (Pause in the proceedings.) THE WITNESS: I've never seen this document before.	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50 05:31:54 05:31:59 05:32:00 05:32:00 05:32:03 05:32:05	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay. But you recall speaking with those two individuals at conference calls? A. I recall a you know, one or more webinar conference calls where those gentlemen also spoke.
05:26:45 05:26:48 05:26:49 05:26:50 05:26:57 05:27:10 05:27:32 05:27:55 05:27:55 05:28:10 05:28:13 05:28:51	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you? A. Yes. Q. And underneath it says "Ron Prentice, coalition chairman"? A. Yes. Q. Does that suggest that you were the chairman of the broad-based coalition that is referred to in so many of the communications from ProtectMarriage.com? A. I would say wrongly so, yes. MS. STEWART: I'm going to give you what we'll mark as 29. (Whereupon, Exhibit No. 29 was Marked for identification.) MS. STEWART: Q Take a minute to look at it and tell me if you have ever seen this document before. (Pause in the proceedings.)	05:31:05 05:31:05 05:31:15 05:31:20 05:31:23 05:31:25 05:31:27 05:31:29 05:31:33 05:31:42 05:31:50 05:31:54 05:31:59 05:32:00 05:32:03 05:32:03	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. So it was during the campaign itself? A. Yes. Q. And do you recall participating in a conference call with organized by the Pastors Rapid Response Team in which you spoke about the topic of how to educate your State? A. No. Q. Do you recall participating in a conference call organized by the Pastors Rapid Response Team in which you spoke at the in a part of the conference call at which Tony Perkins and Frank Shubert also spoke? A. Yes. However, there's no evidence that I actually fulfilled this duty having never seen this, and there were other times. Q. Okay. But you recall speaking with those two individuals at conference calls? A. I recall a you know, one or more webinar

59 (Pages 230 to 233)

		Page 230			Page 232
05:32:34	1	A. Not every time, no.	05:35:15	1	Proposition 8, to your knowledge?
05:32:35	2	Q. Sometimes you did and sometimes you did not?	05:35:18	2	MS. MOSS: Objection. Lack of foundation. You can
05:32:37	3	A. When you say "participate," there would	05:35:19	3	answer.
05:32:39	4	again, I would speak for two to five minutes at any	05:35:21	4	THE WITNESS: He participated in this webinar,
05:32:42	5	time.	05:35:22	5	apparently.
05:32:43	6	Q. And did you listen to the other presentations	05:35:24	6	MS. STEWART: Q You're not aware of other activity
05:32:46	7	on any of those calls?	05:35:26	7	on his part
05:32:49	8	A. Yes, I would say inconsistently.	05:35:28	8	A. No.
05:32:52	9	Q. And who's Jack Hibbs, by the way?	05:35:28	9	Q to support Prop 8?
05:32:57	10	A. A pastor of a church.	05:35:31	10	A. No.
05:33:00	11	Q. In Chino Hills?	05:36:00	11	MS. STEWART: I'm going to ask you to take look at
05:33:02	12	A. Correct.	05:36:04	12	Exhibit 30.
05:33:02	13	Q. And who's Chuck LiMondri?	05:36:04	13	(Whereupon, Exhibit No. 30 was
05:33:06	14	A. An attorney.	05:36:22	14	Marked for identification.)
05:33:10	15	Q. And who is Maggie Gallagher?	05:36:47	15	THE WITNESS: Okay.
05:33:12	16	A. She's the president of NOM, National	05:36:48	16	MS. STEWART: Q Have you ever seen this document
05:33:16	17	Organization for Marriage.	05:36:50	17	before?
05:33:17	18	Q. And I think we talked about Jim Garlow	05:36:50	18	A. No.
05:33:20	19	earlier. And he heads up the Pastors Rapid Response	05:36:51	19	Q. It appears to be some type of postcard or
05:33:26	20	Team; is that right?	05:36:56	20	other mailing item by which people could express support
05:33:27	21	A. Yes.	05:37:03	21	for Proposition 8 and volunteer?
05:33:28	22	Q. Who's Bishop Cordeleone?	05:37:06	22	A. Yes.
05:33:20	23	A. Cordeleone. As it states there, at the time	05:37:06	23	Q. And it has the logo "Catholics for
05:33:34	24	he was an auxiliary bishop of the Catholic the	05:37:09	24	ProtectMarriage.com" in a couple of places on each card.
05:33:39	25	Catholic Diocese of San Diego.	05:37:13	25	Do you see that?
03.33.33		Catholic Diocese of San Diego.			Do you see that.
		5 021			D 022
		Page 231			Page 233
05:33:41	1	Q. And I think we talked about Miles McPherson	05:37:14	1	A. The logo or the term?
05:33:44	2	Q. And I think we talked about Miles McPherson earlier as the pastor of the Rock Church in San Diego;	05:37:16	2	A. The logo or the term? Q. I'm sorry. The term.
05:33:44 05:33:51	2 3	Q. And I think we talked about Miles McPherson earlier as the pastor of the Rock Church in San Diego; correct?	05:37:16 05:37:17	2	A. The logo or the term?Q. I'm sorry. The term.A. Yes.
05:33:44 05:33:51 05:33:52	2 3 4	Q. And I think we talked about Miles McPherson earlier as the pastor of the Rock Church in San Diego; correct? A. Yes.	05:37:16 05:37:17 05:37:18	2 3 4	 A. The logo or the term? Q. I'm sorry. The term. A. Yes. Q. And underneath the bottom term, you know,
05:33:44 05:33:51 05:33:52 05:33:59	2 3 4 5	Q. And I think we talked about Miles McPherson earlier as the pastor of the Rock Church in San Diego; correct? A. Yes. Q. And Tony Perkins at the time was with the	05:37:16 05:37:17 05:37:18 05:37:24	2 3 4 5	 A. The logo or the term? Q. I'm sorry. The term. A. Yes. Q. And underneath the bottom term, you know, "Catholics for ProtectMarriage.com," it says in very
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05:33:44 05:33:51 05:33:52 05:33:59 05:34:02 05:34:04	2 3 4 5 6 7	Q. And I think we talked about Miles McPherson earlier as the pastor of the Rock Church in San Diego; correct? A. Yes. Q. And Tony Perkins at the time was with the Family Research Council; is that correct? A. Yes.	05:37:16 05:37:17 05:37:18 05:37:24 05:37:28 05:37:33	2 3 4 5 6 7	A. The logo or the term? Q. I'm sorry. The term. A. Yes. Q. And underneath the bottom term, you know, "Catholics for ProtectMarriage.com," it says in very small print it says "Paid for by ProtectMarriage.com-Yes on 8, a project of California Renewal."
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05:33:44 05:33:51 05:33:52 05:33:59 05:34:02 05:34:04 05:34:05 05:34:07	2 3 4 5 6 7 8	Q. And I think we talked about Miles McPherson earlier as the pastor of the Rock Church in San Diego; correct? A. Yes. Q. And Tony Perkins at the time was with the Family Research Council; is that correct? A. Yes. Q. And at the time Frank Shubert was working on the campaign for ProtectMarriage.com; correct?	05:37:16 05:37:17 05:37:18 05:37:24 05:37:28 05:37:33 05:37:36	2 3 4 5 6 7 8	A. The logo or the term? Q. I'm sorry. The term. A. Yes. Q. And underneath the bottom term, you know, "Catholics for ProtectMarriage.com," it says in very small print it says "Paid for by ProtectMarriage.com-Yes on 8, a project of California Renewal." Do you see that? A. Yes.
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05:33:44 05:33:51 05:33:52 05:33:59 05:34:02 05:34:04 05:34:05 05:34:13 05:34:16	2 3 4 5 6 7 8 9 10	Q. And I think we talked about Miles McPherson earlier as the pastor of the Rock Church in San Diego; correct? A. Yes. Q. And Tony Perkins at the time was with the Family Research Council; is that correct? A. Yes. Q. And at the time Frank Shubert was working on the campaign for ProtectMarriage.com; correct? A. I believe so, yes. By July 30th, yes. Q. And Lou Engle who is listed on the last page	05:37:16 05:37:17 05:37:18 05:37:24 05:37:28 05:37:33 05:37:36 05:37:37 05:37:37	2 3 4 5 6 7 8 9 10	A. The logo or the term? Q. I'm sorry. The term. A. Yes. Q. And underneath the bottom term, you know, "Catholics for ProtectMarriage.com," it says in very small print it says "Paid for by ProtectMarriage.com-Yes on 8, a project of California Renewal." Do you see that? A. Yes. Q. Are you aware that ProtectMarriage.com funded in part efforts by Catholics for ProtectMarriage.com to
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60 (Pages 234 to 237)

