

1 MENNEMEIER, GLASSMAN & STROUD LLP
 KENNETH C. MENNEMEIER (SBN 113973)
 2 ANDREW W. STROUD (SBN 126475)
 KELCIE M. GOSLING (SBN 142225)
 3 LONDON D. BAILEY (SBN 240236)
 980 9th Street, Suite 1700
 4 Sacramento, CA 95814-2736
 Telephone: 916-553-4000
 5 Facsimile: 916-553-4011
 E-mail: kcm@mgslaw.com

6 Attorneys for Defendants
 7 Arnold Schwarzenegger, in his official capacity as Governor of
 California, Mark B. Horton, in his official capacity as Director of the
 8 California Department of Public Health and State Registrar of Vital
 Statistics, and Linette Scott, in her official capacity as Deputy Director
 9 of Health Information & Strategic Planning for the California Department
 of Public Health

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**

14 KRISTIN M. PERRY, et al.,
 15 Plaintiffs,

16 CITY AND COUNTY OF SAN
 FRANCISCO,
 17 Plaintiff-Intervenor,

18 v.

19 ARNOLD SCHWARZENEGGER, in his
 20 official capacity as Governor of California,
 et al.,
 21 Defendants,

22 and

23 PROPOSITION 8 OFFICIAL
 24 PROPONENTS DENNIS
 HOLLINGSWORTH, et al.,
 25 Defendant-Intervenors.

) Case No. 09-CV-02292 VRW

) **THE ADMINISTRATION DEFENDANTS'**
) **STATEMENT OF NON-OPPOSITION IN**
) **RESPONSE TO COUNTY OF IMPERIAL**
) **OF THE STATE OF CALIFORNIA, BOARD**
) **OF SUPERVISORS OF IMPERIAL**
) **COUNTY, AND ISABEL VARGAS'S**
) **MOTION TO INTERVENE**

) [Civil L.R. 7-3(b)]

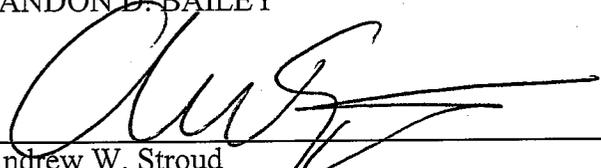
) Trial Date: January 11, 2010
) Time: 9:00 a.m.
) Courtroom: 6

1 PLEASE TAKE NOTICE that defendants Arnold Schwarzenegger, in his official
2 capacity as Governor of California, Mark B. Horton, in his official capacity as Director of the
3 California Department of Public Health and State Registrar of Vital Statistics, and Linette Scott,
4 in her official capacity as Deputy Director of Health Information & Strategic Planning for the
5 California Department of Public Health (collectively, the "Administration"), do not oppose the
6 County of Imperial of the State of California, Board of Supervisors of Imperial County, and
7 Isabel Vargas's Motion to Intervene (docket no. 311).

8 Dated: December 23, 2009

MENNEMEIER, GLASSMAN & STROUD LLP
KENNETH C. MENNEMEIER
ANDREW W. STROUD
KELCIE M. GOSLING
LONDON D. BAILEY

9
10
11
12 By:



Andrew W. Stroud
Attorneys for Defendants Arnold Schwarzenegger,
Mark B. Horton, and Linette Scott

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 Case Name: *Perry, et al. v. Schwarzenegger, et al.*;
Case No: US District Court, Northern District, Case No. 3:09-cv-2292 VRW

3 **CERTIFICATE OF SERVICE**

4 I declare as follows:

5 I am a resident of the State of California and over the age of eighteen years, and
6 not a party to the within action; my business address is 980 9th Street, Suite 1700, Sacramento,
California 95814. On December 23, 2009, I served the within document(s):

7 **THE ADMINISTRATION DEFENDANTS' STATEMENT OF NON-OPPOSITION**
8 **IN RESPONSE TO COUNTY OF IMPERIAL OF THE STATE OF CALIFORNIA,**
9 **BOARD OF SUPERVISORS OF IMPERIAL COUNTY, AND ISABEL VARGAS'S**
10 **MOTION TO INTERVENE**

10 by placing the document(s) listed above in a sealed Federal Express
11 envelope and affixing a pre-paid air bill, and delivering to a Federal
Express agent for delivery.

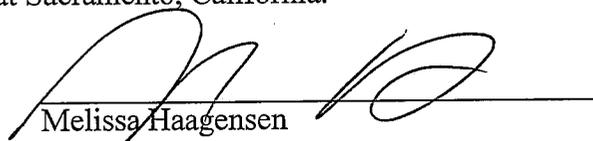
12 by placing the document(s) listed above in a sealed envelope, with postage
13 thereon fully prepared, in the United States mail at Sacramento, California
addressed as set forth below.

14 **SEE ATTACHED SERVICE LIST**

15 I am readily familiar with the firm's practice of collection and processing
16 correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal
Service on that same day with postage thereon fully prepared in the ordinary course of business.

17 I declare that I am employed in the office of a member of the bar of this Court at
18 whose direction this service was made.

19 Executed on December 23, 2009, at Sacramento, California.

20 
21 _____
22 Melissa Haagensen
23
24
25
26
27
28

SERVICE LIST

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

DAVID BOIES
BOIES SCHILLER & FLEXNER LLP
333 MAIN STREET
ARMONK, NY 10504

JESSE PANUCCIO
COOPER & KIRK PLLC
1523 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, DC 20036

RENA M. LINDEVALDSEN
LIBERTY COUNSEL
100 MOUNTAINVIEW RD
SUITE 2775
LYNCHBERG, VA 24502

THEANE EVANGELIS KAPUR
GIBSON DUNN & CRUTCHER LLP
333 SOUTH GRAND AVENUE
LOS ANGELES, CA 90071

TOBIAS BARRINGTON WOLFF
UNIVERSITY OF PENNSYLVANIA LAW SCHOOL
3400 CHESTNUT STREET
PHILADELPHIA, PA 19104-6204