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# Exhibit A

**Stipulation to Alter the Order Certifying the Pl.  
Class of Major Donors and Request to Approve  
Class Notice — Exhibit A**

**If you donated \$10,000 or more to ProtectMarriage.com or National Organization for Marriage California, a class action lawsuit may affect your rights.**

*A court authorized this notice. This is not a solicitation from a lawyer.*

- ProtectMarriage.com, National Organization for Marriage California, and an individual donor have sued various California state and local officials (“the State”) alleging that the State’s campaign finance act violates the First Amendment to the Constitution of the United States of America.
- The Court has allowed the lawsuit to be a class action on behalf of all individuals and organizations that contributed \$10,000 or more to **ProtectMarriage.com** or **National Organization for Marriage California**.
- The Court has not decided whether the State did anything wrong. There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you have a choice to make now:

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT</b>	
<b>DO NOTHING</b>	<b>Stay in this lawsuit. Await the outcome. Give up certain rights.</b>  By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But, you give up any rights to sue the State of California separately about the same legal claims in this lawsuit.
<b>ASK TO BE EXCLUDED</b>	<b>Get out of this lawsuit. Get no benefits from it. Keep rights.</b>  If you ask to be excluded and money or benefits are later awarded, you won’t share in those. But, you keep any rights to sue the State of California separately about the same legal claims in this lawsuit.

- Your options are explained in this notice. To ask to be excluded, you must act before **December 31, 2009**.
- Lawyers must prove the claims against the State Defendants at a trial set to start March 14, 2011. If money and/or benefits are obtained from the State of California, you will be notified about how to ask for a share.
- **Any questions? Read on or visit <http://www.telladf.org/ProtectMarriageCase>**

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## BASIC INFORMATION

### 1. Why did I get this notice?

ProtectMarriage.com or National Organization for Marriage California's records indicate that you contributed \$10,000 or more to their political committee in support of Proposition 8. This notice explains that the Court has allowed, or "certified," a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court holds a trial. The trial is to decide whether the claims being made against the State of California, on your behalf, are correct. Judge Morrison C. England, Jr. of the United States District Court for the Eastern District of California is overseeing this class action. The lawsuit is known as *ProtectMarriage.com, et al., v. Debra Bowen, et al.*, Civil Action No. 2:09-cv-00058.

### 2. What is this lawsuit about?

This lawsuit is about whether the California Political Reform Act of 1974, which requires certain organizations and individuals that contribute to a political campaign to file reports containing their name and other personal information, violates the First Amendment to the Constitution of the United States of America.

### 3. What is a class action and who is involved?

In a class action lawsuit, one or more people called "Class Representatives" (in this case John Doe #1) sue on behalf of other people who have similar claims. The people together are a "Class" or "Class Members." The individual who sued—and all the Class Members like him—are called the Plaintiffs. The individuals they sued (in this case Debra Bowen, Secretary of State for the State of California; Edmund G. Brown, Jr., Attorney General for the State of California; Dean C. Logan, Registrar-Recorder of Los Angeles County, California; Department of Elections - City and County of San Francisco; the Class of District Attorneys in the State of California; the Class of Elected Attorneys in the State of California; and the members of the Fair Political Practices Commission) are called the Defendants. One court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class.

#### 4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action and move toward a trial because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- There are more than 460 individuals or organizations that contributed \$10,000 or more to ProtectMarriage.com or National Organization for Marriage California.
- There are legal questions and facts that are common to each of them;
- John Doe #1's claims are typical of the claims of the rest of the Class;
- John Doe #1 and the lawyers representing the Class will fairly and adequately represent the Class' interests;
- The common legal questions and facts are more important than questions that affect only individuals; and
- This class action will be more efficient than having many individual lawsuits.

More information about why the Court is allowing this lawsuit to be a class action is in the Court's Order Certifying the Class, which is available at <http://www.telladf.org/ProtectMarriageCase>.

## THE CLAIMS IN THE LAWSUIT

### 5. What does the lawsuit complain about?

In the lawsuit, the Plaintiffs say that the California law violates the freedoms of speech and association protected by the First Amendment to the United States Constitution. Generally, the First Amendment prohibits the government, including California, from enacting a law that restricts free speech. The Plaintiffs say that California does not have a valid reason to require contributors to file reports. You can read the Plaintiffs' Class Action Complaint at <http://www.telladf.org/ProtectMarriageCase>.

### 6. How do the Defendants answer?

The Defendants deny that the law violates the First Amendment and say that the State has a valid reason for requiring contributors to a political campaign to report their names and other personal information. You can read the Defendants' Answers at <http://www.telladf.org/ProtectMarriageCase>.

### 7. Has the Court decided who is right?

The Court hasn't decided whether California or Plaintiffs are correct. By establishing the Class and issuing this Notice, the Court is not suggesting that the Plaintiffs will win or lose this case. The Plaintiffs must prove their claims at a trial starting on March 14, 2011. (See "The Trial" below on page 9.)

### 8. What are the Plaintiffs asking for?

The Plaintiffs are asking the Court to declare portions of the law unconstitutional. The Plaintiffs are also asking the Court to prohibit the Defendants from bringing any criminal or civil lawsuit against anyone who fails to file reports required by any provisions found unconstitutional. Finally, the Plaintiffs want the Defendants to stop making copies of the reports filed available to the public.

