

No. 10-16696

ORAL ARGUMENT SCHEDULED FOR DECEMBER 6, 2010

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

KRISTIN PERRY, et al.,
Plaintiffs-Appellees,

v.

ARNOLD SCHWARZENEGGER, et al.
Defendants,

and

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

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 PETER A. PATTERSON

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Jansson, and ProtectMarriage.com*

I, Peter A. Patterson, declare as follows:

1. I am an attorney at the law firm of Cooper & Kirk, PLLC, and I am one of the attorneys for Appellants Dennis Hollingsworth, Gail J. Knight, Martin F. Gutierrez, Mark A. Jansson, and ProtectMarriage.com. I make this declaration in support of Appellants' Motion for Leave to Exceed Type-Volume Limitations for their Reply Brief. I have personal knowledge of the facts set forth herein.

2. Since Appellants filed their opening brief, Plaintiffs and the City and County of San Francisco have submitted separate response briefs totaling 131 pages, and have raised important arguments not relied upon by the court below and consequently not addressed in Appellants' opening brief. In addition, 48 amici have submitted briefs on both sides of this case totaling more than 1800 pages and presenting numerous arguments and authorities addressing all aspects of this case.

3. Appellants respectfully submit that a brief of the length they request is amply justified to assist the Court in assessing the wide array of arguments raised on all sides of the numerous issues presented by this case, issues whose resolution has the potential to profoundly impact not just the State of California but the Nation as a whole.

4. Appellants therefore respectfully request leave to file a reply brief of no more than 24,000 words.

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 1st day of November 2010 in Cincinnati, Ohio.



Peter A. Patterson