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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 A  
 SEALING ORDER**

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 a Sealing Order.

7 2. On May 5, 2010, Proponents lodged under seal exhibits consisting of documents that No on  
8 Proposition 8, Campaign for Marriage Equality: A Project of the American Civil Liberties Union of  
9 Northern California (“ACLU”) and Equality California had designated “Confidential” or “Highly  
10 Confidential – Attorneys’ Eyes Only” under the terms of the protective order governing this case.

11 3. We have now reached agreements with the ACLU and Equality California that the exhibits  
12 we continue to offer may be placed on the public record in some form. The exhibits fall into two  
13 categories: those that may be placed on the public record without restriction (including seven whose  
14 substitutes may be placed on the public record without restriction) and those that may be placed on  
15 the public record in redacted form.

16 4. Attachment 2 to Proponents’ motion lists the exhibits that the ACLU and Equality California  
17 agree may be placed on the public record without restriction. Included in this category are substitute  
18 exhibits to replace the exhibits we have lodged as DIX3123, DIX3136, DIX3162, DIX3163,  
19 DIX3167, DIX3168, and DIX3185. The substitute exhibits are substantively equivalent to the  
20 exhibits they replace, and consist of documents that Equality California previously produced to us  
21 without confidentiality designations. We are lodging with the Court copies of all exhibits in this  
22 category.

23 5. Attachment 3 to Proponents’ motion lists exhibits that the ACLU and Equality California  
24 agree may be placed on the public record in redacted form. We are lodging with the Court sealed  
25 copies of those exhibits with the agreed-upon redactions highlighted as well as redacted versions of  
26 the exhibits that may be filed in the public record.

1           6. Also attached to our motion is an amended motion to supplement the evidentiary record that  
2 may be placed on the public record without restriction. For the convenience of the Court and the  
3 parties, we are including with our sealed submission a document tracking the changes we have made  
4 in our amended motion. We have lodged this document under seal because it contains information  
5 that remains subject to confidentiality designations.

6           7. We are serving copies of the materials we are lodging with the Court on Plaintiffs and  
7 Plaintiff-Intervenor. We will provide a copy of the sealed submission to any other party that  
8 represents that it desires a copy and that it will adhere to the provisions of the protective order  
9 governing this case, *see* Doc # 425, and we will provide a copies of public documents to any other  
10 party that represents that it desires them.

11           8. A stipulation could not be obtained because Civil Local Rule 79-5(a) prohibits the sealing of  
12 documents or information by agreement of the parties, and therefore the parties are unable to enter  
13 into such a stipulation.

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I declare, under penalty of perjury under the laws of the United States, that these facts are true and correct and that this Declaration is executed this 2nd day of June, 2010, at Cincinnati, Ohio.

Dated: June 2, 2010

  
Peter A. Patterson