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December 1, 2010

Ms. Molly C. Dwyer
Clerk of the Court
United States Court of Appeals
for the Ninth Circuit
James R. Browning U.S. Courthouse
San Francisco, CA 94119-3939

Re: *Perry v. Schwarzenegger*, Nos. 10-16696, 10-16751

Dear Ms. Dwyer:

Plaintiffs-Appellees (“Plaintiffs”) and Plaintiff-Intervenor-Appellee City and County of San Francisco (“Plaintiff-Intervenor”) have received the Court’s November 26, 2010 Order regarding oral argument in the above-referenced matter. Pursuant to that Order, Plaintiffs and Plaintiff-Intervenor jointly advise the Court of their desire to reallocate the time within the second hour, concerning the merits, accordingly: 25 minutes for Plaintiffs, and 5 minutes for Plaintiff-Intervenor. Theodore B. Olson will argue the 25 minutes on behalf of Plaintiffs, and Therese M. Stewart will argue the 5 minutes on behalf of Plaintiff-Intervenor, in that order.

Plaintiffs and Plaintiff-Intervenor appreciate the Court’s attention to this matter.

Very truly yours,

*/s/ Theodore B. Olson*¹
Theodore B. Olson
Counsel for Plaintiffs

/s/ Therese M. Stewart
Therese M. Stewart
Counsel for Plaintiff-Intervenor

cc: All counsel via ECF

¹ I attest that all other parties on whose behalf the filing is submitted concur in the filing’s content.

9th Circuit Case Number(s) 10-16696

NOTE: To secure your input, you should print the filled-in form to PDF (File > Print > PDF Printer/Creator).

CERTIFICATE OF SERVICE

When All Case Participants are Registered for the Appellate CM/ECF System

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on (date) .

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

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I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants:

Please see attached service list.

Signature (use "s/" format)

/s/ Theodore B. Olson

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