

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Kristin M. Perry, et al.,

NO. C 09-02292 JW

Plaintiffs,

**ORDER SETTING HEARING ON
MOTION**

v.

Arnold Schwarzenegger, et al.,

Defendants.

On April 27, 2011, the Ninth Circuit transferred Appellants' (Intervenor-Defendants) Motion for Order Compelling Return of Trial Recordings and Plaintiffs' Opposition and Cross-Motion to this Court. (See Docket Item Nos. 770, 771.) Upon review, the Court finds good cause to set a hearing on Intervenor-Defendants' Motion that coincides with the hearing on the Motion to Vacate Judgment. However, the Court finds good cause to bifurcate Plaintiffs' Cross-Motion to lift the protective order until it has the opportunity to resolve the underlying Motion. The Court will set a hearing on Plaintiffs' Cross-Motion in its Order addressing Intervenor-Defendants' Motion.


Accordingly, the Court sets **June 13, 2011 at 9 a.m.** for a hearing on Intervenor-Defendants' Motion. Although it appears that the Motion has been fully briefed at the circuit level,¹ the Court invites anyone who wishes to file further responses to the Motion to do so in compliance with the following briefing schedule:

- (1) On or before **May 13, 2011**, any party desiring to do so shall file their Opposition;
- (2) On or before **May 23, 2011**, any party desiring to do so shall file their Reply.

¹ On or before **May 9, 2011**, each party shall lodge with the Court two chambers' copies of their briefs and all supporting papers as filed with the Ninth Circuit.

1 All participants in the trial, including the presiding judge (now retired), who are in
2 possession of a recording of the trial proceedings, are ordered to appear at the hearing on **June 13,**
3 **2011**, to show cause as to why the recordings should not be returned to the Court's possession.

4
5 Dated: April 28, 2011



JAMES WARE
United States District Chief Judge

United States District Court

For the Northern District of California

1 THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

2 Retired Chief Judge Vaughn Walker, *email redacted*
 Alan Lawrence Schlosser aschlosser@aclunc.org
 3 Amir Cameron Tayrani ATayrani@gibsondunn.com
 Andrew Perry Pugno andrew@pugnolaw.com
 4 Andrew Walter Stroud stroud@mgsllaw.com
 Angela Christine Thompson angelathompstonesq@gmail.com
 5 Austin R. Nimocks animocks@telladf.org
 Brian Ricardo Chavez-Ochoa chavezochoa@yahoo.com
 6 Brian W Raum braum@telladf.org
 Charles J. Cooper ccooper@cooperkirk.com
 7 Charles Salvatore LiMandri cslimandri@limandri.com
 Christine Van Aken christine.van.aken@sfgov.org
 8 Christopher Dean Dusseault cdusseault@gibsondunn.com
 Christopher Francis Stoll cstoll@nclrights.org
 9 Christopher James Schweickert cjs@wcjuris.com
 Claude Franklin Kolm claud.kolm@acgov.org
 10 Daniel J. Powell Daniel.Powell@doj.ca.gov
 Danny Yeh Chou danny.chou@sfgov.org
 11 David Boies dboies@bsflp.com
 David E. Bunim DBunim@haasnaja.com
 12 David H. Thompson dthompson@cooperkirk.com
 David L. Llewellyn DLlewellyn@LS4law.com
 13 Diana E Richmond drichmond@sideman.com
 Elizabeth O. Gill egill@aclunc.org
 14 Enrique Antonio Monagas emonagas@gibsondunn.com
 Eric Grant grant@hicks-thomas.com
 15 Eric Alan Isaacson erici@rgrdlaw.com
 Erin Brianna Bernstein Erin.Bernstein@sfgov.org
 16 Ethan D. Dettmer edettmer@gibsondunn.com
 Gordon Bruce Burns Gordon.Burns@doj.ca.gov
 17 Herma Hill Kay hkay@law.berkeley.edu
 Holly L Carmichael holly.l.carmichael@gmail.com
 18 Howard C. Nielson hnielson@cooperkirk.com
 Ilona Margaret Turner iturner@nclrights.org
 19 James Bopp jboppjr@bopplaw.com
 James A Campbell jcampbell@telladf.org
 20 James C. Harrison jharrison@rjp.com
 James Dixon Esseks jesseks@aclu.org
 21 James J. Brosnahan jbroshahan@mofo.com
 Jennifer Carol Pizer jpizer@lambdalegal.org
 22 Jennifer Lynn Monk jmonk@faith-freedom.com
 Jeremy Michael Goldman jgoldman@bsflp.com
 23 Jerome Cary Roth Jerome.Roth@mto.com
 Jesse Michael Panuccio jpanuccio@cooperkirk.com
 24 John Douglas Freed jfreed@cov.com
 Jon Warren Davidson jdavidson@lambdalegal.org
 25 Jordan W. Lorence jlorence@telladf.org
 Jose Hector Moreno jhmoreno@jhmlaw.com
 26 Josh Schiller jischiller@bsflp.com
 Judy Whitehurst JWhitehurst@counsel.lacounty.gov
 27 Kari Lynn Krogseng krogseng@rjp.com

United States District Court

For the Northern District of California

1 Kelly Wayne Kay oakkelly@yahoo.com
 Kenneth C. Mennemeier kcm@mgsllaw.com
 2 Kevin Trent Snider kevinsnider@pacificjustice.org
 Lauren Estelle Whittemore lwhittemore@fenwick.com
 3 Leslie A Kramer lkramer@fenwick.com
 Louis P. Feuchtbaum lfeuchtbaum@sideman.com
 4 Manuel Francisco Martinez manuel.martinez@acgov.org
 Mark Russell Conrad Mark.Conrad@mto.com
 5 Mary Elizabeth McAlister court@lc.org
 Matthew Albert Coles mcoles@aclu.org
 6 Matthew Dempsey McGill mmcgrill@gibsondunn.com
 Michael Wolf mwolf@nethere.com
 7 Michael James McDermott mjmlusa@aol.com
 Michael Stuart Wald mwald@stanford.edu
 8 Patrick John Gorman pgorman@wctlaw.com
 Peter Obstler peter.obstler@bingham.com
 9 Peter A. Patterson ppatterson@cooperkirk.com
 Richard J. Bettan rbettan@bsflp.com
 10 Robert Henry Tyler rtyler@faith-freedom.com
 Ronald P. Flynn ronald.flynn@sfgov.org
 11 Rosanne C. Baxter rbaxter@bsflp.com
 Sarah Elizabeth Piepmeier spiepmeier@gibsondunn.com
 12 Shannon Minter sminter@nclrights.org
 Stephen V. Bomse sbomse@orrick.com
 13 Steven Edward Mitchel mitchelsteve@yahoo.com
 Susan Marie Popik spopik@chapop.com
 14 Tamar Pachter Tamar.Pachter@doj.ca.gov
 Tara Lynn Borelli tborelli@lambdalegal.org
 15 Terry Lee Thompson tl_thompson@earthlink.net
 Theane Evangelis Kapur tkapur@gibsondunn.com
 16 Theodore B Olson toolson@gibsondunn.com
 Theodore Hideyuki Uno tuno@bsflp.com
 17 Theodore J. Boutrous tboutrous@gibsondunn.com
 Thomas R. Burke thomasburke@dwt.com
 18 Timothy D Chandler tchandler@telladf.org

19 **Dated: April 28, 2011**

Richard W. Wieking, Clerk

20
 21 **By: /s/ JW Chambers**
 22 **Sue Imbriani**
 23 **Courtroom Deputy**
 24
 25
 26
 27
 28