

1 GIBSON, DUNN & CRUTCHER LLP  
 Theodore B. Olson, SBN 38137  
 2 *tolson@gibsondunn.com*  
 Matthew D. McGill, *pro hac vice*  
 3 Amir C. Tayrani, SBN 229609  
 1050 Connecticut Avenue, N.W., Washington, D.C. 20036  
 4 Telephone: (202) 955-8668, Facsimile: (202) 467-0539

5 Theodore J. Boutrous, Jr., SBN 132009  
*tboutrous@gibsondunn.com*  
 6 Christopher D. Dusseault, SBN 177557  
 Ethan D. Dettmer, SBN 196046  
 7 Sarah E. Piepmeier, SBN 227094  
 Theane Evangelis Kapur, SBN 243570  
 8 Enrique A. Monagas, SBN 239087  
 333 S. Grand Avenue, Los Angeles, California 90071  
 9 Telephone: (213) 229-7804, Facsimile: (213) 229-7520

10 BOIES, SCHILLER & FLEXNER LLP  
 David Boies, *pro hac vice*  
 11 *dboies@bsflp.com*  
 Theodore H. Uno, SBN 248603  
 12 333 Main Street, Armonk, New York 10504  
 Telephone: (914) 749-8200, Facsimile: (914) 749-8300

13  
 14 Attorneys for Plaintiffs KRISTIN M. PERRY, SANDRA B. STIER,  
 PAUL T. KATAMI, and JEFFREY J. ZARRILLO

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

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

19 Plaintiffs,

20 v.

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

28 Defendants.

CASE NO. 09-CV-2292 VRW

**STIPULATION AND [PROPOSED] ORDER  
 REGARDING DEMONSTRATIVES**

1 Plaintiffs Kristin M. Perry, Sandra B. Stier, Paul T. Katami, and Jeffrey J. Zarrillo  
2 (“Plaintiffs”), Plaintiff-Intervenor City and County of San Francisco (“Plaintiff-Intervenor”),  
3 Defendant-Intervenors Proposition 8 Official Proponents Dennis Hollingsworth, Gail J. Knight,  
4 Martin F. Gutierrez, Hak-Shing William Tam, and Mark A. Jansson; and ProtectMarriage.com –  
5 Yes on 8, A Project of California Renewal (“Defendant-Intervenors”), and Defendants Arnold  
6 Schwarzenegger, Edmund G. Brown Jr., Mark B. Horton, Linette Scott, Patrick O’Connell, and Dean  
7 C. Logan (“Defendants”) (collectively the “Parties”), through their respective counsel of record,  
8 hereby stipulate to the following regarding the admissibility of demonstratives in this matter:

9 1. The Parties stipulate and agree that the Parties shall exchange demonstrative exhibits  
10 to be used with a given witness at least 72 hours prior to the witness’s testimony.

11 2. The Parties stipulate and agree that any demonstrative exhibit disclosed pursuant to  
12 Paragraph 1 above shall be admissible into evidence to the same extent as if it had been disclosed on  
13 the Parties’ exhibits lists.

14 3. Nothing in this stipulation limits in any way the right of any Party to object to the  
15 admissibility of a demonstrative on any other grounds.

16 4. This Stipulation may be signed in counterparts and facsimile signatures are deemed  
17 originals for all purposes.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: December 11, 2009

GIBSON, DUNN & CRUTCHER LLP

By: \_\_\_\_\_ /s/  
Christopher D. Dusseault

and

BOIES, SCHILLER & FLEXNER LLP

David Boies

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

DATED: December 11, 2009

OFFICE OF THE CITY ATTORNEY

By: \_\_\_\_\_ /s/  
Ronald P. Flynn

Attorneys for Plaintiff-Intervenor  
CITY AND COUNTY OF SAN FRANCISCO

DATED: December 11, 2009

COOPER AND KIRK, PLLC

By: \_\_\_\_\_ /s/  
Nicole J. Moss

Attorneys for Defendant-Intervenors  
PROPOSITION 8 OFFICIAL PROPONENTS; and  
PROTECTMARRIAGE.COM – YES ON 8, A  
PROJECT OF CALIFORNIA RENEWAL

DATED: December 11, 2009

OFFICE OF THE ATTORNEY GENERAL

By: \_\_\_\_\_ /s/  
Tamar Pachter

Attorneys for Defendant  
ATTORNEY GENERAL EDMUND G. BROWN JR.



**ATTESTATION PURSUANT TO GENERAL ORDER NO. 45**

Pursuant to General Order No. 45 of the Northern District of California, I attest that concurrence in the filing of the document has been obtained from each of the other signatories to this document.

By: \_\_\_\_\_ /s/  
Sarah E. Piepmeier

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28