## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

**FILED** 

OCT 25 2010

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

KRISTIN M. PERRY; et al.,

Plaintiffs - Appellees,

CITY AND COUNTY OF SAN FRANCISCO,

Plaintiff - Intervenor-

V.

Appellee,

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

Defendants,

and

DENNIS HOLLINGSWORTH; et al.,

Defendants -Intervenors-Appellants.

No. 10-16696

D.C. No. 3:09-cv-02292-VRW U.S. District Court for Northern California, San Francisco

**ORDER** 

The amicus brief submitted by Jon. B. Eisenberg on October 25, 2010 is filed.

Within 7 days of this order, amicus curiae is ordered to file 7 copies of the brief in paper format, with a green cover, accompanied by certification (attached to

the end of each copy of the brief) that the brief is identical to the version submitted electronically. A sample certificate is available on the Court's website, www.ca9.uscourts.gov, at the Electronic Filing - ECF link.

FOR THE COURT:

Molly C. Dwyer Clerk of Court

Gretchen Lois Sumera Deputy Clerk