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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4

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

7 Plaintiffs,

8 CITY AND COUNTY OF SAN FRANCISCO,

9 Plaintiff-Intervenor,

10 v

11 ARNOLD SCHWARZENEGGER, in his
12 official capacity as governor of
13 California; EDMUND G BROWN JR, in
14 his official capacity as attorney
15 general of California; MARK B
16 HORTON, in his official capacity
17 as director of the California
18 Department of Public Health and
19 state registrar of vital
20 statistics; LINETTE SCOTT, in her
21 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,

22 Defendants,

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

27 Defendant-Intervenors.
28 _____/

No C 09-2292 VRW
ORDER

1 On May 5, 2010, proponents moved to supplement the record
2 with documents produced by various No on 8 groups pursuant to the
3 court's March 5 (Doc #610) and March 22 (Doc #623) orders. Doc
4 #655. Proponents' motion was updated on June 2, 2010 to reflect
5 completed negotiations with the No on 8 groups surrounding the
6 confidentiality of certain exhibits. Doc #673. Proponents' motion
7 argues the relevance of each exhibit proponents seek to have
8 included in the record. See Doc #673-4.

9 Plaintiffs object that the exhibits proponents seek to
10 admit are "hearsay, irrelevant, and untimely." Doc #665 at 2.
11 Plaintiffs do not however object to the court taking judicial
12 notice of the exhibits. Id.

13 Because proponents seek to admit documents without a
14 sponsoring witness, and because plaintiffs do not object, the court
15 finds it appropriate to take judicial notice of the 129 exhibits
16 listed in Doc #673-1. The 129 exhibits will therefore be included
17 in the record as documents subject to judicial notice.

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20 IT IS SO ORDERED.

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23 VAUGHN R WALKER
24 United States District Chief Judge
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