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U.S. COURT OF APPEALS  
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No. 10-16696

IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT NORTHERN DISTRICT OF CALIFORNIA

FILED \_\_\_\_\_  
DOCKETED \_\_\_\_\_  
DATE \_\_\_\_\_ INITIAL \_\_\_\_\_

KRISTIN PERRY, et al.,  
Plaintiffs-Appellees,

Civil Case No.  
09-CV-2292 VRW

DENNIS HERRERA, et al.

Plaintiff-Intervenors-Appellees,

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants,

and

DENNIS HOLLINGSWORTH, et al.,

Defendant-Intervenors-Appellants.

Appeal From the United States District Court for the Northern  
District of California  
Honorable Judge Vaughn R. Walker

PROOF OF SERVICE PROVIDING NOTICE TO ALL REAL PARTIES IN  
INTEREST; CAA'S LETTER OF JOINDER DATED 10/22/10 IN SUPPORT OF BAY  
AREA LAWYERS FOR INDIVIDUAL FREEDOM, ET. AL'S FILING OF AMICI  
CURIAE BRIEF IN SUPPORT OF PLAINTIFF-APPELLEES

Vincent Pan, Executive Director  
Chinese for Affirmative Action  
17 Walter U. Lum Place  
San Francisco, CA 94108  
Tel. #: (415) 274-6750  
fax (415) 397-8770

1 PROOF OF SERVICE BY MAIL

2 I, SIDARTH ARORA declare that:

3 I am over the age of eighteen years, and not a party to the  
4 within entitled action; my business address is 1121 Mission  
5 Street, San Francisco, CA 94103.

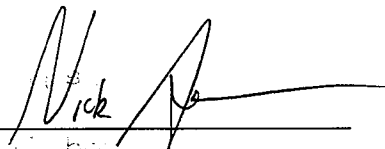
6 On October 25, 2010, I served:

7  
8 LETTER OF JOINDER TO AMICUS BRIEF

9  
10 On the interested parties in said action, by placing a true copy  
11 thereof enclosed in a sealed envelope with postage thereon fully  
12 prepaid, in a United States post office mail box in San  
13 Francisco, California addressed as follows:

14  
15 See Attachment A

16 I declare under penalty of perjury that the foregoing is  
17 true and correct. Executed on October 25, 2010, at 1121 Mission  
18 Street, San Francisco, California.

19  
20  
21 Sign: 

22 Print: SIDARTH ARORA.

ATTACHMENT A

1 **Attorneys for Plaintiff-Appellees**

THEODORE J. BOUTROUS, JR.  
2 CHRISTOPHER D. DUSSEAUT  
THEANE EVANGELIS KAPUR  
3 SARAH E. PIEPMEIER  
ENRIQUE A. MONAGAS  
4 GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071  
5 (213) 229-7804

6 THEODORE B. OLSON  
*Counsel of Record*  
MATTHEW D. MCGILL  
7 AMIR C. TAYRANI  
GIBSON, DUNN & CRUTCHER LLP  
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Washington, D.C. 20036  
9 (202) 955-8500

10 **Attorneys for Movant-Appellants**

ADVOCATES FOR FAITH AND FREEDOM  
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Jennifer L. Monk, CA Bar No. 245512  
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13 Facsimile: (951) 600-4996  
rtyler@faith-freedom.com  
14 jmonk@faith-freedom.com

15 **Attorneys for Plaintiff-Interenvor-Appellee**

DENNIS J. HERRERA, State Bar #139669 - City Attorney  
16 THERESE M. STEWART, State Bar #104930 - Chief Deputy City Attorney  
CHRISTINE VAN AKEN, State Bar #241755  
17 MOLLIE M. LEE, State Bar #251404  
Deputy City Attorneys  
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San Francisco, California 94102-4682  
19 Telephone: (415) 554-4708

20 **Attorneys for Defendant-Intervenor-Appellants**

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22 Folsom, California 95630  
(916) 608-3065; (916) 608-3066 Fax  
23  
Brian W. Raum  
James A. Campbell  
24 ALLIANCE DEFENSE FUND  
15100 North 90th Street  
25 Scottsdale, Arizona 85260  
(480) 444-0020; (480) 444-0028 Fax

ATTACHMENT A

1 Charles J. Cooper  
David H. Thompson  
2 Howard C. Nielson, Jr.  
Peter A. Patterson  
3 COOPER AND KIRK, PLLC  
1523 New Hampshire Ave., N.W.  
Washington, D.C. 20036  
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10/22/2010

**VIA ELECTRONIC FILING**

Molly C. Dwyer  
Clerk of the Court  
United States Court of Appeals for the Ninth Circuit  
95 Seventh Street  
San Francisco, California 94103-1526

**RE:            *Perry v. Schwarzenegger*, No. 09-02292**

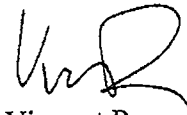
To the Honorable Chief Judge and Circuit Judges:

On October 25th, 2010, Bay Area Lawyers for Individual Freedom plan to file an amicus brief in support of Appellees with the consent of all of the parties. Pursuant to the Ninth Circuit Advisory Committee Note to Ninth Circuit Rule 29-1, Chinese for Affirmative Action (“CAA”) hereby joins in the arguments and factual statements made by Bay Area Lawyers for Individual Freedom in the above-referenced action.

CAA was founded in 1969 to protect the civil and political rights of Chinese Americans and to advance multiracial democracy in the United States. Today, CAA is a progressive voice in and on behalf of the broader Asian and Pacific American community. We advocate for systemic change that protects immigrant rights, promotes language diversity, and remedies racial injustice.

