

Nos. 09-17241, 09-17551

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

KRISTIN M. PERRY, et al.,
Plaintiffs-Appellees,

v.

DENNIS HOLLINGSWORTH, et al.
Defendant-Intervenors-Appellats.

Appeal from United States District Court for the Northern District of California
Civil Case No. 09-CV-2292 VRW (Honorable Vaughn R. Walker)

DECLARATION OF JESSE PANUCCIO

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I, Jesse Panuccio, declare as follows:

1. I am an attorney at the law firm of Cooper & Kirk, PLLC, and I am one of the attorneys for Appellant/Petitioners Dennis Hollingsworth, Gail J. Knight, Martin F. Gutierrez, Hak-Shing William Tam, Mark A. Jansson, and ProtectMarriage.com – Yes on 8, A Project of California Renewal. I make this declaration in support of Appellants/Respondents’ Motion for Leave to Exceed Page Limitations in connection with their Reply in Support of (1) Motion for Stay and (2) Brief in Response to Order to Show Cause, submitted pursuant to an Order of this Court dated November 20, 2009. I have personal knowledge of the facts set forth herein.

2. Per the Court’s November 20, 2009 order, Appellees/Respondents’ response brief addressed two issues—their opposition to the Appellants/Petitioners motion for a stay and the jurisdictional issue raised in the Court’s order to show cause. In the same order, the Court expanded the page limitation for Appellees/Respondents’ response to thirty-five pages. Nov. 20, 2009 Order at 3. Appellants/Petitioners reply addresses both arguments, as well; consequently, they respectfully request that they be permitted to exceed the page limitations that would ordinarily govern a reply to a motion.

I declare, under penalty of perjury under the laws of the United States, that these facts are true and correct and that this Declaration is executed this 23rd day of November 2009 in Washington, D.C.

/s/ Jesse Panuccio
Jesse Panuccio