

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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 official capacity  
as director of the California  
Department of Public Health and  
state registrar of vital  
statistics; LINETTE SCOTT, in her  
official capacity as deputy  
director of health information &  
strategic planning for the  
California Department of Public  
Health; PATRICK O'CONNELL, in his  
official capacity as clerk-  
recorder of the County of  
Alameda; and DEAN C LOGAN, in his  
official capacity as registrar-  
recorder/county clerk for the  
County of Los Angeles,

Defendants,

DENNIS HOLLINGSWORTH, GAIL J  
KNIGHT, MARTIN F GUTIERREZ,  
HAKSHING WILLIAM TAM, MARK A  
JANSSON and PROTECTMARRIAGE.COM -  
YES ON 8, A PROJECT OF  
CALIOFORNIA RENEWAL, as official  
proponents of Proposition 8,

Defendant-Intervenors.

No C 09-2292 VRW  
ORDER

1           On May 5, 2010, proponents moved to supplement the record  
2 with documents produced by various No on 8 groups pursuant to the  
3 court's March 5 (Doc #610) and March 22 (Doc #623) orders. Doc  
4 #655. Proponents' motion was updated on June 2, 2010 to reflect  
5 completed negotiations with the No on 8 groups surrounding the  
6 confidentiality of certain exhibits. Doc #673. Proponents' motion  
7 argues the relevance of each exhibit proponents seek to have  
8 included in the record. See Doc #673-4.

9           Plaintiffs object that the exhibits proponents seek to  
10 admit are "hearsay, irrelevant, and untimely." Doc #665 at 2.  
11 Plaintiffs do not however object to the court taking judicial  
12 notice of the exhibits. Id.

13           Because proponents seek to admit documents without a  
14 sponsoring witness, and because plaintiffs do not object, the court  
15 finds it appropriate to take judicial notice of the 129 exhibits  
16 listed in Doc #673-1. The 129 exhibits will therefore be included  
17 in the record as documents subject to judicial notice.

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20           IT IS SO ORDERED.

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23           VAUGHN R WALKER  
24           United States District Chief Judge