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 12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA
 14 SACRAMENTO DIVISION

15 **ProtectMarriage.com, et al.,**
 16 Plaintiffs,
 17 vs.
 18 **Debra Bowen, et al.,**
 19 Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF MOLLIE M. LEE IN
 SUPPORT OF APPLICATION TO SHORTEN
 TIME TO HEAR DEFENDANTS' MOTION TO
 MODIFY SCHEDULING ORDER TO EXTEND
 DEADLINES**

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1 I, Mollie M. Lee, declare as follows:

2 1. I am an attorney at law licensed to practice in the State of California. I am an attorney
3 at the Office of the San Francisco City Attorney, which represents Defendants City and County of San
4 Francisco and San Francisco City Attorney Dennis J. Herrera in this matter. I have personal
5 knowledge of the facts set forth in this declaration, and if called as a witness, I can and would testify
6 competently thereto.

7 2. On or about March 23, 2010, my office received Plaintiffs' final responses to the
8 discovery requests propounded by the Attorney General on October 30, 2009 in this matter. After
9 reviewing the documents produced by Plaintiffs, I spoke with Plaintiffs' counsel Sarah Troupis on
10 April 12, 2010. During that conversation, I indicated that Defendants intended to depose Brian Brown
11 and Ron Prentice, and I requested dates that those witnesses would be available for deposition. Ms.
12 Troupis informed me that she would speak with her clients and contact me with possible dates. On
13 April 13, 2010, I sent a follow-up e-mail confirming this request, a true and correct copy of which is
14 attached hereto as **Exhibit A**. On April 19 and 20, 2010, I received e-mails from Ms. Troupis stating
15 that Plaintiffs' witnesses will not be available for depositions on any day before the close of fact
16 discovery on May 14, 2010. A true and correct copy of these e-mails is attached as **Exhibit B**. Ms.
17 Troupis proposed that the witnesses could be available on May 27 and 28, but she offered these dates
18 only "on the condition that there be no requests to change the deadlines set forth in the scheduling
19 order because these depositions would fall outside the set time for discovery."

20 3. On April 22, I contacted Ms. Troupis to discuss Plaintiffs' position on extending
21 discovery deadlines. Ms. Troupis informed me that Plaintiffs were not open to any extension of
22 discovery deadlines and would not consent to a motion to shorten time on a hearing on Defendants'
23 request to extend discovery deadlines. A true and correct copy of an e-mail documenting this
24 correspondence is attached hereto as **Exhibit C**.

25 4. On April 22, 2010, Supervising Deputy Attorney General Zackery Morazzini circulated
26 a Joint Statement re Discovery Disagreement for Plaintiffs' review and response, with a request that

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1 Plaintiffs respond by April 29, 2010. On information and belief, I expect that the Attorney General
2 will file this Joint Statement with the assigned magistrate judge within the next several days.

3 I declare under penalty of perjury pursuant to the laws of the State of California that the
4 foregoing is true and correct.

5 Executed April 27, 2010, at San Francisco, California.

6 s/Mollie Lee
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8 Mollie M. Lee
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