		Page 234			Page 236
05:40:13	1	MS. STEWART: I'm going to ask you to look at a	05:45:30	1	Jim Garlow during the campaign?
05:40:15	2	document that we will mark as Exhibit 31.	05:45:32	2	A. In E-mail form?
05:40:18	3	(Whereupon, Exhibit No. 31 was	05:45:34	3	Q. In any form. I'm not quite sure what form
05:40:32	4	Marked for identification.)	05:45:37	4	this is so
05:40:54	5	MS. STEWART: Q Have you ever seen this document	05:45:49	5	A. Sorry. The answer is "yes" and "no."
05:40:55	6	before?	05:45:52	6	Sometimes yes; sometimes no.
05:41:07	7	A. Yes.	05:45:55	7	Q. I'm noticing something that you alerted me to
05:41:07	8	Q. Can you tell me what it is?	05:45:58	8	earlier which it says at the bottom "If you wish to be
05:41:11	9	A. It began as an E-mail blast from Frank Shubert	05:46:00	9	removed from this mailing list, please click
05:41:22	10	to our E-mail list. And was picked up by Jim Garlow and	05:46:03	10	unsubscribe."
05:41:27	11	forwarded along.	05:46:05	11	A. E-mail.
05:41:59	12	Q. Was it forwarded along by Jim Garlow can	05:46:05	12	Q. Which would suggest it's an E-mail; is that
05:42:06	13	you tell or do you remember how he forwarded it along	05:46:06	13	right?
05:42:09	14	whether it was by E-mail or some other way?	05:46:07	14	A. That's what it suggests, yeah.
05:42:13	15	A. I I'm not sure, no.	05:46:09	15	Q. So you got some E-mails from Jim Garlow but
05:42:25	16	Q. You mentioned earlier that you attended part	05:46:12	16	not necessarily all?
05:42:27	17	of one of the simulcast events?	05:46:14	17	A. Yes.
05:42:30	18	A. I listened to one.	05:46:16	18	Q. So you were on some list that he blasted; is
05:42:31	19	Q. You listened to one. I'm sorry.	05:46:23	19	that fair?
05:42:33	20	Which of the simulcast events did you listen	05:46:24	20	A. Apparently so, yes.
05:42:37	21	to?	05:46:28	21	MS. STEWART: Can we take a short break, like five
05:42:39	22	A. One that was held at Skyline Church.	05:46:31	22	minutes?
05:42:43	23	Q. And two of the three were held there; is that	05:46:33	23	THE VIDEOGRAPHER: Off the record at 5:46.
05:42:46	24	correct?	05:59:52	24	(Brief break.)
05:42:46	25	A. That's my recollection.	06:00:02	25	THE VIDEOGRAPHER: Back on the record at 5:59.
00112110		71. That's my reconcetion.	00.00.02		THE VIDEOGRAM HER. Back on the record at 3.37.
		D 025			5 007
		Page 235			Page 237
05:42:51	1	Q. Do you recall whether it was called "The ABCs	06:00:08	1	MS. STEWART: I want to ask you to look at an
05:42:53	2	Q. Do you recall whether it was called "The ABCs of Marriage"?	06:00:11	2	MS. STEWART: I want to ask you to look at an exhibit that we will mark 33.
05:42:53 05:42:54	2 3	Q. Do you recall whether it was called "The ABCs of Marriage"? A. No.	06:00:11 06:00:15	2	MS. STEWART: I want to ask you to look at an exhibit that we will mark 33. (Whereupon, Exhibit No. 33 was
05:42:53 05:42:54 05:42:57	2 3 4	 Q. Do you recall whether it was called "The ABCs of Marriage"? A. No. Q. Do you recall the time, the approximate month 	06:00:11 06:00:15 06:00:30	2 3 4	MS. STEWART: I want to ask you to look at an exhibit that we will mark 33. (Whereupon, Exhibit No. 33 was Marked for identification.)
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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

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KRISTIN M. PERRY, et al.,

Plaintiffs,

vs.

