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12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION
 16

17 KRISTIN M. PERRY, et al.,) No. 3:09-cv-02292-VRW
 18 Plaintiffs,)
 19 and) **DECLARATION OF JAMES BOPP, JR.**
) **IN SUPPORT OF OBJECTOR DOUG**
 20 CITY AND COUNTY OF SAN FRANCISCO,) **SWARDSTROM'S ADMINISTRATIVE**
) **MOTION TO PERMIT OUT-OF-STATE**
 21 Plaintiff-Intervenor,) **COUNSEL TO APPEAR BY TELEPHONE**
) **AT HEARING ON PLAINTIFFS' MOTION**
 22 v.) **TO COMPEL**
) **[Civil L.R. 7-11]**
 23 ARNOLD SCHWARZENEGGER, et al.,)
 24 Defendants,)
 25 and)
 26 PROPOSITION 8 OFFICIAL PROPONENTS) Hearing Date: January 6, 2010
 DENNIS HOLLINGSWORTH, et al.,) Hearing Time: 10:00 a.m.
 27 Defendant-Intervenors.) Courtroom: 6 (17th Floor)
 28) Judge: Hon. Vaughn R. Walker

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1 I, James Bopp, Jr., declare as follows:

2 1. I make this declaration in support of Objector Doug Swardstrom’s Administrative
3 Motion to Permit Out-of-State Counsel to Appear by Telephone at Hearing on Plaintiffs’ Motion
4 to Compel, filed concurrently herewith. I make the statements of fact in this declaration of my
5 own personal knowledge. If called as a witness in this proceeding, I could and would competently
6 testify to the facts set forth herein.

7 2. I am Mr. Swardstrom’s principal counsel, and I desire to present argument on his
8 behalf at the hearing on Plaintiffs’ motion to compel Mr. Swardstrom’s compliance with a depo-
9 sition subpoena.

10 3. On Monday, January 4, 2010, the Court set that hearing for Wednesday, January 6,
11 2010, at 10:00 a.m. I learned of the newly set hearing date at approximately 7:00 p.m. Eastern
12 time on Monday the 4th.

13 4. Given such short notice, neither I nor any of my law firm colleagues was able to
14 make arrangements to travel to San Francisco from our offices in Terre Haute, Indiana to appear
15 in person at the hearing.

16 I declare under penalty of perjury under the laws of the United States of America that the
17 foregoing is true and correct. Executed on January 5, 2010.

18 /s/ James Bopp, Jr.
19 James Bopp, Jr.

20 (The filer of this document hereby attests that
21 concurrence in the filing of this document has
22 been obtained from the signatory above.)
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