

Exhibit J

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

KRISTIN M. PERRY, et al.,)
 Plaintiffs,)
 and) No. 09-CV-2292 VRW
)
 CITY AND COUNTY OF SAN FRANCISCO,)
 Plaintiff-Intervenor)
 vs.)
 ARNOLD SCHWARZENEGGER, et al.)
 Defendants,)
 and)
 PROPOSITION 8 OFFICIAL PROPONENTS)
)
 DENNIS HOLLINGSWORTH, et al.)
 Defendant-Intervenors.)

Videotaped Deposition of

EDWARD DOLEJSI

Wednesday, December 16, 2009

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Reported by: CATHERINE D. LAPLANTE

CSR License No. 10140

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1 A. I don't recall the exact dates. My own recollection is
 2 that there was ProtectMarriage.com prior to California
 3 Renewal, et cetera, et cetera, et cetera.
 4 Q. Okay. Were you a member or were you on the Executive
 5 Committee of ProtectMarriage.com prior to the time it was
 6 ProtectMarriage.com, Yes on 8, a Project of California
 7 Renewal?
 8 A. No.
 9 Q. Maybe for simplicity sake in this deposition we can
 10 just refer to ProtectMarriage.com to mean
 11 ProtectMarriage.com, Yes on 8, a Project of California
 12 Renewal so we don't have to say the whole title each time;
 13 is that fair?
 14 A. That's fair as long as we distinguish between the
 15 latter description, which was a formal gathering of the
 16 committee. I mean, we gathered as the Protect Marriage
 17 Committee on Proposition 8. Prior to that time, there was a
 18 ProtectMarriage.com of which I was not a participant on the
 19 Executive Committee.
 20 Q. Okay. So I guess with --
 21 A. As long as we are referring to the organization called
 22 ProtectMarriage.com, as you've described it, subsequent to
 23 Proposition 8, I'm in agreement with describing it that way,
 24 ProtectMarriage.com.
 25 Q. Okay. Maybe let me ask you just a background question.

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1 Do you remember when you became -- when you joined the
 2 Executive Committee of this organization, when in time?
 3 A. Roughly, yes. May or June of 2008.
 4 Q. Okay.
 5 A. Yeah.
 6 Q. So at that point obviously Proposition 8 had been
 7 placed on the ballot if it qualified for the ballot?
 8 A. I think it was subsequent to its qualifying for the
 9 ballot. I think shortly before it qualified for the ballot
 10 because the indications were it was going to qualify, and I
 11 wanted to be a participant in the Executive Committee at
 12 that point.
 13 Q. Okay.
 14 A. I don't know the exact date.
 15 Q. That's fair. Best of your recollection is it was
 16 approximately the time it was qualified?
 17 A. Late spring of '08.
 18 Q. Okay. And obviously before it qualified for the
 19 ballot, it couldn't have been known as Yes on 8 because
 20 nobody knew it was named 8?
 21 A. Correct.
 22 Q. How did you become a member, or how did you become a
 23 participant in the Executive Committee of
 24 ProtectMarriage.com?
 25 A. What do you mean by how?

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1 Q. How did it come to be? Were you invited? Did you call
 2 somebody? How did you become a participant?
 3 A. I -- hard to recollect whether I was -- I was
 4 interested as the initiative moved towards qualification to
 5 be more directly involved in the ProtectMarriage.com effort.
 6 I think it was at my instigation to ask the others if I
 7 could attend their meetings at that point and be part of the
 8 Executive Committee.
 9 Q. Okay.
 10 A. I was aware of their ongoing meetings prior to that.
 11 Q. Okay. Now, in this litigation what we have learned,
 12 just to give you some background of what's been happening in
 13 our case, is that there are four members, four identified
 14 members of the Executive Committee and one unidentified
 15 member of the Executive Committee, if I'm remembering
 16 correctly. Yourself, Mr. Hollingsworth --
 17 Sorry. That's not correct.
 18 MS. MOSS: That's not correct.
 19 MR. DETTMER: I'm getting the proponents and the
 20 Executive Committee members --
 21 Q. Well, let me ask you this: What's your understanding
 22 of the -- of who was on the Executive Committee of
 23 ProtectMarriage.com during the time you were on it?
 24 MS. MOSS: And in answering that, I'm going to instruct
 25 you not to reveal the name of the anonymous Executive

