

1 COOPER AND KIRK, PLLC
 Charles J. Cooper (DC Bar No. 248070)*
 2 *ccooper@cooperkirk.com*
 David H. Thompson (DC Bar No. 450503)*
 3 *dthompson@cooperkirk.com*
 Howard C. Nielson, Jr. (DC Bar No. 473018)*
 4 *hnielson@cooperkirk.com*
 Nicole J. Moss (DC Bar No. 472424)*
 5 *nmoss@cooperkirk.com*
 Jesse Panuccio (DC Bar No. 981634)*
 6 *jpanuccio@cooperkirk.com*
 Peter A. Patterson (OH Bar No. 0080840)*
 7 *ppatterson@cooperkirk.com*
 1523 New Hampshire Ave. N.W., Washington, D.C. 20036
 8 Telephone: (202) 220-9600, Facsimile: (202) 220-9601

9 LAW OFFICES OF ANDREW P. PUGNO
 Andrew P. Pugno (CA Bar No. 206587)
 10 *andrew@pugnotlaw.com*
 101 Parkshore Drive, Suite 100, Folsom, California 95630
 11 Telephone: (916) 608-3065, Facsimile: (916) 608-3066

12 ALLIANCE DEFENSE FUND
 Brian W. Raum (NY Bar No. 2856102)*
 13 *braum@telladf.org*
 James A. Campbell (OH Bar No. 0081501)*
 14 *jcampbell@telladf.org*
 15100 North 90th Street, Scottsdale, Arizona 85260
 15 Telephone: (480) 444-0020, Facsimile: (480) 444-0028

16 ATTORNEYS FOR DEFENDANT-INTERVENORS DENNIS HOLLINGSWORTH,
 GAIL J. KNIGHT, MARTIN F. GUTIERREZ, HAK-SHING WILLIAM TAM,
 17 MARK A. JANSSON, and PROTECTMARRIAGE.COM – YES ON 8, A
 PROJECT OF CALIFORNIA RENEWAL

18 * Admitted *pro hac vice*

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

21 KRISTIN M. PERRY, SANDRA B. STIER, PAUL
 22 T. KATAMI, and JEFFREY J. ZARRILLO,

23 Plaintiffs,

24 v.

25 ARNOLD SCHWARZENEGGER, in his official
 capacity as Governor of California; EDMUND G.
 26 BROWN, JR., in his official capacity as Attorney
 General of California; MARK B. HORTON, in his
 27 official capacity as Director of the California

CASE NO. 09-CV-2292 VRW

**DECLARATION OF JESSE
 PANUCCIO IN SUPPORT OF
 DEFENDANT-INTERVENORS'
 MOTION FOR A STAY PENDING
 APPEAL AND/OR PETITION FOR
 WRIT OF MANDAMUS**

Date: January 7, 2010

Time: 10:00 a.m.

Judge: Chief Judge Vaughn R. Walker

Location: Courtroom 6, 17th Floor

1 Department of Public Health and State Registrar of
2 Vital Statistics; LINETTE SCOTT, in her official
3 capacity as Deputy Director of Health Information
4 & Strategic Planning for the California Department
5 of Public Health; PATRICK O'CONNELL, in his
6 official capacity as Clerk-Recorder for the County
7 of Alameda; and DEAN C. LOGAN, in his official
8 capacity as Registrar-Recorder/County Clerk for
9 the County of Los Angeles,

10
11 Defendants,

12 and

13 PROPOSITION 8 OFFICIAL PROPONENTS
14 DENNIS HOLLINGSWORTH, GAIL J.
15 KNIGHT, MARTIN F. GUTIERREZ, HAK-
16 SHING WILLIAM TAM, and MARK A.
17 JANSSON; and PROTECTMARRIAGE.COM –
18 YES ON 8, A PROJECT OF CALIFORNIA
19 RENEWAL,