As argued by Bay Area Lawyers for Individual Freedom, proposition 8 excludes a class of people – gay men and lesbians – from the venerable institution of marriage in violation of fourteenth amendment’s equal protection clause. This violation is in no way mitigated by access to the separate and inherently inferior mechanism of domestic partnership. Moreover, the exclusion creates considerable harm for gay men and lesbians while serving no legitimate governmental purpose. CAA urges this Court to affirm that proposition 8 is unconstitutional.

Respectfully submitted,



Vincent Pan  
Chinese for Affirmative  
Action

cc: All counsel

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PROOF OF SERVICE PROVIDING NOTICE TO ALL REAL PARTIES IN  
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SUPPORT OF BAY AREA LAWYERS FOR INDIVIDUAL FREEDOM, ET. AL'S  
FILING OF AMICI CURIAE BRIEF IN SUPPORT OF PLAINTIFF-APPELLEES

Tawal Panyacosit, Director  
API Equality of Northern California  
17 Walter U. Lum Place  
San Francisco, CA 94108  
Tel. #: 415-274-6760  
fax (415) 397-8770

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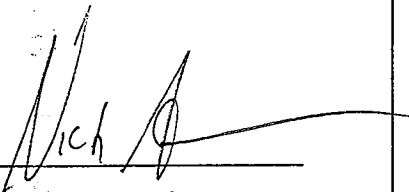
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On the interested parties in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in a United States post office mail box in San Francisco, California addressed as follows:

See Attachment A

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13 Facsimile: (951) 600-4996

rtyler@faith-freedom.com

14 jmonk@faith-freedom.com

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**VIA ELECTRONIC FILING**

Molly C. Dwyer  
Clerk of the Court  
United States Court of Appeals for the Ninth Circuit  
95 Seventh Street  
San Francisco, California 94103-1526

**RE:***Perry v. Schwarzenegger*, No. 09-02292

To the Honorable Chief Judge and Circuit Judges:

On October 25th, 2010, Bay Area Lawyers for Individual Freedom plan to file an amicus brief in support of Appellees with the consent of all of the parties. Pursuant to the Ninth Circuit Advisory Committee Note to Ninth Circuit Rule 29-1, Asian Pacific Islander Equality of North California ("API Equality-NC") hereby joins in the arguments and factual statements made by Bay Area Lawyers for Individual Freedom in the above-referenced action.

API Equality-NC is committed to working in the Asian and Pacific Islander (API) community in California and nationally for equal marriage rights, fair treatment, and overall acceptance of lesbian, gay, bisexual, and transgender (LGBT) people. Working in collaboration with our local partners, API Equality-LA and API Equality-SF, we engage in public education, community organizing, and legal and legislative advocacy to achieve our goals.

As argued by Bay Area Lawyers for Individual Freedom, proposition 8 excludes a class of people – gay men and lesbians – from the venerable institution of marriage in violation of fourteenth amendment's equal protection clause. This violation is in no way mitigated by access to the separate and inherently inferior mechanism of domestic partnership. Moreover, the exclusion creates considerable harm for gay men and lesbians while serving no legitimate governmental purpose. API Equality-NC urges this Court to affirm that proposition 8 is unconstitutional.

Respectfully submitted,



Tawal Panyacosit  
API Equality of Northern  
California

cc: All counsel

10/12/2010

**VIA ELECTRONIC FILING**

Molly C. Dwyer  
Clerk of the Court  
United States Court of Appeals for the Ninth Circuit  
95 Seventh Street  
San Francisco, California 94103-1526

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**RE: *Perry v. Schwarzenegger*, No. 09-02292**

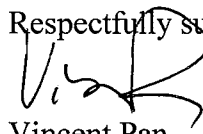
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10/12/2010

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**VIA ELECTRONIC FILING**

Molly C. Dwyer  
Clerk of the Court  
United States Court of Appeals for the Ninth Circuit  
95 Seventh Street  
San Francisco, California 94103-1526

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DOCKETED \_\_\_\_\_  
DATE INITIAL

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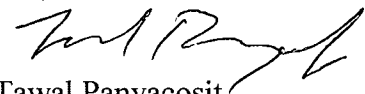
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Thursday, October 28, 2010

THE JAMES R. BROWNING COURTHOUSE  
United States Court of Appeals for the Ninth Circuit  
95 - 7TH STREET  
SAN FRANCISCO, CA 94103

ATT: Clerk's Office

RE: Perry, et al. v. Schwarzenegger, et al. – Appeal of USDC no. 09-02292 VRW

Dear Clerk:

Enclosed please find an original and two copies of the following documents to be filed and lodged with the Clerk's Office of The U.S. Court of Appeals for the Ninth Circuit:

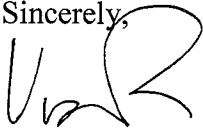
- 1) Chinese for Affirmative Action's Letter of Joinder dated 10/22/10 in support of Bay Area Lawyers for Individual Freedom, et al.'s Filing of an Amici Curiae Brief in Support of Plaintiffs-Appellees; &
- 2) Original Proof of Service Providing Notice to All Real Parties in Interest (by mail)

Please provide our organization with endorsed copies of these documents in the self-addressed, stamped envelope which we have included.

If you have any questions, please feel free to give me a call at: 415-274-6750. Thank you.

Your time and attention directed toward this matter is most appreciated.

Sincerely,



Vincent Pan  
Executive Director  
Chinese for Affirmative Action

Tawal Panyacosit  
Director  
API Equality – Northern California  
17 Walter U. Lum Place  
San Francisco, CA 94108

Thursday, October 28, 2010

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