

Exhibit D

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VIA EMAIL

Jesse Panuccio
Cooper & Kirk
1523 New Hampshire Avenue, N.W.
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Re: Perry v. Schwarzenegger, et al., N.D. Cal. Case No. C-09-2292-VRW


Dear Jesse:

I write in response to your letter of March 23, 2010. Equality California timely provided objections to Proponents' document requests and indicated which types of documents and other material EQCA was in possession of and would be producing. EQCA indicated in its objections that EQCA was not directly involved in and therefore was not in possession of television or radio advertising. EQCA produced a document which contained a link to a web page which displays web advertising. *See* EQTY000127.

As you know, EQCA was one member of the Equality for All campaign, which was the umbrella organization for the No on 8 campaign. The Equality for All campaign organization produced and distributed many of the mailings and advertising for the No on 8 campaign. EQCA conducted a good faith search of emails and documents disseminated by EQCA to over 200 people during the campaign in response to Proponents' subpoenas. Those documents were produced to Proponents on December 8, 2009. If Proponents were dissatisfied with the production of public documents by EQCA, Proponents should have timely raised the issue, certainly no later than in its January 15, 2010 Motion to Compel.

Sincerely,

FENWICK & WEST LLP



Lauren Whittemore