

**Nos. 10-16751**

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

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KRISTIN M. PERRY, et al.  
*Plaintiffs-Appellees,*

v.

ARNOLD SCHWARZENEGGER, et al.  
*Defendants,*

and

COUNTY OF IMPERIAL, et al.  
*Movants-Appellants.*

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ON APPEAL FROM UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
CIVIL CASE No. 09-cv-2292 VRW (Honorable Vaughn R. Walker)

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**MOVANTS-APPELLANTS COUNTY OF IMPERIAL, THE BOARD OF  
SUPERVISORS OF THE COUNTY OF IMPERIAL, AND ISABEL  
VARGAS'S MOTION TO EXCEED PAGE LIMITATIONS**

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COUNTY OF IMPERIAL, and ISABEL VARGAS

Pursuant to Ninth Circuit Rule 32-2, Movants-Appellants respectfully seek the Court's leave to file a Reply Brief in excess of the fifteen pages allotted by rule for reply briefs. *See* Fed R. App. P. 32(a)(7)(A). Specifically, Movants-Appellants request the Court's leave to file a reply brief of no more than 60 pages in length.

This request is amply justified by the substantial need exhibited by several factors. First, the district court ruling contested in this appeal, and the related appeal, *Perry v. Schwarzenegger*, No. 10-16696 (9th Cir. filed Oct. 18, 2010), is itself 136-pages long, along with an 18-page order denying Movants-Appellants intervention. (*See* Doc. Nos. 708, 709.) This significant volume demonstrates the magnitude of the matters that must be addressed by Movants-Appellants.

Second, the above-referenced judgments combine to enjoin enforcement of Proposition 8, a voter-initiated amendment to the California Constitution providing that “[o]nly marriage between a man and a woman is valid or recognized in California,” and prohibit the County of Imperial, its Board of Supervisors, and one of the County's public servants from protecting their interests in this matter. Movants-Appellants submit that this case raises numerous momentous issues, both legal and factual, of overriding importance not only to the Movants-Appellants, but to the People of California and to the Nation at large.

Third, and perhaps most significantly, Appellees' opposition brief ("Appellees Br.") to which Movants-Appellants are now replying is itself 32 pages in length, and within Appellees' opposition they incorporate the arguments contained in their 107-page brief in the coordinated appeal, *Perry v. Schwarzenegger*, No. 10-16696 (9th Cir. filed Oct. 18, 2010). (Appellees Br. 31, n.6.) Thus, Movants-Appellants are not only replying to the 32 pages of Appellees' opposition, but are in reality replying to arguments contained in a total of 139 pages of briefing.

Movants-Appellants respectfully submit that a 60-page reply is warranted to address these matters fairly and efficiently. We therefore request leave to file a reply brief of no more than 60 pages in length.

Respectfully submitted,

ADVOCATES FOR FAITH AND FREEDOM

Date: November 1, 2010

s/ Jennifer L. Monk  
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Counsel for Movant-Appellants  
COUNTY OF IMPERIAL, THE BOARD  
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OF IMPERIAL, and ISABEL VARGAS

**CERTIFICATE OF SERVICE**

I am employed in the County of Riverside, State of California. I am over the age of 18 and not a party to the within action. My business address is 24910 Las Brisas Road, Suite 110, Murrieta, California 92562.

- 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 November 1, 2010.

**MOVANTS-APPELLANTS COUNTY OF IMPERIAL, THE BOARD OF  
SUPERVISORS OF THE COUNTY OF IMPERIAL, AND ISABEL  
VARGAS'S MOTION TO EXCEED PAGE LIMITATIONS**

Executed on November 1, 2010, at Murrieta, California.

- (Federal) I declare that I am a member of the Bar of this Court at whose direction the service was made.

s/ Jennifer L. Monk  
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