Case No. 09-CV-2292 VRW

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

Deposition of

RONALD PRENTICE

Volume II

Friday, December 18, 2009

REPORTED BY: LESLIE CASTRO, CSR #8876

BONNIE L. WAGNER & ASSOCIATES
Court Reporting Services
41 Sutter Street, Suite 1605
San Francisco, California 94104
(415) 982-4849

36 (Pages 138 to 141)

		Page 138			Page 140
01:40:51	1	MS. MOSS: Object to the form of the question. If	01:44:17	1	I apologize.
01:40:52	2	you can define what you mean by "campaign."	01:44:18	2	(Whereupon, Exhibit No. 70 was
01:40:55	3	MS. STEWART: Well, I mean campaign in the very	01:44:35	3	Marked for identification.)
01:40:57	4	broad sense.	01:44:41	4	MS. STEWART: Q Have you ever seen that document
01:41:01	5	THE WITNESS: Yes.	01:44:43	5	before?
01:41:02	6	MS. STEWART: Q And at the top it also says	01:44:44	6	A. Yes.
01:41:05	7	"Download the new fliers here." And it refers to a	01:44:44	7	Q. Can you tell me what it is.
01:41:09	8	website www.CACatholic.org.	01:44:48	8	A. It's a timeline that leads up to the event
01:41:13	9	Do you see that?	01:44:52	9	called "The Call."
01:41:14	10	A. Yes.	01:44:54	10	Q. Do you know who prepared that timeline?
01:41:15	11	Q. And it appears to be sending people to that	01:45:05	11	A. No.
01:41:19	12	website to get fliers having to do with Proposition 8.	01:45:19	12	MS. STEWART: I'm going to mark all right, I
01:41:23	13	Do you see that?	01:45:24	13	lied. This is another one where I only have two.
01:41:24	14	A. Yes.	01:45:28	14	Exhibit 71.
01:41:28	15	Q. Were you familiar with www.CACatholic.org?	01:45:41	15	(Whereupon, Exhibit No. 71 was
01:41:36	16	A. Yes.	01:45:41	16	Marked for identification.)
01:41:37	17	Q. Did you know that it was being used to support	01:46:01	17	MS. STEWART: Q Have you ever seen this document
01:41:44	18	the Proposition 8 campaign	01:46:02	18	before?
01:41:47	19	A. No.	01:46:02	19	A. No.
01:41:47	20	Q broad campaign?	01:46:06	20	Q. Do you see at the bottom that it has three
01:41:47	21	No?	01:46:09	21	websites listed. One of which is
01:41:50			01:46:10	22	
	22	A. The broad campaign, no.	01:46:10	23	www.ProtectMarriageCA.com?
01:41:55	23	MS. STEWART: I'll ask you to look at a document	01:46:15	24	A. Yes.
01:41:57	24	that we will mark 69.	01:46:15		Q. And I think you told me about that website
01:42:11	25	MS. STEWART: Q And I apologize but I copied this	01:40:1/	25	yesterday.
		Page 139			Page 141
01:42:14	1	Page 139 myself so I only have two copies. So let me actually	01:46:18	1	
01:42:14 01:42:22	1 2		01:46:18 01:46:20	1 2	Page 141
		myself so I only have two copies. So let me actually			Page 141 Do you see it has a one for
01:42:22	2	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark	01:46:20	2	Page 141 Do you see it has a one for www.SkylineChurch.com?
01:42:22 01:42:27	2 3	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one.	01:46:20 01:46:23	2	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes.
01:42:22 01:42:27 01:42:29	2 3 4	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period?	01:46:20 01:46:23 01:46:24	2 3 4	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com?
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01:42:22 01:42:27 01:42:29 01:42:31 01:42:32	2 3 4 5 6	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem.	01:46:20 01:46:23 01:46:24 01:46:29 01:46:29	2 3 4 5 6	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline
01:42:22 01:42:27 01:42:29 01:42:31 01:42:32	2 3 4 5 6 7	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like	01:46:20 01:46:23 01:46:24 01:46:29 01:46:29	2 3 4 5 6 7	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page?
01:42:22 01:42:27 01:42:29 01:42:31 01:42:32 01:42:33	2 3 4 5 6 7 8	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this.	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33	2 3 4 5 6 7 8	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No.
01:42:22 01:42:27 01:42:29 01:42:31 01:42:32 01:42:35 01:42:44 01:42:08 01:42:47	2 3 4 5 6 7 8	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this. (Whereupon, Exhibit No. 69 was	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33 01:46:34 01:46:36	2 3 4 5 6 7 8 9 10	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No. Q. How about the Jim Garlow website? A. No. MS. STEWART: I'm going to mark Exhibit 72.
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01:42:22 01:42:27 01:42:29 01:42:31 01:42:33 01:42:35 01:42:44 01:42:49 01:42:49 01:43:01	2 3 4 5 6 7 8 9 10	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this. (Whereupon, Exhibit No. 69 was Marked for identification.) MS. STEWART: Q Do you recognize this document,	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33 01:46:34 01:46:36	2 3 4 5 6 7 8 9 10	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No. Q. How about the Jim Garlow website? A. No. MS. STEWART: I'm going to mark Exhibit 72.
01:42:22 01:42:27 01:42:29 01:42:31 01:42:32 01:42:35 01:42:44 01:42:49 01:42:49 01:43:01 01:43:01	2 3 4 5 6 7 8 9 10 11	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this. (Whereupon, Exhibit No. 69 was Marked for identification.) MS. STEWART: Q Do you recognize this document, have you ever seen it before? A. Yes. Q. What is it?	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33 01:46:34 01:46:55 01:47:10 01:47:10	2 3 4 5 6 7 8 9 10 11 12 13	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No. Q. How about the Jim Garlow website? A. No. MS. STEWART: I'm going to mark Exhibit 72. (Whereupon, Exhibit No. 72 was Marked for identification.) MS. STEWART: Q Have you ever seen that document
