

GIBSON, DUNN & CRUTCHER LLP**LAWYERS**A REGISTERED LIMITED LIABILITY PARTNERSHIP
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August 31, 2009

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T 36330-00001

VIA ELECTRONIC MAIL AND FIRST CLASS MAILNicole J. Moss, Esq.
Cooper & Kirk, PLLC
1523 New Hampshire Ave., NW
Washington, D.C. 20036Re: *Perry, et al. v. Schwarzenegger, et al.,*
U.S.D.C., N.D. Cal. C--9-2292-VRW

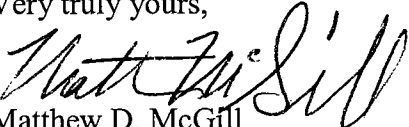
Dear Nicole:

Thank you for your correspondence of August 27, 2009. I am writing to confirm that Plaintiffs' First Set of Requests for Production does not seek internal communications among and between your clients regarding Proposition 8 and the related political campaign, except to the extent that you deem such communications responsive to Requests Nos. 9, 10, 13, 14, or 15. We reserve the right to make additional requests for production of your clients' internal communications in the future.

Contrary to your letter, however, to the extent communications between your clients "and their agents, contractors, attorneys, donors, or others" are responsive to Plaintiffs' First Set of Requests for Production and not otherwise subject to the attorney-client, work product, or other recognized legal privilege, we do expect that they will be produced in response to these requests. Consistent with the instructions in the document requests, we expect that all versions of such communications, including those not actually distributed publicly, will be produced.

I would be happy to discuss these matters with you at your convenience.

Very truly yours,


Matthew D. McGill

Nicole J. Moss, Esq.
August 31, 2009
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cc: Charles J. Cooper
David H. Thompson
Christopher Dusseault
Ethan D. Dettmer