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 13 Clerk-Recorder of the County of Alameda

14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

17 KRISTIN M. PERRY, SANDRA B.  
 18 STIER, PAUL T. KATAMI, and  
 19 JEFFREY J. ZARRILLO,

20 Plaintiffs,

21 v.

22 ARNOLD SCHWARZENEGGER, in  
 23 his official capacity as Governor of  
 24 California; EDMUND G. BROWN,  
 25 JR., in his official capacity as Attorney  
 General of California; MARK B.  
 26 HORTON, in his official capacity as  
 27 Director of the California Department  
 of Public Health and State Registrar of  
 28 Vital Statistics; LINETTE SCOTT, in

CASE NO. 09-CV-2292 VRW

**JOINT CASE MANAGEMENT  
 CONFERENCE STATEMENT  
 FILED ON BEHALF OF  
 DEFENDANTS DEAN C. LOGAN,  
 LOS ANGELES COUNTY  
 REGISTRAR-RECORDER/  
 COUNTY AND PATRICK  
 O'CONNELL, ALAMEDA COUNTY  
 AUDITOR-CONTROLLER-  
 CLERK-RECORDER**

Date: 08/19/2009  
 Time: 10:00 a.m.  
 Judge: Chief Judge Vaughn R. Walker  
 Location: Courtroom 6 17<sup>th</sup> Floor

Action Filed: May 22, 2009

1 her official capacity as Deputy Director  
2 of Health Information & Strategic  
3 Planning for the California Department  
4 of Public Health; PATRICK  
5 O'CONNELL, in his official capacity as  
6 Clerk-Recorder for the County of  
7 Alameda; and DEAN C. LOGAN, in  
8 his official capacity as Registrar-  
9 Recorder/County Clerk for the County  
10 of Los Angeles,

Defendants.

11 This case management statement is filed on behalf of the Defendants Dean C.  
12 Logan, Los Angeles County Registrar Recorder/County Clerk, and Patrick  
13 O'Connell, Alameda County Auditor-Controller-Clerk-Recorder. Having  
14 participated in the meet and confer related to the filing of a joint case management  
15 statement, and being aware that it appears that plaintiffs and defendant-intervenor  
16 will be filing separate statements, for the reasons identified below, the County  
17 Clerks file their own joint case management conference statement indicating no  
18 preference in timing or format, as to how the case proceeds.

19 Without waiving any right to defend their interests, or to later join or oppose  
20 any motions or arguments in this matter, as stated in their initial pleadings, the  
21 County Clerks have a ministerial duty to carry out the marriage laws of the State of  
22 California through issuance of marriage licenses according to this Court's  
23 determination of the validity of those laws. In this regard, the County Clerks at  
24 present do not anticipate presenting evidence to the Court or making any motions.  
25 As a result, they are amenable to any case management schedule and format for  
26 motions or trial as the plaintiffs and defendant-intervenor have proposed, and that  
27 the Court determines will best enable it to decide the questions presented by this  
28 case.

HOA.633779.1

09-CV-2292 VRW

JOINT CASE MANAGEMENT CONFERENCE STATEMENT  
OF DEAN C. LOGAN AND PATRICK O'CONNELL

1 DATED August 7, 2009

Respectfully submitted,

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OFFICE OF THE COUNTY COUNSEL

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By /s/ Judy W. Whitehurst  
JUDY W. WHITEHURST  
Principal Deputy County Counsel

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Attorneys for DEAN C. LOGAN  
REGISTRAR-RECORDER/COUNTY  
CLERK, COUNTY OF LOS ANGELES

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9 DATED August 7, 2009

Respectfully submitted,

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OFFICE OF THE COUNTY COUNSEL

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By /s/ Claude Kolm  
CLAUDE KOLM  
Deputy County Counsel

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Attorneys for PATRICK O'CONNELL  
AUDITOR-CONTROLLER-CLERK-  
RECORDER, COUNTY OF ALAMEDA

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09-CV-2292 VRW

JOINT CASE MANAGEMENT CONFERENCE STATEMENT  
OF DEAN C. LOGAN AND PATRICK O'CONNELL

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**DECLARATION OF SERVICE**  
**USDC – Northern District Case No. 09-CV-2292 VRW**  
***Perry, et al. v. Schwarzenegger, et al.***

STATE OF CALIFORNIA, County of Los Angeles:

Hazel T. Bataclan states: I am employed in the County of Los Angeles, State of California, over the age of eighteen years and not a party to the within action. My business address is 648 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012-2713.

That on August 7, 2009, I served the attached

**JOINT CASE MANAGEMENT CONFERENCE STATEMENT FILED ON BEHALF OF DEFENDANTS DEAN C. LOGAN, LOS ANGELES COUNTY REGISTRAR-RECORDER/ COUNTY AND PATRICK O'CONNELL, ALAMEDA COUNTY AUDITOR-CONTROLLER-CLERK-RECORDER**

upon the *non-CM/ECF participants/Interested Party(ies)* by placing  the original  a true copy thereof enclosed in a sealed envelope addressed  as follows  as stated on the attached mailing list:

**(BY MAIL)** by sealing and placing the envelope for collection and mailing on the date and at the place shown above following our ordinary business practices. I am readily familiar with this office's practice of collection and processing correspondence for mailing. Under that practice the correspondence would be deposited with the United States Postal Service that same day with postage thereon fully prepaid.

I declare that I am employed in the offices of a member of this court at whose direction the service was made.

Executed on August 13, 2009, at Los Angeles, California.

<u>Hazel T. Bataclan</u> <b>Type or Print Name of Declarant</b> <b>and, for personal service by a Messenger</b> <b>Service, include the name of the</b> <b>Messenger Service</b>	<u>/s/ Hazel T. Bataclan</u> <b>Signature</b>
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**SERVICE LIST**

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