

FILED

UNITED STATES COURT OF APPEALS

MAR 26 2010

FOR THE NINTH CIRCUIT

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

KRISTIN M. PERRY; et al.,

Plaintiffs - Appellees,

and

CITY AND COUNTY OF SAN
FRANCISCO,

Intervenor-Plaintiff,

v.

ARNOLD SCHWARZENEGGER, in his
official capacity as Governor of California;
et al.,

Defendants,

and

DENNIS HOLLINGSWORTH; et al.,

Intervenor-Defendants -
Appellees,

EQUALITY CALIFORNIA; et al.,

Third parties - Appellants,

and

No. 10-15649

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

ORDER

KKC/MOATT

CALIFORNIANS AGAINST
ELIMINATING BASIC RIGHTS,

Third party.

Before: WARDLAW, FISHER and BERZON, Circuit Judges.

Appellants' motion requesting assignment of this appeal to the panel that decided *Perry v. Schwarzenegger*, 591 F.3d 1147 (9th Cir. 2010), is granted for purposes of this motion. The motion is taken under submission with respect to assignment of the appeal on the merits.

Appellants' emergency motion for a stay of the district court's March 22, 2010 order pending appeal is granted.

Appellants' motion to expedite the appeal will be addressed by separate order.