### 9. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether California did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits ever will be obtained. It is unlikely that Plaintiffs will obtain money benefits in this case. If they are, you will be notified about how to ask for a share.

## WHO IS IN THE CLASS

You need to decide whether you are affected by this lawsuit.

### 10. Am I part of this Class?

Judge England decided that all individuals and organizations that contributed \$10,000 or more to:

**ProtectMarriage.com - Yes on 8, A Project of California Renewal**

-or-

**National Organization for Marriage California - Yes on 8,  
Sponsored by National Organization for Marriage**

at any time prior to, and including, December 31, 2008, are Class Members.

### 11. Which donors are included?

Donors are in the Class as long as they contributed at least \$10,000, in the aggregate to ProtectMarriage.com or National Organization for Marriage California on or before December 31, 2008.

### 12. Are any donors not included in the Class?

If you contributed less than \$10,000, in the aggregate, to ProtectMarriage.com or National Organization for Marriage California you are NOT a Class Member.

### 13. I'm still not sure if I am included.

If you are still not sure whether you are included, you can get free help by calling or writing to the lawyers in this case, at the phone number or address listed in question 23.

## YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide this now.

### 14. What happens if I do nothing at all?

You don't have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. By doing nothing you are staying in the Class. If you stay in and the Plaintiffs obtain money or benefits, either as a result of the trial or a settlement, you will be notified about how to apply for a share (or how to ask to be excluded from any settlement). Keep in mind that if you do nothing now, regardless of whether the Plaintiffs win or lose the trial, you will not be able to sue, or continue to sue, the State—as part of any other lawsuit—about the same legal claims that are the subject of this lawsuit. This means that if you do nothing, you may only be able to sue for deprivations of your First Amendment rights that occurred *after* December 31, 2008 only. You will also be legally bound by all of the Orders the Court issues and judgments the Court makes in this class action.

### 15. Why would I ask to be excluded?

If you already have your own lawsuit against the State and want to continue with it, you need to ask to be excluded from the Class. If you exclude yourself from the Class—which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class—you won't get any money or benefits from this lawsuit even if the Plaintiffs obtain them as a result of the trial or from any settlement (that may or may not be reached) between the State and the Plaintiffs. However, you may then be able to sue or continue to sue the State for deprivations of your First Amendment rights that occurred or occurs at any time. If you exclude yourself, you will not be legally bound by the Court's judgments in this class action.

If you start your own lawsuit against the State after you exclude yourself, you'll have to hire and pay your own lawyer for that lawsuit, and you'll have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against the State, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

### 16. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you must send an “Exclusion Request” in the form of a letter sent by mail, stating that you want to be excluded from *ProtectMarriage.com v. Bowen*. Be sure to include your name and address, and sign the letter. You must mail your Exclusion Request postmarked by December 31, 2009, to: ProtectMarriage.com v. Bowen Exclusions, 1 S. Sixth St., Terre Haute, IN 47807-3510.



## The Lawyers Representing You

### 17. Do I have a lawyer in this case?

The Court decided that the law firms of Bopp, Coleson & Bostrom of Terre Haute, IN, and the Alliance Defense Fund, of Sacramento, CA, are qualified to represent you and all Class Members. Together the law firms are called “Class Counsel.” They are experienced in handling similar cases against other states. More information about these law firms, their practices, and their lawyers’ experience is available at <http://www.alliancedefensefund.org/main/default.aspx>.

### 18. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

### 19. How will the lawyers be paid?

If Class Counsel get money or benefits for the Class, they may ask the Court for fees and expenses. You won’t have to pay these fees and expenses. If the Court grants Class Counsels’ request, the fees and expenses would be either deducted from any money obtained for the Class or paid separately by the State.

## The Trial

The Court has scheduled a trial to decide who is right in this case.

### 20. How and when will the Court decide who is right?

As long as the case isn't resolved by a settlement or otherwise, Class Counsel will have to prove the Plaintiffs' claims at a trial. The trial is set to start on Mark 14, 2011, in the United States District Court for the Eastern District of California, 501 I Street, Sacramento, California, in Courtroom 7, 14th Floor. During the trial, a Jury or the Judge will hear all of the evidence to help them reach a decision about whether the Plaintiffs or Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win, or that they will get any money or benefits for the Class.

### 21. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiffs, and the State will present the defenses. You or your own lawyer are welcome to come at your own expense.

### 22. Will I get money after the trial?

If the Plaintiffs obtain money or benefits as a result of the trial or a settlement, you will be notified about how to participate. We do not know how long this will take.

## GETTING MORE INFORMATION

### 23. Are more details available?

Visit the website, <http://www.telladf.org/ProtectMarriageCase>, where you will find the Court's Order Certifying the Class, the Complaint that the Plaintiffs submitted, the Defendants' Answers to the Complaint, as well as an Exclusion Request form. You may also speak to one of the lawyers by calling (812) 232-2434, or by writing to: Bopp, Coleson & Bostrom, 1 S. Sixth St., Terre Haute, IN 47807-3510.

Date: October 14, 2009