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01:42:22 01:42:27 01:42:31 01:42:32 01:42:33 01:42:35 01:42:44 01:42:49 01:42:49 01:43:01 01:43:01 01:43:01 01:43:05 01:43:11 01:43:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this. (Whereupon, Exhibit No. 69 was Marked for identification.) MS. STEWART: Q Do you recognize this document, have you ever seen it before? A. Yes. Q. What is it? A. It appears to be a resource list of homosexuality resources. Q. And a resource list of whose? A. Focus on the Family.	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33 01:46:34 01:46:55 01:47:09 01:47:10 01:47:21 01:47:22 01:47:35 01:47:39 01:47:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No. Q. How about the Jim Garlow website? A. No. MS. STEWART: I'm going to mark Exhibit 72. (Whereupon, Exhibit No. 72 was Marked for identification.) MS. STEWART: Q Have you ever seen that document before? A. I don't recall ever having seen it before. Q. Do you ever remember hearing about the 10 declarations for protecting biblical marriage as the
01:42:22 01:42:27 01:42:29 01:42:31 01:42:33 01:42:35 01:42:44 01:42:49 01:42:49 01:43:01 01:43:01 01:43:05 01:43:15 01:43:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this. (Whereupon, Exhibit No. 69 was Marked for identification.) MS. STEWART: Q Do you recognize this document, have you ever seen it before? A. Yes. Q. What is it? A. It appears to be a resource list of homosexuality resources. Q. And a resource list of whose? A. Focus on the Family. Q. Did Focus on the Family use this resource list	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33 01:46:36 01:46:55 01:47:10 01:47:10 01:47:21 01:47:22 01:47:35 01:47:42 01:47:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No. Q. How about the Jim Garlow website? A. No. MS. STEWART: I'm going to mark Exhibit 72. (Whereupon, Exhibit No. 72 was Marked for identification.) MS. STEWART: Q Have you ever seen that document before? A. I don't recall ever having seen it before. Q. Do you ever remember hearing about the 10 declarations for protecting biblical marriage as the title refers to in the course of the Prop 8 effort?
01:42:22 01:42:27 01:42:31 01:42:32 01:42:33 01:42:35 01:42:44 01:42:49 01:43:01 01:43:01 01:43:01 01:43:05 01:43:11 01:43:15 01:43:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this. (Whereupon, Exhibit No. 69 was Marked for identification.) MS. STEWART: Q Do you recognize this document, have you ever seen it before? A. Yes. Q. What is it? A. It appears to be a resource list of homosexuality resources. Q. And a resource list of whose? A. Focus on the Family. Q. Did Focus on the Family use this resource list or something like it when you were working for that	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33 01:46:36 01:46:55 01:47:10 01:47:10 01:47:21 01:47:22 01:47:35 01:47:39 01:47:47 01:47:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No. Q. How about the Jim Garlow website? A. No. MS. STEWART: I'm going to mark Exhibit 72. (Whereupon, Exhibit No. 72 was Marked for identification.) MS. STEWART: Q Have you ever seen that document before? A. I don't recall ever having seen it before. Q. Do you ever remember hearing about the 10 declarations for protecting biblical marriage as the title refers to in the course of the Prop 8 effort? A. Yes.
01:42:22 01:42:27 01:42:29 01:42:31 01:42:32 01:42:35 01:42:44 01:42:08 01:42:47 01:42:49 01:43:01 01:43:01 01:43:01 01:43:05 01:43:15 01:43:15 01:43:18 01:43:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this. (Whereupon, Exhibit No. 69 was Marked for identification.) MS. STEWART: Q Do you recognize this document, have you ever seen it before? A. Yes. Q. What is it? A. It appears to be a resource list of homosexuality resources. Q. And a resource list of whose? A. Focus on the Family. Q. Did Focus on the Family use this resource list or something like it when you were working for that organization? A. I don't know. MS. STEWART: I'm going to ask you to look at	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33 01:46:34 01:46:55 01:47:09 01:47:10 01:47:21 01:47:35 01:47:35 01:47:39 01:47:42 01:47:56 01:47:57	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No. Q. How about the Jim Garlow website? A. No. MS. STEWART: I'm going to mark Exhibit 72. (Whereupon, Exhibit No. 72 was Marked for identification.) MS. STEWART: Q Have you ever seen that document before? A. I don't recall ever having seen it before. Q. Do you ever remember hearing about the 10 declarations for protecting biblical marriage as the title refers to in the course of the Prop 8 effort? A. Yes. Q. Who did you hear about the 10 declarations for
01:42:22 01:42:27 01:42:31 01:42:32 01:42:33 01:42:35 01:42:44 01:42:49 01:42:49 01:43:01 01:43:01 01:43:01 01:43:11 01:43:15 01:43:15 01:43:15 01:43:22 01:43:24	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	myself so I only have two copies. So let me actually give you the one that I'll have the court reporter mark so I can refer to one. MS. MOSS: You only have two, period? MS. STEWART: Period. MS. MOSS: No problem. MS. STEWART: There's only one or two items like this. (Whereupon, Exhibit No. 69 was Marked for identification.) MS. STEWART: Q Do you recognize this document, have you ever seen it before? A. Yes. Q. What is it? A. It appears to be a resource list of homosexuality resources. Q. And a resource list of whose? A. Focus on the Family. Q. Did Focus on the Family use this resource list or something like it when you were working for that organization? A. I don't know.	01:46:20 01:46:23 01:46:24 01:46:29 01:46:31 01:46:33 01:46:36 01:46:55 01:47:09 01:47:10 01:47:21 01:47:22 01:47:35 01:47:39 01:47:47 01:47:56 01:47:57 01:48:00	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 141 Do you see it has a one for www.SkylineChurch.com? A. Yes. Q. And the other one is www.JimGarlow.com? A. Yes. Q. Were you at all familiar with the Skyline Church website that's on this page? A. No. Q. How about the Jim Garlow website? A. No. MS. STEWART: I'm going to mark Exhibit 72. (Whereupon, Exhibit No. 72 was Marked for identification.) MS. STEWART: Q Have you ever seen that document before? A. I don't recall ever having seen it before. Q. Do you ever remember hearing about the 10 declarations for protecting biblical marriage as the title refers to in the course of the Prop 8 effort? A. Yes. Q. Who did you hear about the 10 declarations for protecting biblical marriage from?

