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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

No C 09-2292 VRW
ORDER

Plaintiffs,

v

ARNORLD SCHWARZENEGGER, in his
official capacity as governor of
California; EDMUND G BROWN JR, in
his official capacity as attorney
general of California; MARK B
HORTON, in his official capacity
as director of the California
Department of Public Health and
state registrar of vital
statistics; LINETTE SCOTT, in her
official capacity as deputy
director of health information &
strategic planning for the
California Department of Public
Health; PATRICK O'CONNELL, in his
official capacity as clerk-
recorder of the County of
Alameda; and DEAN C LOGAN, in his
official capacity as registrar-
recorder/county clerk for the
County of Los Angeles,

Defendants

DENNIS HOLLINGSWORTH, GAIL J
KNIGHT, MARTIN F GUTIERREZ,
HAKSHING WILLIAM TAM and MARK A
JANSSON, as official proponents
of Proposition 8,

Defendant-Intervenors

1 The court has received and read the parties' case
2 management statements. Doc ##126, 127, 132, 134, 139. Despite the
3 court's direction to do so, these statements fail "to get down to
4 the specifics of how we are going to proceed" in this case. Doc
5 #78 at 34. See FRCP 16(c)(2).

6 Now, therefore, the court orders all parties, including
7 all government defendants, not later than August 17, 2009 at noon
8 PDT, to serve and file a joint or separate case management
9 statement that states:

- 10 (1) The specific elements of the claims plaintiffs assert and
11 the defenses, if any, defendants and intervenors contend
12 apply;
- 13 (2) Admissions and stipulations that the parties are prepared
14 to enter with respect to the foregoing elements and
15 applicable defenses at issue;
- 16 (3) Discovery that the parties seek that may lead to the
17 discovery of admissible evidence with reference to:
- 18 (a) Level of scrutiny relevant to plaintiffs' claims;
- 19 (b) The campaign by which Proposition 8 was adopted;
- 20 (c) Character of the rights plaintiffs contend are
21 infringed or violated;
- 22 (d) Effect of Proposition 8 upon plaintiffs and
23 similarly situated individuals;
- 24 (e) Effect of Proposition 8 on opposite-sex couples and
25 others not in same-sex relationships in California;
- 26 and
- 27 (f) Other issues pertinent to the parties' claims or
28 defenses;

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In describing intended discovery, the parties should be as specific as possible; thus, the parties should identify by name and position individuals or entities that may provide evidence by testimony or otherwise, and, if not at this point possible to identify individuals or entities, describe the type of individual or entity from which discovery is sought; and

- (4) Subject matter (by discipline or expertise) of the opinion/expert evidence that the parties intend to present.

IT IS SO ORDERED.



VAUGHN R WALKER
United States District Chief Judge