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# SUPREME COURT COPY

February 23, 2011

**VIA OVERNIGHT DELIVERY**

The Honorable Tani Cantil-Sakauye,  
Chief Justice of California,  
and Associate Justices  
The Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102

**RECEIVED**

**FEB 24 2011**

**CLERK SUPREME COURT**

Re: *Perry v. Schwarzenegger (Hollingsworth)*, No. S189476

Dear Chief Justice Cantil-Sakauye and Associate Justices:

The City and County of San Francisco appreciates this Court's effort to accelerate resolution of this case and supports further expedited treatment. Proposition 8 wrote into the California Constitution a limitation on the right to marry that this Court has previously held "works a real and appreciable harm upon same-sex couples and their children." (*In re Marriage Cases* (2008) 43 Cal.4th 757, 855.<sup>1</sup>) Because of the importance of the right at stake and the irreparable, ongoing harms that Proposition 8 has been held to inflict on lesbians and gay men and their families, we respectfully submit that every effort to speed adjudication of this case is warranted.

Very truly yours,

DENNIS J. HERRERA  
City Attorney

*Therese M. Stewart*  
THERESE M. STEWART  
Chief Deputy City Attorney

<sup>1</sup> Superseded by initiative on other grounds as recognized in *Strauss v. Horton* (2009) 46 Cal.4th 364.

## PROOF OF SERVICE

I, Catheryn M. Daly, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza Building, 1390 Market Street, Seventh Floor, San Francisco, CA 94102. The electronic notification address from which I served the documents is: *catheryn.daly@sfgov.org*.

On February 23, 2011, I served the following document(s):

### Letter to Supreme Court

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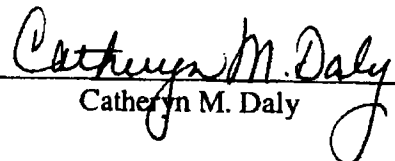
Clerk of the Court  
United States Court of Appeals for the Ninth  
Circuit  
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95 7<sup>th</sup> Street  
San Francisco, CA 94103

in the manner indicated below:

- BY UNITED STATES MAIL:** Following ordinary business practices, I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's Office for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited, postage prepaid, with the United States Postal Service that same day.
- BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed: *jpanuccio@cooperkirk.com, dthompson@cooperkirk.com, jcampbell@telladf.org, ccooper@cooperkirk.com, nmoss@cooperkirk.com, ppatterson@cooperkirk.com, andrew@pugnolaw.com, braum@telladf.org, tl\_thompson@earthlink.net, dboies@bsflp.com, tolson@gibsondunn.com, rbaxter@bsflp.com, tboutrous@gibsondunn.com, EDettmer@gibsondunn.com, cdusseault@gibsondunn.com, jgoldman@bsflp.com, tkapur@gibsondunn.com, MMcGill@gibsondunn.com, emonagas@gibsondunn.com, splepmeier@gibsondunn.com, atayrani@gibsondunn.com, tuno@bsflp.com, jschiller@bsflp.com, rbettan@bsflp.com, Tamar.Pachter@doj.ca.gov, stroud@mgslaw.com, daniel.powell@doj.ca.gov, kcm@mgslaw.com, claude.kolm@acgov.org, jwhitehurst@counsel.lacounty.gov.*

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed February 23, 2011, at San Francisco, California.

  
Catherine M. Daly