37 (Pages 142 to 145)

		Page 142			Page 144
01:48:23	1	MS. STEWART: Q And this document has a copyright	01:52:22	1	little female symbol in the word marriage.
01:48:27	2	symbol with James Garlow's name on it at the bottom,	01:52:26	2	Do you see that?
01:48:31	3	does it not, of the second page?	01:52:26	3	A. Yes.
01:48:33	4	A. Yes.	01:52:27	4	Q. Have you ever seen this document before?
01:48:33	5	Q. And it's dated June 25th, 2008?	01:52:47	5	MS. MOSS: I don't know if it's just my copy, it
01:48:37	6	A. Yes.	01:52:50	6	doesn't appear to be
01:48:42	7	Q. Did you ever hear of something called the 8	01:52:55	7	MS. STEWART: I know it's, sort of I think it
01:48:44	8	for 8 plan in connection with Proposition 8?	01:52:56	8	may have been in booklet form, but this is how it comes
01:48:48	9	A. Yes.	01:53:02	9	off the web. I think it's because they may have laid it
01:48:55	10	Q. Was that also something that was that	01:53:06	10	out in a way that it would fold in half. But they're
01:49:02	11	Pastor Garlow talked about when he talked about	01:53:11	11	all that way, it's not just yours.
01:49:05	12	Proposition 8?	01:53:14	12	MS. MOSS: Okay.
01:49:12	13	A. Yes.	01:53:19	13	THE WITNESS: Well, earlier I referred to having
01:49:13	14	Q. Did you ever hear about the ABCs of the	01:53:22	14	seen the document, but I don't believe I have, I've only
01:49:15	15	Proposition 8 amendment?	01:53:26	15	seen that logo (indicating).
01:49:18	16	A. Yes.	01:53:28	16	MS. STEWART: Q So you've seen the logo "God's
01:49:20	17	Q. Was that a phrase a phrase that	01:53:31	17	Design for Marriage" but not on this document?
01:49:26	18	Pastor Garlow used in connection with Proposition 8?	01:53:33	18	A. This document doesn't I don't recall it.
01:49:29	19	A. Yes.	01:53:35	19	Q. Okay.
01:49:33	20	MS. STEWART: I'm going to ask you look at	01:53:36	20	•
01:49:35	21	Exhibit 73.	01:53:30	21	Do you see that it says on the cover page "For
01:49:36	22		01:53:39	22	more information, go to www.ProtectMarriage.com? A. Yes.
01:49:50		(Whereupon, Exhibit No. 73 was	01:53:45		
	23	Marked for identification.)		23	Q. And also, it says on what I'm going to guess
01:50:09	24	MS. STEWART: Q Have you ever seen Exhibit 73	01:53:48	24	it's on the left-hand side what might have been the back
01:50:11	25	before?	01:53:52	25	page of the document if it was a foldover?
		Page 143			Page 14
01:50:17	1	Page 143 A. Yes.	01:53:54	1	Page 14:
	1		01:53:54 01:53:55	1 2	_
01:50:20		A. Yes.			A. Yes.
01:50:20 01:50:27	2	A. Yes. Q. Do you recall where you saw it?	01:53:55	2	A. Yes. Q. And underneath it says "Assembled by Pastor
01:50:20 01:50:27 01:50:27	2	A. Yes.Q. Do you recall where you saw it?A. Yes.	01:53:55 01:53:58	2	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church."
01:50:20 01:50:27 01:50:27 01:50:31	2 3 4	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across 	01:53:55 01:53:58 01:54:04	2 3 4	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that?
01:50:20 01:50:27 01:50:27 01:50:31 01:50:35	2 3 4 5	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? 	01:53:55 01:53:58 01:54:04 01:54:05	2 3 4 5	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes.
01:50:20 01:50:27 01:50:27 01:50:31 01:50:35	2 3 4 5 6	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do 	01:53:55 01:53:58 01:54:04 01:54:05 01:54:05	2 3 4 5 6	 A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design
01:50:20 01:50:27 01:50:27 01:50:31 01:50:35 01:50:45	2 3 4 5 6 7	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. 	01:53:55 01:53:58 01:54:04 01:54:05 01:54:05	2 3 4 5 6 7	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection
01:50:20 01:50:27 01:50:27 01:50:31 01:50:35 01:50:47 01:50:50	2 3 4 5 6 7 8	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? 	01:53:55 01:53:58 01:54:04 01:54:05 01:54:05 01:54:09 01:54:16	2 3 4 5 6 7 8	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8?
01:50:20 01:50:27 01:50:27 01:50:31 01:50:35 01:50:45 01:50:47 01:50:50 01:50:53	2 3 4 5 6 7 8	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. 	01:53:55 01:53:58 01:54:04 01:54:05 01:54:05 01:54:09 01:54:16 01:54:20	2 3 4 5 6 7 8	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the
01:50:20 01:50:27 01:50:27 01:50:31 01:50:35 01:50:45 01:50:47 01:50:50 01:50:53	2 3 4 5 6 7 8 9	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? 	01:53:55 01:53:58 01:54:04 01:54:05 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22	2 3 4 5 6 7 8 9	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign?
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:45 01:50:50 01:50:50 01:50:53	2 3 4 5 6 7 8 9 10	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes.	01:53:55 01:53:58 01:54:04 01:54:05 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22	2 3 4 5 6 7 8 9 10	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes.
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:47 01:50:50 01:50:50 01:50:57 01:51:02	2 3 4 5 6 7 8 9 10 11	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar?	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24	2 3 4 5 6 7 8 9 10 11	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:47 01:50:50 01:50:53 01:50:56 01:50:57 01:51:02 01:51:03	2 3 4 5 6 7 8 9 10 11 12 13	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background 	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24 01:54:27 01:54:30	2 3 4 5 6 7 8 9 10 11 12	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:47 01:50:50 01:50:53 01:50:56 01:50:57 01:51:02 01:51:03 01:51:09	2 3 4 5 6 7 8 9 10 11 12 13 14	 A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. 	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24 01:54:27 01:54:30 01:54:33	2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes.
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:45 01:50:50 01:50:50 01:50:56 01:50:57 01:51:02 01:51:09 01:51:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background underneath the lettering, that's the Yes on 8 logo in	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24 01:54:27 01:54:30 01:54:33 01:54:35	2 3 4 5 6 7 8 9 10 11 12 13 14	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the content of the document even though you haven't seen the
01:50:20 01:50:27 01:50:37 01:50:35 01:50:45 01:50:47 01:50:50 01:50:56 01:50:57 01:51:02 01:51:03 01:51:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background underneath the lettering, that's the Yes on 8 logo in the background; right?	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:24 01:54:27 01:54:30 01:54:35 01:54:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the content of the document even though you haven't seen the entire document?
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:45 01:50:50 01:50:50 01:50:50 01:50:57 01:51:02 01:51:03 01:51:09 01:51:17 01:51:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background underneath the lettering, that's the Yes on 8 logo in the background; right? A. Yes. MS. STEWART: I'm going to mark this as Exhibit 74.	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24 01:54:27 01:54:30 01:54:33 01:54:35 01:54:41 01:55:21	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the content of the document even though you haven't seen the entire document? A. Yes. Q. What parts of it do you remember seeing
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:47 01:50:50 01:50:53 01:50:56 01:50:57 01:51:02 01:51:03 01:51:09 01:51:15 01:51:17 01:51:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background underneath the lettering, that's the Yes on 8 logo in the background; right? A. Yes. MS. STEWART: I'm going to mark this as Exhibit 74. (Whereupon, Exhibit No. 74 was	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24 01:54:27 01:54:30 01:54:33 01:54:35 01:54:41 01:55:21 01:55:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the content of the document even though you haven't seen the entire document? A. Yes. Q. What parts of it do you remember seeing before?
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:47 01:50:50 01:50:53 01:50:56 01:50:57 01:51:02 01:51:03 01:51:01 01:51:01 01:51:15 01:51:17 01:51:51 01:51:52 01:52:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background underneath the lettering, that's the Yes on 8 logo in the background; right? A. Yes. MS. STEWART: I'm going to mark this as Exhibit 74. (Whereupon, Exhibit No. 74 was Marked for identification.)	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24 01:54:27 01:54:30 01:54:33 01:54:35 01:54:41 01:55:21 01:55:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the content of the document even though you haven't seen the entire document? A. Yes. Q. What parts of it do you remember seeing before? A. Fourth page, page
01:50:20 01:50:27 01:50:27 01:50:31 01:50:45 01:50:47 01:50:50 01:50:50 01:50:50 01:50:50 01:51:02 01:51:03 01:51:09 01:51:17 01:51:17 01:51:51 01:51:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background underneath the lettering, that's the Yes on 8 logo in the background; right? A. Yes. MS. STEWART: I'm going to mark this as Exhibit 74. (Whereupon, Exhibit No. 74 was Marked for identification.) MS. STEWART: Q This is a document entitled "God's	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24 01:54:27 01:54:33 01:54:35 01:54:41 01:55:21 01:55:22 01:55:22 01:55:32	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the content of the document even though you haven't seen the entire document? A. Yes. Q. What parts of it do you remember seeing before? A. Fourth page, page Q. The one that actually says page 4?
01:50:20 01:50:27 01:50:27 01:50:31 01:50:35 01:50:45 01:50:47 01:50:50 01:50:57 01:50:57 01:51:02 01:51:03 01:51:09 01:51:17 01:51:17 01:51:51 01:51:51 01:52:14 01:52:14	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background underneath the lettering, that's the Yes on 8 logo in the background; right? A. Yes. MS. STEWART: I'm going to mark this as Exhibit 74. (Whereupon, Exhibit No. 74 was Marked for identification.) MS. STEWART: Q This is a document entitled "God's Design for Marriage."	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:27 01:54:27 01:54:30 01:54:33 01:54:35 01:55:21 01:55:22 01:55:22 01:55:32 01:55:34	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the content of the document even though you haven't seen the entire document? A. Yes. Q. What parts of it do you remember seeing before? A. Fourth page, page Q. The one that actually says page 4? A. Yes. And page 8.
01:50:17 01:50:20 01:50:27 01:50:31 01:50:35 01:50:47 01:50:50 01:50:50 01:50:50 01:50:51 01:51:02 01:51:03 01:51:09 01:51:17 01:51:17 01:51:51 01:52:13 01:52:14 01:52:16 01:52:17 01:52:19	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. Do you recall where you saw it? A. Yes. Q. Where did you where did you come across this document? A. It was distributed at an event that had to do with a webinar. Q. At an event that had to do with a webinar? A. It was at the site where the webinar was cast. Q. And were you present at that site at the time? A. Yes. Q. Where was the site of the webinar? A. Skyline Church. Q. And in the, sort of, faint background underneath the lettering, that's the Yes on 8 logo in the background; right? A. Yes. MS. STEWART: I'm going to mark this as Exhibit 74. (Whereupon, Exhibit No. 74 was Marked for identification.) MS. STEWART: Q This is a document entitled "God's	01:53:55 01:53:58 01:54:04 01:54:05 01:54:09 01:54:16 01:54:20 01:54:22 01:54:24 01:54:27 01:54:33 01:54:35 01:54:41 01:55:21 01:55:22 01:55:22 01:55:32	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. And underneath it says "Assembled by Pastor Jim Garlow and the staff at Skyline Church." Do you see that? A. Yes. Q. Do you know whether the logo of "God's Design for Marriage" was used by Pastor Garlow in connection with the campaign to pass Proposition 8? MS. MOSS: By "campaign," are you referring to the broader campaign? MS. STEWART: Yes. THE WITNESS: I recognize it from the time of the Yes on 8 campaign, yes. MS. STEWART: Q Do you recognize any of the content of the document even though you haven't seen the entire document? A. Yes. Q. What parts of it do you remember seeing before? A. Fourth page, page Q. The one that actually says page 4?

