

IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

KRISTIN M. PERRY, et al.,  
Plaintiffs-Appellees,  
CITY AND COUNTY OF SAN FRANCISCO,  
Plaintiff-Intervenor-Appellee,  
vs.  
EDMUND G. BROWN JR., et al.,  
Defendants,  
DENNIS HOLLINGSWORTH, et al.  
Defendants-Intervenors-Appellants.

No. 10-16696  
(argued Dec. 6, 2010);  
No. 11-16577  
U.S. District Court  
Case No. 09-cv-02292 JW

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**PLAINTIFF-INTERVENOR-APPELLEE  
CITY AND COUNTY OF SAN FRANCISCO'S  
RESPONSE TO MOTION TO CONSOLIDATE**

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On Appeal from the United States District Court  
for the Northern District of California

The Honorable Chief District Judge James Ware

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Defendants-Intervenors-Appellants have moved this Court to consolidate Case Nos. 10-16696 and 11-16577. The City and County of San Francisco concurs that consolidation is appropriate on the understanding that consolidation will not delay resolution of Case No. 10-16696.

Dated: November 21, 2011

Respectfully submitted,

DENNIS J. HERRERA  
City Attorney  
THERESE M. STEWART,  
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CHRISTINE VAN AKEN  
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By:           / s/ Christine Van Aken            
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CITY AND COUNTY OF SAN FRANCISCO

9th Circuit Case Number(s) 10-16696, 11-16577

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#### 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) November 21, 2011 .

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.

Signature (use "s/" format) s/ Martina Hassett

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Signature (use "s/" format)