

FILED

UNITED STATES COURT OF APPEALS

DEC 29 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

<p>KRISTIN M. PERRY; et al.,</p> <p style="padding-left: 40px;">Plaintiffs - Appellees,</p> <p style="padding-left: 80px;">and</p> <p>OUR FAMILY COALITION; et al.,</p> <p style="padding-left: 40px;">Plaintiff-intervenors - Appellees,</p> <p style="padding-left: 80px;">v.</p> <p>ARNOLD SCHWARZENEGGER; et al.,</p> <p style="padding-left: 40px;">Defendants,</p> <p style="padding-left: 80px;">and</p> <p>DENNIS HOLLINGSWORTH; et al.,</p> <p style="padding-left: 40px;">Defendant-intervenors - Appellants.</p>

Nos. 09-17551, 09-17241

D.C. No. 3:09-cv-02292-VRW
Northern District of California,
San Francisco

ORDER

The court has determined that Appeal No. 09-17551 will not be selected for inclusion in the Mediation Program.

LJE/Mediation

Counsel are requested to contact the Circuit Mediator should circumstances develop that warrant further settlement discussions while 09-17551 is pending.

FOR THE COURT:

By: Lisa J. Evans
Circuit Mediator