EXHIBIT D

Page 1

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

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KRISTIN M. PERRY, et al.,

Plaintiffs,

vs.

Case No. 09-CV-2292 VRW

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

Deposition of

RONALD PRENTICE

Volume I

Thursday, December 17, 2009

REPORTED BY: LESLIE CASTRO, CSR #8876

BONNIE L. WAGNER & ASSOCIATES
Court Reporting Services
41 Sutter Street, Suite 1605
San Francisco, California 94104
(415) 982-4849

26 (Pages 98 to 101)

		Page 98			Page 100
11:42:50	1	that were put that were sponsored by the ballot	11:45:49	1	know.
11:42:56	2	measure committee.	11:45:52	2	THE WITNESS: He was not the literal designer and
11:42:57	3	Q. Are you aware of debates that were sponsored	11:45:56	3	creator of the website.
11:42:59	4	by other people?	11:45:58	4	MS. STEWART: Q To your knowledge, was it created
11:43:00	5	A. I'm aware of debates where yes.	11:46:00	5	under his supervision?
11:43:10	6	Q. What debates are you aware of?	11:46:04	6	A. Yeah, he participated in its development.
11:43:12	7	A. I'm aware of the Federalists Society holding a	11:46:09	7	Q. And were you aware of its development when
11:43:18	8	debate at Cal Lutheran. I'm aware of that actually	11:46:12	8	that was happening?
11:43:27	9	is the one that comes to mind. I'm not sure of any	11:46:15	9	A. I was aware that it was in the works, yes.
11:43:30	10	others.	11:46:19	10	Q. And did Pastor McPherson request approval or
11:43:31	11	Q. Were you present for that debate?	11:46:35	11	permission from you or the executive committee to create
11:43:32	12	A. No.	11:46:40	12	that website?
11:43:33	13		11:46:46	13	A. I'm trying to I'm struggling with the
11:43:35	14	Q. Were there town hall meetings held A. Yes.	11:46:53	14	terms. No.
	15		11:46:56	15	
11:43:35		Q in support of Proposition 8?	11:40:36		Q. Did he ask you or the executive committee
	16	A. Yes.	11:47:05	16	whether you would object to him creating that website?
11:43:44	17	Q. Were there events that were simulcast?		17	A. No.
11:43:51	18	A. Yes.	11:47:12	18	Q. What communication did you have with him about
11:43:57	19	Q. Were there communications on websites?	11:47:15	19	that website, if any, before it was created?
11:44:01	20	A. On various websites not associated with the	11:47:19	20	MS. MOSS: I'm going to object to that to the
11:44:04	21	campaign itself?	11:47:21	21	extent it's getting into internal communications or
11:44:06	22	Q. On any websites.	11:47:25	22	private communications that you had with individuals.
11:44:09	23	A. Absolutely.	11:47:28	23	And I'm sorry, and to be clear that's a First Amendment
11:44:10	24	Q. And you said not associated with the campaign	11:47:41	24	objection
11:44:15	25	itself.	11:47:43	25	THE WITNESS: Thank-you.
		Page 99			Page 101
11:44:16	1	Page 99 Were there websites that were associated with	11:47:43	1	Page 101 MS. MOSS: and I'm instructing you not to
11:44:16 11:44:19	1 2		11:47:43 11:47:46	1 2	-
		Were there websites that were associated with			MS. MOSS: and I'm instructing you not to
11:44:19	2	Were there websites that were associated with the campaign itself?	11:47:46	2	MS. MOSS: and I'm instructing you not to answer.
11:44:19 11:44:21	2	Were there websites that were associated with the campaign itself? A. There is one primary website.	11:47:46 11:47:48	2	MS. MOSS: and I'm instructing you not to answer. THE WITNESS: Thank-you.
11:44:19 11:44:21 11:44:23	2 3 4	Were there websites that were associated with the campaign itself? A. There is one primary website. Q. What is that?	11:47:46 11:47:48 11:47:56	2 3 4	MS. MOSS: and I'm instructing you not to answer. THE WITNESS: Thank-you. MS. STEWART: Q I'm going to ask you to look at a
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27 (Pages 102 to 105)

