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PAUL T. KATAMI, and JEFFREY J. ZARRILLO

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

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

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, in his official
capacity as Governor of California; EDMUND
G. BROWN, JR., in his official capacity as
Attorney General of California; MARK B.
HORTON, in his official capacity as Director of
the California Department of Public Health and
State Registrar of Vital Statistics; LINETTE
SCOTT, in her official capacity as Deputy
Director of Health Information & Strategic
Planning for the California Department of Public
Health; PATRICK O'CONNELL, in his official
capacity as Clerk-Recorder for the County of
Alameda; and DEAN C. LOGAN, in his official
capacity as Registrar-Recorder/County Clerk for
the County of Los Angeles,

Defendants.

CASE NO. 09-CV-2292 VRW

PROOF OF SERVICE

HEARING DATE: July 2, 2009
HEARING TIME: 10:00 a.m.
HEARING PLACE: Courtroom 6, 17th Fl.
Chief Judge Walker

PROOF OF SERVICE

I, Lindie S. Joy, declare as follows:

I am employed in the County of Los Angeles, State of California; I am over the age of eighteen years and am not a party to this action; my business address is Gibson, Dunn & Crutcher LLP, 333 South Grand Avenue, Los Angeles, CA 90071-3197, in said County and State. On May 27, 2009, I served the following document:

1. **PROOF OF SERVICE**
2. **SUMMONS IN A CIVIL ACTION**
3. **COMPLAINT FOR DECLARATORY, INJUNCTIVE, OR OTHER RELIEF**
4. **ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES**
5. **ORDER SETTING CASE MANAGEMENT CONFERENCE**
6. **STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA – CONTENTS OF JOINT CASE MANAGEMENT STATEMENT**
7. **PLAINTIFFS' CERTIFICATION OF INTERESTED ENTITIES OR PERSONS**
8. **STANDING ORDERS OF THE HONORABLE VAUGHN R. WALKER, U.S. DISTRICT CHIEF JUDGE**
9. **NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION**
10. **NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**
11. **WAIVER OF THE SERVICE OF SUMMONS**
12. **COURT GUIDELINES**
13. **CIVIL COVER SHEET**
14. **PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR A PRELIMINARY INJUNCTION, AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR A PRELIMINARY INJUNCTION**

- 15. DECLARATION OF PAUL T. KATAMI IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**
- 16. DECLARATION OF KRISTIN M. PERRY IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**
- 17. DECLARATION OF SANDRA B. STIER IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTIOND**
- 18. DECLARATION OF JEFFREY J. ZARRILLO IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION; and**
- 19. [PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

- 16. DECLARATION OF KRISTIN M. PERRY IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

- 17. DECLARATION OF SANDRA B. STIER IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTIOND**

- 18. DECLARATION OF JEFFREY J. ZARRILLO IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION; and**

- 19. [PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

on the parties stated below, by placing a true copy thereof in an envelope addressed as shown below by the following means of service:

Dean C. Logan,
in his official capacity as Registrar-Recorder/County Clerk for the County of Los Angeles
LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK
Department Headquarters
12400 Imperial Highway
Norwalk, CA 90650

BY MAIL: I placed a true copy in a sealed envelope addressed as indicated above, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

- ☒ **BY PERSONAL SERVICE:** I placed a true copy in a sealed envelope addressed to each person[s] named at the address[es] shown and giving same to a messenger for personal delivery before 5:00 p.m. on the above-mentioned date.
- ☐ **BY FACSIMILE:** From facsimile number (213) 229-7520. I caused each such document to be transmitted by facsimile machine, to the parties and numbers indicated above, pursuant to Rule 2008. The facsimile machine I used complied with Rule 2003(3) and no error was reported by the machine. Pursuant to Rule 2008(e)(4), I caused the machine to print a transmission record of the transmission, a copy of which is attached to the original of this declaration.
- ☐ **BY UPS NEXT DAY AIR:** On the above-mentioned date, I placed a true copy of the above-mentioned document(s), together with an unsigned copy of this declaration, in a sealed envelope or package designated by the United Parcel Service with delivery fees paid or provided for, addressed to the person(s) as indicated above and deposited same in a box or other facility regularly maintained by United Parcel Service or delivered same to an authorized courier or driver authorized by United Parcel Service to receive documents.

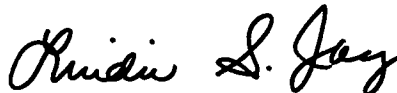
- ☐ **BY FACSIMILE:** From facsimile number (213) 229-7520. I caused each such document to be transmitted by facsimile machine, to the parties and numbers indicated above, pursuant to Rule 2008. The facsimile machine I used complied with Rule 2003(3) and no error was reported by the machine. Pursuant to Rule 2008(e)(4), I caused the machine to print a transmission record of the transmission, a copy of which is attached to the original of this declaration.

- ☐ **BY UPS NEXT DAY AIR:** On the above-mentioned date, I placed a true copy of the above-mentioned document(s), together with an unsigned copy of this declaration, in a sealed envelope or package designated by the United Parcel Service with delivery fees paid or provided for, addressed to the person(s) as indicated above and deposited same in a box or other facility regularly maintained by United Parcel Service or delivered same to an authorized courier or driver authorized by United Parcel Service to receive documents.

1 ☒ I am employed in the office of Christopher D. Dusseault, a member of the bar of this court, and that
2 the foregoing document was printed on recycled paper.

3 ☒ **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on May 27, 2009.

5 

6 Lindie S. Joy

7 100664908_1.DOC

**CERTIFICATE OF SERVICE
OF MESSENGER BY HAND DELIVERY**

I, David Yu, hereby certify as follows:

I am employed in the County of Los Angeles, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 1511 West Beverly Boulevard, Los Angeles, CA 90026, in said County and State; I am employed as a messenger by First Legal Support Services. On January 4, 2007, I received an envelope(s) from Gibson, Dunn & Crutcher LLP, along with the following document(s) for each envelope:

1. **PROOF OF SERVICE**
2. **SUMMONS IN A CIVIL ACTION**
3. **COMPLAINT FOR DECLARATORY, INJUNCTIVE, OR OTHER RELIEF**
4. **ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES**
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15. **DECLARATION OF PAUL T. KATAMI IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**
16. **DECLARATION OF KRISTIN M. PERRY IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**
17. **DECLARATION OF SANDRA B. STIER IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTIOND**
18. **DECLARATION OF JEFFREY J. ZARRILLO IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION; and**
19. **[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**


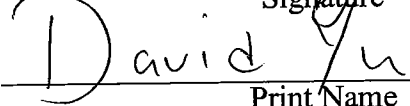
and which envelope(s) was/were addressed as follows:

Dean C. Logan,
in his official capacity as Registrar-Recorder/County Clerk for the County of Los Angeles
 LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK
 Department Headquarters
 12400 Imperial Highway
 Norwalk, CA 90650

and on the same date I placed the aforementioned document(s) in its/their respective envelope(s), sealed the envelopes, and served such document(s):

- ☐ by personally delivering such envelope to said person(s) at the address(es) listed above;
- ☒ in the absence of the attorney(s) named above, by personally delivering such envelope to his/her clerk or the person in charge of said office; or
- ☐ by leaving such envelope between the hours of 9:00 in the morning and 5:00 in the afternoon in a conspicuous place in the office, because no person was in the office.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 27, 2009, at Los Angeles, California.


 Signature

 Print Name