

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

No C 09-2292 VRW
ORDER

Plaintiffs,

CITY AND COUNTY OF SAN FRANCISCO,

Plaintiff-Intervenor,

v

ARNOLD SCHWARZENEGGER, in his
official capacity as governor of
California; EDMUND G BROWN JR, in
his official capacity as attorney
general of California; MARK B
HORTON, in his official capacity
as director of the California
Department of Public Health and
state registrar of vital
statistics; LINETTE SCOTT, in her
official capacity as deputy
director of health information &
strategic planning for the
California Department of Public
Health; PATRICK O'CONNELL, in his
official capacity as clerk-
recorder of the County of
Alameda; and DEAN C LOGAN, in his
official capacity as registrar-
recorder/county clerk for the
County of Los Angeles,

Defendants,

DENNIS HOLLINGSWORTH, GAIL J
KNIGHT, MARTIN F GUTIERREZ,
HAKSHING WILLIAM TAM, MARK A
JANSSON and PROTECTMARRIAGE.COM -
YES ON 8, A PROJECT OF
CALIOFORNIA RENEWAL, as official
proponents of Proposition 8,

Defendant-Intervenors.

_____ /

1 Plaintiffs and proponents continue to dispute the
2 appropriate scope of discovery. Doc ##314, 325. The dispute
3 involves plaintiffs' request for documents and depositions of the
4 defendant-intervenors. Resolution of the dispute appears to call
5 for court involvement. The court will discuss the deposition
6 dispute at the January 6, 2010 hearing previously scheduled by the
7 clerk with counsel for 10 AM that day. With regard to the dispute
8 about plaintiffs' document requests, the court pursuant to 28 USC
9 § 636(b)(1)(A) refers the matter to Magistrate Judge Joseph Spero
10 for appropriate hearing and resolution.

11 Furthermore, in light of the recent change to the Ninth
12 Circuit Judicial Council's policy regarding cameras in district
13 courts and the subsequent amendment of Civil LR 77-3 to conform
14 with Ninth Circuit policy, the court is considering seeking
15 approval from Chief Judge Kozinski to record or webcast the January
16 6 hearing. This request would be limited to the January 6 hearing
17 and would be without prejudice to a party's objections to recording
18 or webcasting the trial proceedings. Recording the January 6
19 hearing would allow the parties to view the resulting video and,
20 therefore, inform the parties' positions regarding any potential
21 webcast or broadcast of the trial proceedings. It would also, of
22 course, be helpful to the court in deciding whether to permit
23 recording or webcasting the trial proceedings. If any party
24 objects to this limited recording of the January 6 hearing, that
25 party should so inform the court not later than January 4, 2010.

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27 IT IS SO ORDERED.



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VAUGHN R WALKER
United States District Chief Judge

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