		Page 102			Page 104
11:49:48	1	second page under the heading "IProtectMarriage.com	11:53:02	1	MS. MOSS: Did you work with them, and I think
11:49:55	2	targets the youth vote, the facts about the Prop 8	11:53:05	2	whether, you know, he's already explained that he's got
11:49:59	3	campaign."	11:53:09	3	some confusion over what in conjunction with means and
11:50:00	4	Do you see that.	11:53:13	4	now you're asking did they work together. So I think
11:50:01	5	A. Yes.	11:53:15	5	you're getting at how did they original themselves.
11:50:01	6	Q. And it says in the first paragraph under that	11:53:18	6	I don't know what they did or didn't do, but I
11:50:04	7	heading "In conjunction with the Pastors Rapid Response	11:53:20	7	think if they had a private non-public relationship,
11:50:08	8	Network, we recently launched a website targeting the	11:53:26	8	then he does not have to acknowledge that. But there
11:50:11	9	youth vote in California. At the IProtectMarriage.com	11:53:31	9	may be something public.
11:50:16	10	website young people in California can learn about the	11:53:33	10	THE WITNESS: Well, I would I would it's not
11:50:19	11	important issues involved in Proposition 8 and can sign	11:53:38	11	a simple "yes" or "no". The actual answer is when you
11:50:20	12	up to help."	11:53:42	12	• •
11:50:21	13	Do you see that language?	11:53:42	13	phrase it did we work with, we were invited by
11:50:21	14	A. Yes.	11:53:46		Jim Garlow, one or another a member of the executive
11:50:22	15			14	committee or Shubert and Flint to give updates to this
11:50:25		Q. Is it true that in conjunction with the	11:54:00	15	network that Jim Garlow created and oftentimes did so
	16	Pastors Rapid Response Network, the ProtectMarriage.com	11:54:03	16	(indicating).
11:50:34	17	launched the website known as IProtectMarriage.com?	11:54:05	17	MS. STEWART: Q When you say this network, you
11:50:42	18	A. To the degree that it states it here, I would	11:54:05	18	mean the Pastors Rapid Response Team?
11:50:44	19	say it appears to be true. It was it wasn't under my	11:54:10	19	A. Rapid Response Network is what he called it.
11:50:51	20	primary supervision.	11:54:13	20	Q. Got it.
11:50:53	21	Q. But do you dispute the accuracy of that	11:54:15	21	And you were invited by them to give updates
11:50:58	22	statement?	11:54:19	22	about the campaign itself?
11:51:03	23	A. Well, I guess the accuracy would hinge on the	11:54:22	23	A. Yes.
11:51:06	24	term "conjunction." There the Pastors Rapid Response	11:54:23	24	Q. And did they keep the executive committee or
11:51:13	25	Network acted for the passage of Prop 8. And whether	11:54:29	25	yourself appraised of their efforts in connection with
		1 0 1			yoursen appraised of their enorts in connection with
		Page 103			Page 105
11:51:21	1		11:54:35	1	
11:51:21 11:51:27	1 2	Page 103			Page 105
		Page 103 they or IProtectMarriage.com really sought approval from	11:54:35	1	Page 105 passing Proposition 8?
11:51:27	2	Page 103 they or IProtectMarriage.com really sought approval from the executive committee, it would not necessarily always	11:54:35 11:54:46	1 2	Page 105 passing Proposition 8? A. Yes, to some degree.
11:51:27 11:51:36	2 3	Page 103 they or IProtectMarriage.com really sought approval from the executive committee, it would not necessarily always be accurate.	11:54:35 11:54:46 11:55:51	1 2 3	Page 105 passing Proposition 8? A. Yes, to some degree. MS. STEWART: I'm going to ask you to look at a
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28 (Pages 106 to 109)

		Page 106			Page 108
11:57:20	1	A. Uh-huh.	12:00:32	1	communicate with voters by conference calls?
11:57:20	2	Q. Does it refresh your recollection as to who	12:00:45	2	A. There may have been there there were
11:57:22	3	was a part of that informal entity?	12:00:50	3	fundraising calls, if that's what you mean. That's the
11:57:26	4	A. The only person that I knew was a part of it	12:00:54	4	only thing that comes to mind where major donors or
11:57:30	5	was Jim Garlow.	12:01:00	5	potential major donors were brought together for
11:57:32	6	Q. You did know, did you not that Miles McPherson	12:01:02	6	conference calls.
11:57:36	7	created or had created for him or for his under his	12:01:03	7	Q. Were there conference calls with pastors?
11:57:46	8	supervision the IProtectMarriage.com website?	12:01:08	8	A. That were sponsored directly by the campaign?
11:57:50	9	A. Yes.	12:01:13	9	Q. Well, let's start there, yeah.
11:58:10	10	Q. I'm going to go back.	12:01:18	10	A. The only conference calls I'm familiar with
11:58:12	11	We were talking earlier about how the campaign	12:01:20	11	pastors came through Jim Garlow and his Pastors Rapid
11:58:17	12	communicated with actual and potential voters.	12:01:29	12	Response Team.
11:58:21	13	Do you recall that discussion?	12:01:31	13	Q. And when you say "came through," explain what
11:58:22	14	A. Yes.	12:01:35	14	you mean by that.
11:58:23	15	Q. And we went through a number of ways, and I	12:01:36	15	A. Created, developed and implemented through
11:58:25	16	• • • • • • • • • • • • • • • • • • • •	12:01:38	16	
11:58:29		want to circle back because I'm not sure if we covered		17	him. Q. So there were conference calls that
	17	them all.	12:01:38		•
11:58:30	18	So you mentioned as ways that the campaign	12:01:41	18	Pastor Garlow he's a pastor; correct?
11:58:33	19	communicated with voters or potential voters and can	12:01:43	19	A. Correct.
11:58:38	20	I just for shorthand say "voters" to mean potential	12:01:44	20	Q organized
11:58:43	21	voters as well.	12:01:47	21	A. Correct.
11:58:44	22	A. Yes.	12:01:47	22	Q through the Pastors Rapid Response Team?
11:58:45	23	Q. Would that be acceptable do you understand	12:01:54	23	And were you part of those conference calls?
11:58:46	24	that?	12:01:56	24	A. Some. I was invited to participate in some.
11:58:47	25	A. Uh-huh.	12:02:05	25	Q. Were other members of the executive committee
		Page 107			Page 109
11:58:47	1	Page 107 Q. You have to answer audibly.	12:02:08	1	Page 109 participants in those conference calls?
11:58:47 11:58:49	1 2		12:02:08	1 2	
		Q. You have to answer audibly.			participants in those conference calls?
11:58:49	2	Q. You have to answer audibly. A. Yes. Sorry.	12:02:15	2	participants in those conference calls? A. Let's see. I'm I don't know for sure.
11:58:49 11:58:51	2 3	Q. You have to answer audibly.A. Yes. Sorry.Q. So in communicating with voters the campaign	12:02:15 12:02:22	2	participants in those conference calls? A. Let's see. I'm I don't know for sure. Q. Were Shubert and Flint participants in those
11:58:49 11:58:51 11:58:56	2 3 4	 Q. You have to answer audibly. A. Yes. Sorry. Q. So in communicating with voters the campaign used T.V. ads. You said radio ads, E-mail blasts, 	12:02:15 12:02:22 12:02:28	2 3 4	participants in those conference calls? A. Let's see. I'm I don't know for sure. Q. Were Shubert and Flint participants in those conference calls?
11:58:49 11:58:51 11:58:56 11:59:00	2 3 4 5	Q. You have to answer audibly. A. Yes. Sorry. Q. So in communicating with voters the campaign used T.V. ads. You said radio ads, E-mail blasts, direct mail rallies, town hall meetings, a primary	12:02:15 12:02:22 12:02:28 12:02:28	2 3 4 5	participants in those conference calls? A. Let's see. I'm I don't know for sure. Q. Were Shubert and Flint participants in those conference calls? A. They were invited to participate in some as
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56 (Pages 218 to 221)

