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 PROJECT OF CALIFORNIA RENEWAL

18 * Admitted *pro hac vice*

19
 20 **UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

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

23 Plaintiffs,

24 v.

25 ARNOLD SCHWARZENEGGER, in his official
 26 capacity as Governor of California; EDMUND
 27 G. BROWN, JR., in his official capacity as
 Attorney General of California; MARK B.
 28 HORTON, in his official capacity as Director of

CASE NO. 09-CV-2292 VRW

**DEFENDANT-INTERVENORS'
 MOTION FOR ADMINISTRATIVE
 LEAVE TO EXCEED PAGE
 LIMITATIONS**

Date: October 14, 2009

Time: 10:00 a.m.

Judge: Chief Judge Vaughn R. Walker

Location: Courtroom 6, 17th Floor

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

11
12 Defendants,

13 and

14 PROPOSITION 8 OFFICIAL PROPONENTS
15 DENNIS HOLLINGSWORTH, GAIL J.
16 KNIGHT, MARTIN F. GUTIERREZ, HAK-
17 SHING WILLIAM TAM, and MARK A.
18 JANSSON; and PROTECTMARRIAGE.COM –
19 YES ON 8, A PROJECT OF CALIFORNIA
20 RENEWAL,

21 Defendant-Intervenors.

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1 Pursuant to Civil Local Rule 7-11, Defendant-Intervenors (“Proponents”) respectfully seek
2 the Court’s leave to file a reply in support of their motion for summary judgment motion that is
3 longer than the fifteen pages normally allotted by local rule. *See* Civ. L.R. 7-2(b). Specifically,
4 Proponents respectfully submit that an expanded page limit of twenty-five pages is warranted by
5 the nature of the issues presented in this case, and request the Court’s leave to file a motion of that
6 length. While Plaintiffs and Plaintiff-Intervenor have declined to stipulate to this proposed page
7 limit, they have indicated that they do not intend to make a submission opposing it. The other
8 parties to this case, with the exception of the County of Los Angeles who has not yet responded,
9 have either indicated that they take no position on this motion or have no objection.
10

11 As Proponents have previously noted, this case is of momentous importance: at stake is
12 the future of the venerable and vitally important social institution of marriage. Indeed, although
13 Plaintiffs directly challenge only Proposition 8, the joint response brief filed by Plaintiffs and
14 Plaintiff-Intervenor acknowledges that under the theories they advance, the laws of every other
15 State defining marriage as the union of a man and a woman, and likely the federal definition of
16 marriage, are likewise unconstitutional. *See* Doc # 202 at 27, 28. In keeping with the importance
17 of this case, the issues raised in Proponents’ summary judgment motion and addressed in
18 Plaintiffs’ and Plaintiff-Intervenor’s response in opposition are multitude and complex. In
19 recognition of these facts, the Court has previously granted leave to file briefs in excess of the
20 normal page limitations. Further, Plaintiffs and Plaintiff-Intervenor have addressed not only the
21 issues raised by Proponents, but have also raised additional questions regarding the weight to be
22 given to the views and admissions of the State Attorney General (which admissions Proponents
23 first received as an attachment in support of Plaintiffs’ and Plaintiff-Intervenor’s response),¹
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27 ¹ In an email serving the State Attorney General’s responses to Plaintiffs’ requests for
28 admissions today, counsel for the Attorney General indicated that her attempt to serve
these responses on the afternoon of September 23 was unsuccessful due to a glitch in her
(Continued)

1 whether certain statements of legislative fact by the California Supreme Court in the Marriage
2 Cases are binding in this litigation, the meaning and adequacy of Proponents' responses to
3 Plaintiffs' requests for admissions and other discovery requests, and the application of Fed. R.
4 Civ. P. 56(f) to a case such as this one that turns on issues of legislative fact.

5
6 For these reasons, Proponents respectfully request that this motion be granted.

7 Dated: September 25, 2009

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28 By: /s/ Charles J. Cooper
Charles J. Cooper

(Cont'd)
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