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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 KRISTIN M. PERRY, SANDRA B. STIER,
18 PAUL T. KATAMI, and JEFFREY J.
ZARRILLO,

19 Plaintiffs,

20 v.

21 ARNOLD SCHWARZENEGGER, in his official
capacity as Governor of California; EDMUND
22 G. BROWN, JR., in his official capacity as
Attorney General of California; MARK B.
23 HORTON, in his official capacity as Director of
the California Department of Public Health and
State Registrar of Vital Statistics; LINETTE
24 SCOTT, in her official capacity as Deputy
Director of Health Information & Strategic
25 Planning for the California Department of Public
Health; PATRICK O'CONNELL, in his official
26 capacity as Clerk-Recorder for the County of
Alameda; and DEAN C. LOGAN, in his official
27 capacity as Registrar-Recorder/County Clerk for
the County of Los Angeles,

28 Defendants.

CASE NO. 09-CV-2292 VRW

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION**

1 Plaintiffs have demonstrated that they are likely to succeed on the merits of their claim
2 that Article I, § 7.5 of the California Constitution violates their federal constitutional rights to due
3 process and equal protection. Plaintiffs have also established that this harm is irreparable, the
4 balance of equities weighs in their favor, and injunctive relief will promote the public interest.
5 Therefore, the Court finds that Plaintiffs' Motion for a Preliminary Injunction should be
6 **GRANTED.**

7 **IT IS THEREFORE ORDERED** that Defendants are hereby enjoined from enforcing
8 Article I, § 7.5 of the California Constitution, until this Court orders otherwise.

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11 Date: _____

12 UNITED STATES DISTRICT JUDGE
13 CHIEF JUDGE VAUGHN R. WALKER
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