		Page 218			Page 220
05:10:46	1	Q. And by mail or in some other fashion?	05:14:16	1	language of the first paragraph of this press release;
05:10:53	2	A. Releases would go out usually E-mail	05:14:18	2	is that
05:11:01	3	E-mail.	05:14:20	3	A. I think it's open to interpretation.
05:11:06	4	Q. Do you believe that this release then was	05:14:24	4	Q. And did you encourage your consultants to put
05:11:09	5	E-mailed to potential voters by ProtectMarriage.com?	05:14:32	5	out press releases that were vague?
05:11:13	6	A. You actually prompt the question: I'm not	05:14:38	6	A. No.
05:11:15	7	sure whether this was placed on our website or was	05:14:39	7	Q. Or open to interpretation?
05:11:19	8	released as an E-mail.	05:14:40	8	A. No, we actually
05:11:20	9	Q. But one of those two ways of communication is	05:14:43	9	MS. MOSS: Well, just I think you've answered
05:11:23	10	how you believe it was released?	05:14:47	10	the question
05:11:25	11	A. Yes.	05:14:48	11	THE WITNESS: No.
05:11:30	12	Q. You see the first paragraph where it says	05:14:49	12	MS. MOSS: you didn't encourage it. And beyond
05:11:32	13	"Tapping into a surge of interest in the fall election	05:14:51	13	that, I don't want you to get into your specific
05:11:38	14	among young voters, Prop 8 supporters including campaign	05:14:53	14	discussions with your consultants about the press
05:11:42	15	organizers, a coalition of pastors, youth experts and	05:14:57	15	releases and the strategy for putting them out.
05:11:46	16	leaders have launched IProtectMarriage.com a new website	05:15:02	16	MS. STEWART: Q Do you have an understanding of
05:11:49	17	designed to educate and motivate young people about in	05:15:04	17	the phrase "campaign organizers" in the context of
05:11:51	18	Proposition 8"?	05:15:06	18	Proposition 8?
05:11:53	19	A. Yes.	05:15:07	19	A. No. I think it's open for interpretation.
05:11:53	20	Q. Is that accurate?	05:15:09	20	I'm not precisely sure what Ms. Kerns meant when she
05:11:55	21	A. I think that it was it's accurate in terms	05:15:10	21	said that.
05:12:02	22	of Shubert and Flint was aware of this effort. And it	05:15:13	22	Q. Did you ever use the phrase "campaign
05:12:18	23	was cooperative in terms of getting it going.	05:15:15	23	organizers"?
05:12:23	24	Q. So campaign organizers would refer to	05:15:16	24	A. Not to my knowledge.
05:12:28	25	ProtectMarriage.com consultants, is that what you're	05:15:17	25	Q. How did you refer to ProtectMarriage.com and
		Page 219			Page 221
05:12:31	1	saying?	05:15:22	1	its consultants when you spoke publicly?
05:12:31	2	A. I can only I can't state for for sure	05:15:30	2	A. I referred to it would depend on what I was
05:12:36	3	Q. Okay.	05:15:35	3	intending to communicate. I would refer to Shubert and
05:12:37	4	A what that means.	05:15:41	4	Flint. I would refer to the executive committee. It
05:12:40	5	Q. Is it a fact that ProtectMarriage.com worked	05:15:44	5	would depend.
05:12:44	6	with a coalition of pastors and youth experts and	05:15:45	6	Q. Did you use ProtectMarriage to refer to
05:12:49	7	leaders to launch the IProtectMarriage.com website?	05:15:49	7	anything other than the executive committee in your
05:12:56	8	A. Well, I I'm not aware of the of who	05:15:51	8	communications?
05:13:13	9	participated in that effort.	05:15:54	9	A. I I may have.
05:13:15	10	Q. Would you did the campaign generally put	05:16:14	10	Q. Is there any other interpretation you can
05:13:19					Q y p y
	11	out press releases that suggested people or entities	05:16:16	11	think of for the phrase "campaign organizers" besides
05:13:25	11 12	out press releases that suggested people or entities were involved in an effort when it wasn't true?	05:16:16 05:16:20		
05:13:25 05:13:30				11	think of for the phrase "campaign organizers" besides
	12	were involved in an effort when it wasn't true?	05:16:20	11 12	think of for the phrase "campaign organizers" besides ProtectMarriage.com?
05:13:30	12 13	were involved in an effort when it wasn't true? MS. MOSS: Well	05:16:20 05:16:27	11 12 13	think of for the phrase "campaign organizers" besides ProtectMarriage.com? A. I could interpret that to mean several things:
05:13:30 05:13:32	12 13 14	were involved in an effort when it wasn't true? MS. MOSS: Well THE WITNESS: I guess the question would be what	05:16:20 05:16:27 05:16:31	11 12 13 14	think of for the phrase "campaign organizers" besides ProtectMarriage.com? A. I could interpret that to mean several things: It could mean the executive committee; it could mean any
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