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1 Committee member.
 2 THE WITNESS: Understood.
 3 It was Ron Prentice, Andy Pugno and Mark Jansson, and
 4 Andy Pugno was the General Counsel.
 5 Q. BY MR. DETTMER: Okay. And it was your understanding
 6 that he wasn't a part of the Executive Committee?
 7 A. Correct. He was our General Counsel.
 8 Q. And then -- an individual who hasn't been publicly
 9 identified, as far as you know?
 10 A. That's correct.
 11 Q. So four members plus Mr. Pugno as General Counsel?
 12 A. Correct.
 13 Q. Okay.
 14 A. Four participants.
 15 Q. Fair enough.
 16 A. Again, I don't think we deliberated membership
 17 criteria.
 18 Q. And I think you're also aware that there are official
 19 proponents of Proposition 8; is that correct?
 20 A. It is.
 21 Q. And who do you understand those people to be?
 22 A. I should probably know them all intimately. I don't.
 23 Q. Okay.
 24 A. Dennis Hollingsworth, a gentleman by the name of
 25 Mr. Tam. I can't remember whether -- I think Gayle Knight

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1 let's close the deposition for now. We'll see what happens
 2 with the 9th Circuit or any other rulings that occur, and we
 3 may or may not see you again at least before trial, so thank
 4 you.
 5 THE WITNESS: Thank you.
 6 MR. SWEENEY: Thank you again.
 7 MR. DETTMER: Any questions?
 8 MS. MOSS: I have no questions.
 9 MR. DETTMER: We're off the record.
 10 VIDEO OPERATOR: This ends tape three, Volume I, of the
 11 deposition of Edward Dolejsi. This also ends his deposition
 12 we are off the record at 3:19 p.m.
 13 THE REPORTER: Will you be ordering?
 14 MR. DETTMER: Yes.
 15 THE REPORTER: Mr. Sweeney, are you ordering a copy?
 16 MR. SWEENEY: I don't think so.
 17 THE REPORTER: Will you be ordering?
 18 MS. MOSS: Yes. Absolutely. I'd like a rough as soon
 19 as possible.
 20 Also, we just need the witness to have two weeks to
 21 read and sign so we can get the transcript and exhibits for
 22 trial. If we can get a rough draft as soon as possible and
 23 final on the 28th of December with exhibits scanned.
 24 The witness -- after we get the transcript on the 28th,
 25 he'll have two weeks to read and sign, and you can release

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1 the original for us to use in court.
 2 THE REPORTER: What will you be ordering?
 3 MS. MOSS: Rough and E-tran is fine. Well, go ahead
 4 and give me the hard copy. I'll have exhibits scanned and
 5 attached to the hard copy.
 6 THE REPORTER: Do you want exhibits scanned and sent to
 7 you?
 8 MR. DETTMER: I want a hard copy, hard copy exhibits.
 9 And E-tran of the transcript.
 10 (Today's proceedings concluded at 3:26 p.m.)
 11
 12
 13 _____
 14 Edward Dolejsi
 15
 16
 17 Subscribed and Sworn to before me this _____
 18 of _____, 200_____.
 19
 20
 21
 22 _____
 23 Notary Public
 24
 25 My Commission Expires:

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1 REPORTER'S CERTIFICATE
 2
 3 I, CATHERINE D. LAPLANTE, a Certified Shorthand
 4 Reporter for the State of California, do hereby certify:
 5 That I am a disinterested person herein; that the
 6 witness, EDWARD DOLEJSI, in the foregoing deposition, was by
 7 me duly sworn to testify the truth, the whole truth and
 8 nothing but the truth; that the deposition was reported in
 9 shorthand by me, CATHERINE D. LAPLANTE, a Certified
 10 Shorthand Reporter of the State of California, and
 11 thereafter transcribed into typewriting; that the foregoing
 12 is a true and correct record of the testimony given by the
 13 witness.
 14 IN WITNESS WHEREOF, I hereby certify this transcript at
 15 my office in the County of Placer, State of California, this
 16 23rd day of December, 2009.
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 20 CATHERINE D. LAPLANTE, CSR #10140
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