

EXHIBIT 12B

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ENDORSED
 FILED
 San Francisco County Superior Court

NOV 22 2004

GORDON PARKER, Clerk
 BY _____

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 14 COUNTY OF SAN FRANCISCO
 15 UNLIMITED CIVIL JURISDICTION
 16

17 Coordination Proceeding
 Special Title (Rule 1550(b))
 18 MARRIAGE CASES

19 CITY AND COUNTY OF SAN
 FRANCISCO, a charter city and county,

20 Plaintiff/Petitioner,

21 vs.

22 STATE OF CALIFORNIA, et al.

23 Defendants/Respondents.
 24

JUDICIAL COUNCIL COORDINATION
 PROCEEDING NO. 4365

Case No. 429-539
 (Consolidated with Case No. 504-038)

SUPPLEMENTAL DECLARATION OF
 CYNTHIA G. GOLDSTEIN IN
 SUPPORT OF SAN FRANCISCO'S
 REPLY TO STATE OF
 CALIFORNIA'S OPPOSITION TO
 PETITION FOR WRIT OF MANDATE

Hearing Date: December 22, 2004
 Hearing Judge: Richard A. Kramer
 Time: 9:30 A.M.
 Place: 304

Date Action Filed: March 11, 2004
 Trial Date: Not set

1 I, Cynthia G. Goldstein, declare as follows:

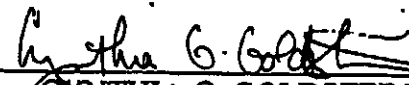
2 1. I have personal knowledge of the matters set forth herein, except as to matters
3 based on information and belief, and could competently testify thereto. This declaration is
4 intended to supplement my earlier declaration in support of the City and County of San
5 Francisco's brief entitled "Constitutional Challenge to Marriage Statutes."

6 2. In my role as Senior Contract Compliance Officer with the Human Rights
7 Commission, I have been very involved with the research, implementation and enforcement of
8 the Equal Benefits Ordinance (hereinafter "EBO"), which I discussed at length in my first
9 declaration. Before the EBO went into effect, HRC received countless complaints from
10 domestic partners stating that they were being denied health care and other benefits by their
11 employers. At that time, most employers, including those who contracted with the City and
12 County of San Francisco (hereinafter "City"), offered health care and other benefits to married
13 couples and their families but did not extend those benefits to domestic partners. The EBO was
14 an attempt on the part of the City to ensure that City contractors give domestic partners and
15 spouses the same benefits.

16 3. Yet, because the EBO extends only to those entities that contract with the City,
17 there is no legal requirement that non-contracting businesses provide couples in domestic
18 partnerships the same benefits as spouses. The result is that most employees with domestic
19 partners are still denied subsidized health care benefits and other benefits offered by their
20 employers to employees with spouses.

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct. This declaration was executed in San Francisco, California.

23 Dated: November 19, 2004

24
25 
26 CYNTHIA G. GOLDSTEIN
27
28

City and County of San Francisco

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Lesbian Gay Bisexual Transgender & HIV Discrimination



Gavin Newsom
Mayor

Virginia M. Harmon
Executive Director

Fax

Date: November 19, 2004 **Pages:** 3 (including cover page)

To: Diana Quan **Co/Org:** City Attorney

Fax #: 554-4747 **Phone #:**

From: Cynthia G. Goldstein **Title:** Senior Contract Compliance Officer

Fax #: 415-431-5764 **Phone #:** 415-252-2515

Re: Declaration

Comments:

Yvonne Meré asked that I fax this to you. The original will follow via interoffice mail.

Thanks



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