

FILEDUNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NOV 15 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

KRISTIN M. PERRY; et al.,

Plaintiffs - Appellees,
CITY AND COUNTY OF SAN
FRANCISCO,
Plaintiff - Intervenor-
Appellee,

v.

ARNOLD SCHWARZENEGGER, in his
official capacity as Governor of California;
et al.,

Defendants,
and
DENNIS HOLLINGSWORTH; et al.,
Defendants -Intervenors-
Appellants.

No. 10-16696

D.C. No. 3:09-cv-02292-VRW
Northern District of California,
San Francisco

ORDER

KRISTIN M. PERRY; et al.,

Plaintiffs - Appellees,

CITY AND COUNTY OF SAN
FRANCISCO,

Plaintiff-Intervenor -
Appellee,

v.

ARNOLD SCHWARZENEGGER, in his
official capacity as Governor of California;
et al.,

Defendants,

DENNIS HOLLINGSWORTH; et al.,

Defendants-Intervenor,

and

COUNTY OF IMPERIAL; et al.,

Movants - Appellants.

No. 10-16751

D.C. No. 3:09-cv-02292-VRW

ORDER

The Court orders that oral argument in these appeals be conducted in the following manner: The argument shall be divided into two hour-long sessions, with a brief recess in between. In the first hour, the parties shall address each appellant's standing and any other procedural matters that may properly be raised. In the second hour, the parties shall address the constitutionality of Proposition 8.

During the first hour, the Hollingsworth defendants-intervenors-appellants (“Proponents”) shall first have 15 minutes, and the Imperial County movants-appellants shall next have 15 minutes in which to present their opening arguments regarding standing and other procedural issues. The Perry plaintiffs-appellees shall then have 30 minutes in which to respond. Any time reserved by either appellant may be used for rebuttal, but only one rebuttal argument may be made and that by either appellant.

During the second hour, the Proponents shall first have 30 minutes to present their opening argument on the merits of the constitutional question. The Perry plaintiffs-appellees shall then have 15 minutes, and the plaintiff-intervenor-appellee City and County of San Francisco shall have the next 15 minutes, in which to respond. Any time reserved by the Proponents may be used for rebuttal.

No later than November 24, 2010, the parties shall advise the Court of any objection they have to the allocation of time within each hour or of any reallocation of time within each hour that they wish to propose, by electronically filing letters with the Clerk of the Court. If any party wishes to give its full allotted time within either hour to an *amicus curiae*, it may request that the Court reallocate that time accordingly. Otherwise, no motions for leave to participate in oral argument by *amici curiae* will be entertained.

FOR THE COURT

MOLLY DWYER
CLERK OF COURT

By: Kwok Wong
Deputy Clerk