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May 12, 2011

Chief Judge James Ware  
U.S. District Court for the Northern District of California  
Courtroom 5, 17<sup>th</sup> Floor  
450 Golden Gate Avenue  
San Francisco, California 94110

Re: Perry, et al. V. Schwarzenegger, et al.  
Case No.: C-09-02292 JW

Dear Judge Ware:

Hon. Vaughn R. Walker (ret.) ("Walker"), by and through counsel, hereby responds to the Order Setting Hearing on Motion dated April 28, 2011, (U.S. District Court Docket 772). Walker lodges with the court his chambers copy of the video recordings made of the trial herein (Exhibit A) for the purpose of the court's consideration of the Motion for Order compelling Return of Trial Recordings (Docket 770). This is subject to, if necessary, Walker's request for return of the chamber's copy of the recordings.<sup>1</sup>

Having lodged his chambers copy of the video recordings and as a non-party to these proceedings, it appears that Walker has satisfied the April 28 order and we request that insofar as directed to Walker the order be discharged.

We appreciate the Court's attention to this matter.

Very truly yours,

LAW OFFICES OF EPHRAIM MARGOLIN

/s/ Ephraim Margolin  
/s/ Vicki H. Young  
EPHRAIM MARGOLIN  
VICKI H. YOUNG  
Attorneys for Vaughn R. Walker

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<sup>1</sup> "The chambers papers of a federal judge remain the private property of that judge or the judge's heirs, and it is the prerogative of the judge or the judge's heirs to determine the disposition of those papers." A Guide to the Preservation of Federal Judges' Papers, Second Edition, Federal Judicial Center (2009).

USDC CAND 3:09-CV-02292

CA9 10-16696, 10-16751

TRIAL VIDEOS

VRW USDC-CAND G:Drive

**EXHIBIT A**