

Exhibit E

Monagas, Enrique A.

From: David Thompson [dthompson@cooperkirk.com]
Sent: Tuesday, August 17, 2010 7:43 AM
To: Monagas, Enrique A.; Bailey, Landon; Bernstein, Erin; Bettan, Richard; Boutrous Jr., Theodore J.; Burns, Gordon; Campbell, J; Chhabria, Vince; Chou, Danny; Chuck Cooper; Daly, Catheryn; Dettmer, Ethan D.; Dusseault, Christopher D.; Flynn, Ronald; Goldman, Jeremy; Gosling, Kelcie M.; Janky, Mary; Justice Lazarus, Rebecca; Kapur, Theane Evangelis; Knight, A; Kolm, Claude; Lee, Mollie; Malzahn, Scott; Martinez, Judith; Martinez, Manuel; McGill, Matthew D.; Mennemeier, Kenneth C.; Nicole Moss; Howard Nielson; Olson, Theodore B.; Pachter, Tamar; Jesse Panuccio; Pete Patterson; Piepmeier, Sarah E.; Raum, Brian; Richardson, Beko; Schiller, Josh; Stewart, Therese; Stroud, Andy; Tayrani, Amir C.; Uno, Theodore; Van Aken, Christine; Washington, Brian; Whitehurst, Judy; Gold, Russell; Terry L. Thompson; Daniel Powell
Subject: RE: Perry v. Schwarzenegger: Stipulation

Dear Mr. Monagas,

The proponents do not agree to the stipulation outlined below, nor do we agree to an extension of time for the filing of a motion for attorneys' fees.

David Thompson

From: Monagas, Enrique A. [EMonagas@gibsondunn.com]
Sent: Monday, August 16, 2010 5:59 PM
To: Bailey, Landon; Bernstein, Erin; Bettan, Richard; Boutrous Jr., Theodore J.; Burns, Gordon; Campbell, J; Chhabria, Vince; Chou, Danny; Chuck Cooper; Daly, Catheryn; Dettmer, Ethan D.; Dusseault, Christopher D.; Flynn, Ronald; Goldman, Jeremy; Gosling, Kelcie M.; Janky, Mary; Justice Lazarus, Rebecca; Kapur, Theane Evangelis; Knight, A; Kolm, Claude; Lee, Mollie; Malzahn, Scott; Martinez, Judith; Martinez, Manuel; McGill, Matthew D.; Mennemeier, Kenneth C.; Monagas, Enrique A.; Nicole Moss; Howard Nielson; Olson, Theodore B.; Pachter, Tamar; Jesse Panuccio; Pete Patterson; Piepmeier, Sarah E.; Raum, Brian; Richardson, Beko; Schiller, Josh; Stewart, Therese; Stroud, Andy; Tayrani, Amir C.; David Thompson; Uno, Theodore; Van Aken, Christine; Washington, Brian; Whitehurst, Judy; Gold, Russell; Terry L. Thompson; Daniel Powell
Subject: Perry v. Schwarzenegger: Stipulation

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

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been sent to you in error, please reply to advise the sender of the error and
then immediately delete this message.
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