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10 Attorneys for Plaintiff-Intervenor  
 11 CITY AND COUNTY OF SAN FRANCISCO

12  
 13 UNITED STATES DISTRICT COURT  
 14  
 15 NORTHERN DISTRICT OF CALIFORNIA

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

17 Plaintiffs,

18 vs.

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

27 Defendants,  
 28

Case No. 09-CV-2292 VRW

**CITY AND COUNTY OF SAN  
 FRANCISCO'S OPPOSITION TO  
 DEFENDANT-INTERVENORS' MOTION  
 FOR ADMINISTRATIVE LEAVE TO  
 EXCEED PAGE LIMITATIONS**

Trial Date: Jan. 11, 2009

1 and

2  
3 PROPOSITION 8 OFFICIAL PROPONENTS  
4 DENNIS HOLLINGSWORTH, GAIL J.  
5 KNIGHT, MARTIN F. GUTIERREZ, HAK-  
6 SHING WILLIAM TAM, and MARK A.  
7 JANSSON; and PROTECTMARRIAGE.COM –  
8 YES ON 8, A PROJECT OF CALIFORNIA  
9 RENEWAL,

10 Defendant-Intervenors.

11 CITY AND COUNTY OF SAN FRANCISCO,

12 Plaintiff-Intervenor

13 vs.

14 ARNOLD SCHWARZENEGGER, in his official  
15 capacity as Governor of California; EDMUND G.  
16 BROWN JR., in his official capacity as Attorney  
17 General of California; MARK B. HORTON, in  
18 his official capacity as Director of the California  
19 Department of Public Health and State Registrar  
20 of Vital Statistics; and LINETTE SCOTT, in her  
21 official capacity as Deputy Director of Health  
22 Information & Strategic Planning for the  
23 California Department of Public Health,

24 Defendants.

25 Plaintiff-Intervenor the City and County of San Francisco joins in the opposition of Plaintiffs  
26 Perry et al. to the Motion of the Yes On 8 Defendant-Intervenors for leave to file a 98-page brief in  
27 support of a motion for summary judgment. The City agrees with the Perry Plaintiffs that such a brief  
28 is excessive even in light of the importance of the issues in this case, and further that the Defendant-  
Intervenors failed to follow the Court's Local Rules in dealing with this matter. Counsel for the City  
offered to stipulate to a more modest extension of the page limit and to a brief extension of time in  
order for Defendant-Intervenors to reduce the size of their brief accordingly, but Defendant-  
Intervenors was not interested in that offer. See Declaration of Therese M. Stewart filed herewith.  
For these reasons, the City respectfully requests that the Court deny Defendant-Intervenors' Motion to  
file the brief submitted, and hold that the motion is untimely or, in the alternative, require them to file

1 a motion that meets the Court's page limit requirements by the close of business on Monday,  
2 September 14 and extend Plaintiffs' time for filing opposition by three court days.

3 Dated: September 10, 2009

4 DENNIS J. HERRERA  
City Attorney  
5 THERESE M. STEWART  
Chief Deputy City Attorney  
6 DANNY CHOU  
CHIEF OF COMPLEX & SPECIAL LITIGATION  
7 RONALD P. FLYNN  
VINCE CHHABRIA  
8 ERIN BERNSTEIN  
CHRISTINE VAN AKEN  
9 MOLLIE M. LEE  
Deputy City Attorneys

10  
11 By: \_\_\_\_\_/s/\_\_\_\_\_  
12 THERESE M. STEWART

13 Attorneys for Plaintiff-Intervenor  
14 CITY AND COUNTY OF SAN FRANCISCO  
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Pursuant to General Order 45, § X(B), I hereby attest that the concurrence in the filing of this document has been obtained from single signatory, Therese M. Stewart.

Dated: September 10, 2009

By: \_\_\_\_\_ /s/  
RONALD P. FLYNN

Attorneys for Plaintiff-Intervenor  
CITY AND COUNTY OF SAN FRANCISCO