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14 * Admitted Pro Hac Vice
 15 ** Designated Counsel for Service

16 **United States District Court**
 17 **Eastern District of California**
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al., 20 Plaintiffs, 21 vs. 22 Debra Bowen, et al., 23 Defendants.</p>	<p>Case No. 2:09-CV-00058-MCE-DAD DECLARATION OF SARAH E. TROUPIS IN OPPOSITION TO MOTION TO MODIFY SCHEDULING ORDER TO EXTEND DEADLINES Date: May 13, 2010 Time: 2:00 p.m. Courtroom: 7, 14th Floor Judge Morrison C. England, Jr.</p>
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1 I, Sarah E. Troupis, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am an attorney at law licensed to practice in the State of Wisconsin. I am an attorney at
3 the law office of Bopp, Coleson & Bostrom in Vigo County, Indiana. I have personal knowledge
4 of the facts set forth in this declaration, and if called as a witness, I can and would testify
5 competently thereto.

6 2. On October 30, 2009, Defendant Edmund G. Brown, the California Attorney General,
7 served interrogatories and requests for production of documents on Plaintiffs.

8 3. On November 30, 2009, Plaintiffs responded to these interrogatories and requests for
9 production of documents.

10 4. On January 22, 2010, Plaintiffs received a letter from Zackery Morazzini in the Attorney
11 General's office, setting forth various issues that Defendants had with the discovery Plaintiffs had
12 provided them on November 30, 2009.

13 5. On February 2, 2010, counsel for Plaintiffs and Defendants participated in a conference
14 call regarding discovery. During this conference call, Plaintiffs agreed to produce certain
15 non-privileged documents and a privilege log by February 26, 2010.

16 6. During the February 2, 2010 conference call, Plaintiffs offered to make Ron Prentice, the
17 executive director of ProtectMarriage.com available for deposition. Plaintiffs also offered to
18 make Brian Brown, the executive director of the National Organization for Marriage, available
19 for depositions. Mr. Prentice and Mr. Brown had previously answered Defendants'
20 interrogatories to their respective organizations on November 30, 2009.

21 7. Although Mr. Prentice and Mr. Brown had already provided responses to interrogatories
22 on November 30, 2009, Plaintiffs' counsel agreed that Mr. Prentice and Mr. Brown would
23 supplement their interrogatories on this conference call.

24 8. On February 24, 2010, Plaintiffs' counsel requested an extension of the discovery deadline
25 previously agreed to in the February 2, 2010 conference call, and Defendants agreed to allow
26 production on a rolling basis.

1 9. On March 1, 2010, Plaintiffs provided Defendants with supplemental interrogatory
2 answers provided by Mr. Prentice and Mr. Brown via email.

3 10. By March 23, 2010, Plaintiffs had provided Defendants with all requested documents
4 relevant to this litigation and not subject to privilege, as well as a privilege log.

5 11. On March 30, 2010, Plaintiffs received correspondence from Defendants regarding the
6 production concluded on March 23, 2010, setting forth various issues that Defendants had with
7 this production.

8 12. On April 2, 2010, Plaintiffs sent Defendants a letter stating that Plaintiffs believed their
9 discovery responses to be adequate and complete, and informed Defendants that no further
10 discovery would be forthcoming from Plaintiffs.

11 13. During the week of April 12, 2010, I corresponded with Mollie Lee, counsel for
12 Defendants, attempting to set up a time when Mr. Brown and Mr. Prentice, as well as counsel,
13 would be available for depositions between April 19 and May 14.

14 14. On April 15, 2010, Defendants noticed depositions for April 29 and 30, 2010. Plaintiffs'
15 lead counsel would be unable to attend depositions on these dates, as each member of Plaintiffs'
16 lead counsel was participating in an argument at the Supreme Court during the week of April 26,
17 2010.

18 15. Because of the late date of the request for depositions, scheduling conflicts prevented
19 either Mr. Brown, Mr. Prentice and/or Plaintiffs' counsel from attending depositions before the
20 May 14, 2010 discovery deadline set in this Court's Pretrial Scheduling Order.

21 16. Plaintiffs volunteered to make Mr. Prentice and Mr. Brown available in late May 2010,
22 on dates when Plaintiffs were available, on the condition that the deadlines otherwise set forth in
23 the Pretrial Scheduling Order not be modified. Defendants did not agree to this proposal.

1 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
2 CORRECT.

3 Executed this 5th day of May, 2010, in Terre Haute, Indiana.

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5 s/ Sarah E. Troupis

6 Sarah E. Troupis
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1 **Certificate of Service**

2 I, Sarah Troupis, am over the age of eighteen years and not a party to the above-captioned
3 action. My business address is 1 South Sixth Street; Terre Haute, Indiana 47807-3510.

4 On May 5, 2010, I electronically filed the document described as the Declaration of Sarah E.
5 Troupis in Opposition to the Motion to Modify Scheduling Order to Extend Deadlines with the
6 Clerk of Court using the CM/ECF system which will send notification of such filing to:

7 Zackery P. Morazzini
8 zackery.morazzini@doj.ca.gov
9 *Counsel for Defendants Debra Bowen & Edmund G. Brown, Jr.*

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21 *Defendant Class of Elected Attorneys*

22 Lawrence T. Woodlock
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24 *Counsel for Defendant Members of the Fair Political*
25 *Practices Commission*

26 I declare under the penalty of perjury under the laws of the State of Indiana that the above is
27 true and correct. Executed this 5th day of May, 2010.

28 s/ Sarah E. Troupis
Sarah E. Troupis
Counsel for Plaintiffs