

1 GIBSON, DUNN & CRUTCHER LLP  
Theodore B. Olson, SBN 38137  
2 *tolson@gibsondunn.com*  
Matthew D. McGill, *pro hac vice*  
3 1050 Connecticut Avenue, N.W., Washington, D.C. 20036  
Telephone: (202) 955-8668, Facsimile: (202) 467-0539

4 Theodore J. Boutrous, Jr., SBN 132009  
*tboutrous@gibsondunn.com*  
5 Christopher D. Dusseault, SBN 177557  
Ethan D. Dettmer, SBN 196046  
6 333 S. Grand Avenue, Los Angeles, California 90071  
Telephone: (213) 229-7804, Facsimile: (213) 229-7520

7 BOIES, SCHILLER & FLEXNER LLP  
David Boies, *pro hac vice*  
8 *dboies@bsflp.com*  
333 Main Street, Armonk, New York 10504  
9 Telephone: (914) 749-8200, Facsimile: (914) 749-8300

Jeremy M. Goldman, SBN 218888  
10 *jgoldman@bsflp.com*  
1999 Harrison Street, Suite 900, Oakland, California 94612  
11 Telephone: (510) 874-1000, Facsimile: (510) 874-1460

Attorneys for Plaintiffs  
12 KRISTIN M. PERRY, SANDRA B. STIER,  
PAUL T. KATAMI, and JEFFREY J. ZARRILLO

13 Dennis J. Herrera, SBN 139669  
14 Therese M. Stewart, SBN 104930  
Danny Chou, SBN 180240

15 One Dr. Carlton B. Goodlett Place  
San Francisco, California 94102-4682  
16 Telephone: (415) 554-4708, Facsimile (415) 554-4699

Attorneys for Plaintiff-Intervenor  
17 CITY AND COUNTY OF SAN FRANCISCO

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

20 KRISTIN M. PERRY, *et al.*,  
21 Plaintiffs,  
22 and  
23 CITY AND COUNTY OF SAN FRANCISCO,  
Plaintiff-Intervenor,  
24 v.  
25 ARNOLD SCHWARZENEGGER, *et al.*,  
26 Defendants,  
27 and  
28 PROPOSITION 8 OFFICIAL PROPONENTS  
DENNIS HOLLINGSWORTH, *et al.*,  
Defendant-Intervenors.

CASE NO. 09-CV-2292 VRW

**DECLARATION OF ENRIQUE A.  
MONAGAS IN SUPPORT OF  
PLAINTIFFS' AND PLAINTIFF-  
INTERVENOR'S MOTION TO  
ENLARGE TIME TO FILE A  
BILL OF COSTS**

1 I, Enrique A. Monagas, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and in the United States  
3 District Court for the Northern District of California. I am an associate at the law firm of Gibson,  
4 Dunn & Crutcher LLP, counsel of record for Plaintiffs Kristin M. Perry, Sandra B. Stier, Paul T.  
5 Katami, and Jeffrey J. Zarrillo (“Plaintiffs”). I make this declaration in support of Plaintiffs’ and  
6 Plaintiff-Intervenor’s motion to enlarge time. I have personal knowledge of the facts set forth herein,  
7 and if called as a witness, I could and would competently testify hereto.

8 2. This Court entered its findings of fact and conclusions of law on August 4, Doc #708, and  
9 entered a permanent injunction on August 12, Doc #728. Since that time, the parties have been  
10 expeditiously briefing Defendant-Intervenors’ motion to stay this Court’s decision pending appeal.

11 3. Civil Local Rule 54-1 provides prevailing parties with 14 days after the entry of judgment  
12 in which to file a bill of costs. In a case such as this one, however, where the parties took numerous  
13 depositions and called witnesses for multiple weeks of trial, the preparation of a bill of costs—and  
14 any opposition thereto—is likely to be unusually time-consuming.

15 4. On August 16, 2010, the United States Court of Appeals for the Ninth Circuit ordered that  
16 Proponents’ appeal from this Court’s decision be expedited pursuant to Federal Rule of Appellate  
17 Procedure 2 and entered the following briefing schedule: the opening brief is due September 17,  
18 2010; the answering brief is due October 18, 2010; and the reply brief is due November 1, 2010.  
19 Under the current schedule, any bill of costs must be prepared and submitted at the same time that the  
20 expedited appeal on the merits is proceeding.

21 5. Enlarging the time to file a bill of costs would enable the parties to commit their full  
22 litigation resources to the appeal at this time. In short, enlarging the time to file a bill of costs will  
23 not prejudice any party and will indeed avoid unnecessary burden to the parties and the Court while  
24 the parties address the appeal on the merits and will promote judicial economy. Should the Court be  
25 inclined to grant the motion to enlarge time with respect to a motion for attorney’s fees, granting the  
26 enlargement of time as to a bill of costs would promote judicial economy as it would allow the Court  
27 to consider these similar issues concurrently.

