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 16 and PROTECTMARRIAGE.COM – YES ON 8, A  
 PROJECT OF CALIFORNIA RENEWAL

17 \* Admitted *pro hac vice*

18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 KRISTIN M. PERRY, SANDRA B. STIER, PAUL  
 21 T. KATAMI, and JEFFREY J. ZARRILLO,

22 Plaintiffs,

23 CITY AND COUNTY OF SAN FRANCISCO,

24 Plaintiff-Intervenor,

25 v.

26 EDMUND G. BROWN, JR., in his official capacity  
 27 as Governor of California; KAMALA D. HARRIS,  
 in his official capacity as Attorney General of  
 28 California; MARK B. HORTON, in his official

CASE NO. 09-CV-2292 JW

**DECLARATION OF HOWARD C.  
 NIELSON, JR. IN SUPPORT OF  
 DEFENDANT-INTERVENORS  
 DENNIS HOLLINGSWORTH, GAIL  
 J. KNIGHT, MARTIN F. GUTIERREZ,  
 MARK A. JANSSON, AND  
 PROTECTMARRIAGE.COM'S  
 MOTION TO SHORTEN TIME**

1 capacity as Director of the California Department of  
2 Public Health and State Registrar of Vital Statistics;  
3 LINETTE SCOTT, in her official capacity as  
4 Deputy Director of Health Information & Strategic  
5 Planning for the California Department of Public  
6 Health; PATRICK O'CONNELL, in his official  
7 capacity as Clerk-Recorder for the County of  
8 Alameda; and DEAN C. LOGAN, in his official  
9 capacity as Registrar-Recorder/County Clerk for  
10 the County of Los Angeles,

11  
12  
13 Defendants,

14 and

15 PROPOSITION 8 OFFICIAL PROPONENTS  
16 DENNIS HOLLINGSWORTH, GAIL J.  
17 KNIGHT, MARTIN F. GUTIERREZ, HAK-  
18 SHING WILLIAM TAM, and MARK A.  
19 JANSSON; and PROTECTMARRIAGE.COM –  
20 YES ON 8, A PROJECT OF CALIFORNIA  
21 RENEWAL,

22  
23 Defendant-Intervenors.  
24  
25  
26  
27  
28

Additional Counsel for Defendant-Intervenors

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40 \* Admitted *pro hac vice*

1 I, Howard C. Nielson, Jr., declare as follows:

2 1. I am an attorney licensed to practice law in the District of Columbia and am admitted *pro hac*  
3 *vice* in this case. I am a partner at the law firm of Cooper & Kirk, PLLC, counsel of record for  
4 Defendant-Intervenors Dennis Hollingsworth, Gail Knight, Martin Gutierrez, Mark Jansson, and  
5 ProtectMarriage.com (“Proponents”). I make this declaration in support of Proponents’ Motion to  
6 Shorten Time.

7 2. The harms that will occur absent an order shortening time are the harms described in  
8 Proponents motion for a stay pending appeal. *See* Motion for Stay Pending Appeal (Sept. 23,  
9 2011).

10 3. The underlying dispute is whether an order unsealing a video-recording of the trial in this  
11 case should be stayed pending appeal. Due to the exigencies of the situation, Proponents have not  
12 contacted the other parties seeking a stipulation to shorten time or their position on the merits of the  
13 underlying motion.

14 4. I am aware of five previous time modifications in the case, three by Court order, *see* Doc.  
15 No. 170, Doc. No. 769, and Doc. No. 772, and two by stipulation, *see* Doc. Nos. 266, 615.

16 5. The requested time modification would affect the schedule of this case by giving the Court an  
17 opportunity to decide Proponents’ motion for a stay pending appeal before the video-recording is  
18 unsealed.

19 I declare, under penalty of perjury under the laws of the United States, that these facts are true and  
20 correct and that this Declaration is executed this twenty-third day of September, 2011, at  
21 Washington, D.C.

22  
23 Dated: September 23, 2011

24 /s/ Howard C. Nielson, Jr.  
25 Howard C. Nielson, Jr.