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15 ATTORNEYS FOR DEFENDANT-INTERVENORS DENNIS HOLLINGSWORTH,
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 16 and PROTECTMARRIAGE.COM – YES ON 8, A
 PROJECT OF CALIFORNIA RENEWAL

17 * Admitted *pro hac vice*

18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**

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

22 Plaintiffs,

23 CITY AND COUNTY OF SAN FRANCISCO,

24 Plaintiff-Intervenor,

25 v.

26 ARNOLD SCHWARZENEGGER, in his official
 27 capacity as Governor of California; EDMUND G.
 28 BROWN, JR., in his official capacity as Attorney

CASE NO. 09-CV-2292 VRW

**DECLARATION OF PETER A
 PATTERSON IN SUPPORT OF
 DEFENDANT-INTERVENORS
 DENNIS HOLLINGSWORTH, GAIL
 J. KNIGHT, MARTIN F. GUTIERREZ,
 MARK A. JANSSON,
 AND PROTECTMARRIAGE.COM'S
 ADMINISTRATIVE MOTION FOR
 SEALING ORDER PURSUANT TO
 LOCAL RULES 7-11 AND 79-5**

1 General of California; MARK B. HORTON, in his
2 official capacity as Director of the California
3 Department of Public Health and State Registrar of
4 Vital Statistics; LINETTE SCOTT, in her official
5 capacity as Deputy Director of Health Information
6 & Strategic Planning for the California Department
7 of Public Health; PATRICK O'CONNELL, in his
8 official capacity as Clerk-Recorder for the County
9 of Alameda; and DEAN C. LOGAN, in his official
10 capacity as Registrar-Recorder/County Clerk for
11 the County of Los Angeles,

12 Defendants,

13 and

14 PROPOSITION 8 OFFICIAL PROPONENTS
15 DENNIS HOLLINGSWORTH, GAIL J.
16 KNIGHT, MARTIN F. GUTIERREZ, HAK-
17 SHING WILLIAM TAM, and MARK A.
18 JANSSON; and PROTECTMARRIAGE.COM –
19 YES ON 8, A PROJECT OF CALIFORNIA
20 RENEWAL,

21 Defendant-Intervenors.

22 Additional Counsel for Defendant-Intervenors

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* Admitted *pro hac vice*

1 I, Peter A. Patterson, declare as follows:

2 1. I am an attorney licensed to practice law in the State of Ohio and am admitted *pro hac vice*
3 in this case. I am an associate at the law firm of Cooper & Kirk, PLLC, counsel of record for
4 Defendant-Intervenors Dennis Hollingsworth, Gail Knight, Martin Gutierrez, Mark Jansson, and
5 ProtectMarriage.com (“Proponents”). I make this declaration in support of Defendant-Intervenors’
6 Administrative Motion for Sealing Order Pursuant to Local Rules 7-11 and 79-5.

7 2. On April 27, 2010, No on Proposition 8, Campaign for Marriage Equality, A Project of the
8 American Civil Liberties Union (“ACLU”) and Equality California produced documents to
9 Proponents pursuant to Magistrate Judge Spero’s Order of March 5, 2010. *See* Doc # 610.

10 3. Proponents have prepared a motion to supplement the record with exhibits consisting of
11 records produced by the ACLU and Equality California. It is Proponents’ understanding that the
12 ACLU and Equality California have designated the exhibits “Confidential” or “Highly Confidential
13 – Attorneys’ Eyes Only” under the protective order governing this case.

14 4. To date, Proponents have not received written permission from the ACLU or Equality
15 California granting permission to file the exhibits in the public record, nor has the Court entered an
16 order to that effect.

17 5. Proponents’ Motion to Supplement the Record consists chiefly of references to and
18 quotations from the exhibits designated for protection.

19 6. Proponents do not concede that the ACLU and Equality California have properly designated
20 exhibits as protected under the terms of the protective order. Proponents are in the midst of
21 reviewing the documents for the purpose of making that determination, as well as conferring with
22 the ACLU and Equality California regarding their designations.

23 7. Proponents have notified the ACLU and Equality California of their intention to file this
24 motion.

25 8. Proponents are today lodging with the Clerk a proposed order sealing the documents and the
26 documents themselves, along with a second copy of the documents for the Court’s chambers.
27 Proponents are also today serving these items on Plaintiffs and Plaintiff-Intervenor. Proponents will
28

1 serve any other party that represents that it desires service and that it will adhere to the provisions of
2 the protective order governing this case.

3 9. A stipulation could not be obtained in this matter because Civil Local Rule 79-5(a) prohibits
4 the sealing of documents or information by agreement of the parties, and therefore the parties are
5 unable to enter into such a stipulation.

6
7 I declare, under penalty of perjury under the laws of the United States, that these facts are true
8 and correct and that this Declaration is executed this 5th day of May, 2010, at Cincinnati, Ohio.

9
10 Dated: May 5, 2010

/s/Peter A. Patterson
Peter A. Patterson