

Exhibit B

Monagas, Enrique A.

From: Tamar Pachter [Tamar.Pachter@doj.ca.gov]
Sent: Monday, August 16, 2010 3:51 PM
To: Brian Washington; Claude Kolm; Judith Martinez; Manuel Martinez; Beko Richardson; Jeremy Goldman; Josh Schiller; Richard Bettan; Theodore Uno; Chuck Cooper; David Thompson; Howard Nielson; Jessie Panuccio; Nicole Moss; Pete Patterson; Judy Whitehurst; Daniel Powell; Gordon Burns; Terry L. Thompson; Tayrani, Amir C.; Dusseault, Christopher D.; Dettmer, Ethan D.; Monagas, Enrique A.; Janky, Mary; McGill, Matthew D.; Gold, Russell; Justice Lazarus, Rebecca; Malzahn, Scott; Piepmeier, Sarah E.; Boutrous Jr., Theodore J.; Kapur, Theane Evangelis; Olson, Theodore B.; A Knight; Kelcie M. Gosling; Kenneth C. Mennemeier; Landon Bailey; Andy Stroud; Catheryn Daly; Christine Van Aken; Danny Chou; Erin Bernstein; Mollie Lee; Ronald Flynn; Therese Stewart; Vince Chhabria; Brian Raum; J Campbell
Subject: Re: Perry v. Schwarzenegger: Stipulation

Enrique:

The AG will so stipulate.

Best,

Tamar

Tamar Pachter
Deputy Attorney General
Government Law Section
California Department of Justice
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Direct Dial: 415.703.5970

>>> "Monagas, Enrique A." <EMonagas@gibsondunn.com> 8/16/2010 2:59 PM >>>
Counsel,

As the prevailing party, Plaintiffs are entitled to seek attorney's fees and related expenses. Federal Rule of Civil Procedure 54(d)(2)(B)(i) provides that unless a court order provides otherwise, a motion for attorney's fees and related expenses must be "filed no later than 14 days after the entry of judgment." In light of Defendant-Intervenors' notice of appeal and related motion practice, Plaintiffs would like to enter into a stipulation with all parties extending the time by which a motion for attorney's fees must be filed to 30 days after all appeals become final.

Additionally, if the Court is reluctant to enter our stipulation, in the alternative we would like to stipulate to an extended briefing schedule: movant's motion would be due 45 days after the court rules on the fees/costs briefing issue; those seeking to oppose the motion for attorney's fees and costs would have 45 days after the motion is filed to do so; and movant would then have 30 days to reply to the opposition.

Given the 14-day filing deadline imposed by FRCP 54, we would like to get a stipulation on file tomorrow. Please confirm either today or tomorrow morning whether or not you would agree to a stipulation. If the parties agree, Plaintiffs will circulate a proposed stipulation and order. Please be advised that in the event we cannot reach an agreement among the parties, Plaintiffs may seek to extend time by motion practice. Thank you.

Enrique A. Monagas

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
555 Mission Street, San Francisco, CA 94105-2933
Tel +1 415.393.8353 • Fax +1 415.374.8403
EMonagas@gibsondunn.com • www.gibsondunn.com

=====
This message may contain confidential and privileged information. If it has
been sent to you in error, please reply to advise the sender of the error and
then immediately delete this message.
=====

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.