

Nos. 10-16751

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

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

v.

ARNOLD SCHWARZENEGGER, et al.
Defendants,

and

COUNTY OF IMPERIAL, et al.
Movants-Appellants.

ON 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 JENNIFER L. MONK

ADVOCATES FOR FAITH AND FREEDOM
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Attorneys for Movant-Appellants
COUNTY OF IMPERIAL, THE BOARD OF SUPERVISORS OF THE
COUNTY OF IMPERIAL, and ISABEL VARGAS

I, Jennifer L. Monk, declare as follows:

1. I am an attorney at the law office of Advocates for Faith & Freedom, and I am one of the attorneys for Movants-Appellants County of Imperial, the Board of Supervisors of the County of Imperial, and Isabel Vargas. I make this declaration in support of Movants-Appellants' Motion to Exceed Page Limitations for their Reply Brief. I have personal knowledge of the facts set forth herein.

2. Movants-Appellants request an expanded page limit of 60 pages. This request is amply justified by: (a) The fact 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.) (b) The fact 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. 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. (c) 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.

3. Movants-Appellants respectfully submit that a 60-page reply is warranted to address these matters fairly and efficiently.

I declare under the 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 Murrieta, California.

s/ Jennifer L. Monk
Jennifer L. Monk, Esq.

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.

DECLARATION OF JENNIFER L. MONK

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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