20 Defendant-Intervenors.

21
22 Additional Counsel for Defendant-Intervenors

23 ALLIANCE DEFENSE FUND

24 Timothy Chandler (CA Bar No. 234325)

25 *tchandler@telladf.org*

26 101 Parkshore Drive, Suite 100, Folsom, California 95630

27 Telephone: (916) 932-2850, Facsimile: (916) 932-2851

28 Jordan W. Lorence (DC Bar No. 385022)*

jlorenc@telladf.org

Austin R. Nimocks (TX Bar No. 24002695)*

animocks@telladf.org

801 G Street NW, Suite 509, Washington, D.C. 20001

Telephone: (202) 393-8690, Facsimile: (202) 347-3622

* Admitted *pro hac vice*

1 I, Jesse Panuccio, attorney for Defendant-Intervenors Proposition 8 Proponents Dennis
2 Hollingsworth, Gail J. Knight, Martin F. Gutierrez, Hak-Shing William Tam, Mark A. Jansson, and
3 Proposition 8 Campaign Committee ProtectMarriage.com – Yes on 8, a Project of California
4 Renewal, have personal knowledge of the facts in this declaration, and if called as a witness, I could
5 and would competently testify to these facts under oath:

6 1. Attached hereto as Exhibit A is a true and correct copy of a letter from Plaintiffs'
7 counsel propounding Plaintiffs' revised Document Request # 8.

8
9 Executed on October 8, 2009 at Washington, D.C.

10
11
12 
13 _____
14 Jesse Panuccio

Exhibit A

GIBSON, DUNN & CRUTCHER LLP

LAWYERS

A REGISTERED LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

555 Mission Street, Suite 3000 San Francisco, California 94105-2933

(415) 393-8200

www.gibsondunn.com

EDettmer@gibsondunn.com

October 5, 2009

Direct Dial
(415) 393-8292

Fax No.
(415) 374-8444

Client No.
T 36330-00001

VIA ELECTRONIC MAIL

Nicole Jo Moss, Esq.
Cooper & Kirk, PLLC
1523 New Hampshire Ave., N.W.
Washington, D.C. 20036

Re: *Perry, et al. v. Schwarzenegger, et al.*,
N.D. Cal. No. C-09-2292 VRW

Dear Nicole:

Pursuant to the Court's Order of October 1, 2009 (see Dkt. #214 at pp. 16-17), I have set forth below Plaintiffs' revised request for production number 8. I am generally available this week to discuss with you any objections and the scope of your production in response to this revised request. As I mentioned on our phone call last week, I would like to follow up with you regarding Defendant-Intervenors' supplemental production in light of the Court's October 1 Order. Please let me know at your earliest convenience when you can discuss these matters.

Revised Request No. 8

The following request is limited to those who (1) had any role in managing or directing ProtectMarriage.com or the Yes on 8 campaign, or (2) provided advice, counseling, information, or services with respect to efforts to encourage persons to vote for Prop. 8 or otherwise to educate persons about Prop. 8, including its meaning, intent, effects if enacted, or effects if rejected; including communications among and between any two or more of the following persons or entities: Defendant-Intervenors, members of the Ad Hoc Committee described at the September 25, 2009 hearing in this matter, Frank Schubert, Jeff Flint, Sonia Eddings Brown, Andrew Pugno, Chip White, Ron Prentice, Cheri Spriggs Hernandez, Rick Ahern, Laura Saucedo Cunningham, Schubert Flint Public Affairs, Lawrence Research, Bader & Associates, Bieber Communications, Candidates Outdoor Graphic Service Inc., Cardinal Communication

GIBSON, DUNN & CRUTCHER LLP

Nicole Jo Moss, Esq.

October 5, 2009

Page 2

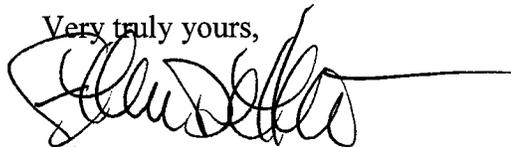
Strategies, Church Communication Network Inc., The Monaco Group, Connell Donatelli, Message Impact Consulting, K Street Communications, Marketing Communications Services, Sterling Corp., and JRM Enterprises.

Please produce all versions of any documents within your possession, custody or control that constitute analyses of, or communications related to, one or both of the following topics: (1) campaign strategy in connection with Prop. 8; and (2) messages to be conveyed to voters regarding Prop. 8, without regard to whether the voters or voter groups were viewed as likely supporters or opponents or undecided about Prop. 8 and without regard to whether the messages were actually disseminated or merely contemplated.

* * * * *

I look forward to talking with you soon.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ethan D. Dettmer', with a long horizontal line extending to the right.

Ethan D. Dettmer

cc: All Counsel

100740108_1.DOC