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9

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

12
13 **KRISTIN M. PERRY, et al.,**

14 Plaintiffs,

15 v.

16 **ARNOLD SCHWARZENEGGER, et al.,**

17 Defendants.
18

Case No. 09-cv-02292-VRW

**ATTORNEY GENERAL'S RESPONSES
TO PLAINTIFF INTERVENOR CITY
AND COUNTY OF SAN FRANCISCO'S
FIRST SET OF REQUESTS FOR
ADMISSIONS**

Trial Date January 11, 2010
Action Filed: May 27, 2009

19 PROPOUNDING PARTY: Plaintiff-Intervenor City and County of San Francisco

20 RESPONDING PARTY: Defendant EDMUND G. BROWN JR. in his official capacity
21 as Attorney General of California

22 SET NUMBER: One (1)

23 Attorney General Edmund G. Brown Jr. responds as f
24 Federal Rules of Civil Procedure.

25 **REQUEST FOR ADMISSION NO. 1**

26 Admit that the document, a copy of which is attached

27 ///

28 1

AG Respons

Perry v. Schwarzenegger (Case no. 09-cv-02292-VRW)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF
CALIFORNIA

Case number: 3:09-cv-02292-VRW

PLTF EXHIBIT NO. PX0711

Date admitted: _____

By: _____

1 EDMUND G. BROWN JR.
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2 JONATHAN K. RENNER
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8 *Attorneys for Defendant*
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19 PROPOUNDING PARTY: Plaintiff-Intervenor City and County of San Francisco

20 RESPONDING PARTY: Defendant EDMUND G. BROWN JR. in his official capacity
21 as Attorney General of California

22 SET NUMBER: One (1)

23 Attorney General Edmund G. Brown Jr. responds as follows, pursuant to Rule 36 of the
24 Federal Rules of Civil Procedure.

25 **REQUEST FOR ADMISSION NO. 1**

26 Admit that the document, a copy of which is attached hereto as Exhibit A, is genuine.

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1 **RESPONSE TO REQUEST FOR ADMISSION NO. 1**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 2**

4 Admit that the document, a copy of which is attached hereto as Exhibit A, reports official
5 statistics maintained by the California Department of Justice concerning hate crimes in California
6 in 2004.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 2**

8 Admit.

9 **REQUEST FOR ADMISSION NO. 3**

10 In 2004, according to official statistics maintained and reported by the California
11 Department of Justice, 263 Sexual Orientation Hate Crime Events occurred in California.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 3**

13 Admit.

14 **REQUEST FOR ADMISSION NO. 4**

15 In 2004, according to official statistics maintained and reported by the California
16 Department of Justice, Sexual Orientation Hate Crime Events comprised 18.7% of all hate crime
17 events in California.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 4**

19 Admit.

20 **REQUEST FOR ADMISSION NO. 5**

21 In 2004, according to official statistics maintained and reported by the California
22 Department of Justice, Gender Hate Crime Events comprised 1.1% of all hate crime events in
23 California.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 5**

25 Admit.

26 **REQUEST FOR ADMISSION NO. 6**

27 Admit that the document, a copy of which is attached hereto as Exhibit B, is genuine.

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1 **RESPONSE TO REQUEST FOR ADMISSION NO. 6**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 7**

4 Admit that the document, a copy of which is attached hereto as Exhibit B, reports the
5 official statistics maintained by the California Department of Justice concerning hate crimes in
6 California in 2005.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 7**

8 Admit.

9 **REQUEST FOR ADMISSION NO. 8**

10 In 2005, according to official statistics maintained and reported by the California
11 Department of Justice, 255 Sexual Orientation Hate Crime Events occurred in California.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 8**

13 Admit.

14 **REQUEST FOR ADMISSION NO. 9**

15 In 2005, according to official statistics maintained and reported by the California
16 Department of Justice, Sexual Orientation Hate Crime Events comprised 18.3% of all hate crime
17 events in California.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 9**

19 Admit.

20 **REQUEST FOR ADMISSION NO. 10**

21 In 2005, according to official statistics maintained and reported by the California
22 Department of Justice, Gender Hate Crime Events comprised 1.3% of all hate crime events in
23 California.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 10**

25 Admit.

26 **REQUEST FOR ADMISSION NO. 11**

27 Admit that the document, a copy of which is attached hereto as Exhibit C, is genuine.
28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 11**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 12**

4 Admit that the document, a copy of which is attached hereto as Exhibit C, reports the
5 official statistics maintained by the California Department of Justice concerning hate crimes in
6 California in 2006.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 12**

8 Admit.

9 **REQUEST FOR ADMISSION NO. 13**

10 In 2006, according to official statistics maintained and reported by the California
11 Department of Justice, 246 Sexual Orientation Hate Crime Events occurred in California.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 13**

13 Admit.

14 **REQUEST FOR ADMISSION NO. 14**

15 In 2006, according to official statistics maintained and reported by the California
16 Department of Justice, Sexual Orientation Hate Crime Events comprised 18.8% of all hate crime
17 events in California.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 14**

19 Admit.

20 **REQUEST FOR ADMISSION NO. 15**

21 In 2006, according to official statistics maintained and reported by the California
22 Department of Justice, Gender Hate Crime Events comprised 0.6% of all hate crime events in
23 California.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 15**

25 Admit.

26 **REQUEST FOR ADMISSION NO. 16**

27 Admit that the document, a copy of which is attached hereto as Exhibit D, is genuine.
28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 16**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 17**

4 Admit that the document, a copy of which is attached hereto as Exhibit D, reports the
5 official statistics maintained by the California Department of Justice concerning hate crimes in
6 California in 2007.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 17**

8 Admit.

9 **REQUEST FOR ADMISSION NO. 18**

10 In 2007, according to official statistics maintained and reported by the California
11 Department of Justice, 263 Sexual Orientation Hate Crime Events occurred in California.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 18**

13 Admit.

14 **REQUEST FOR ADMISSION NO. 19**

15 In 2007, according to official statistics maintained and reported by the California
16 Department of Justice, Sexual Orientation Hate Crime Events comprised 18.4% of all hate crime
17 events in California.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 19**

19 Admit.

20 **REQUEST FOR ADMISSION NO. 20**

21 In 2007, according to official statistics maintained and reported by the California
22 Department of Justice, Gender Hate Crime Events comprised 1.8% of all hate crime events in
23 California.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 20**

25 Admit.

26 **REQUEST FOR ADMISSION NO. 21**

27 Admit that the document, a copy of which is attached hereto as Exhibit E, is genuine.
28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 21**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 22**

4 Admit that the document, a copy of which is attached hereto as Exhibit E, reports the
5 official statistics maintained by the California Department of Justice concerning hate crimes in
6 California in 2008.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 22**

8 Admit.

9 **REQUEST FOR ADMISSION NO. 23**

10 In 2008, according to official statistics maintained and reported by the California
11 Department of Justice, 283 Sexual Orientation Hate Crime Events occurred in California.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 23**

13 Admit.

14 **REQUEST FOR ADMISSION NO. 24**

15 In 2008, according to official statistics maintained and reported by the California
16 Department of Justice, Sexual Orientation Hate Crime Events comprised 20.3% of all hate crime
17 events in California.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 24**

19 Admit.

20 **REQUEST FOR ADMISSION NO. 25**

21 In 2008, according to official statistics maintained and reported by the California
22 Department of Justice, Gender Hate Crime Events comprised 1.1% of all hate crime events in
23 California.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 25**

25 Admit.

26 **REQUEST FOR ADMISSION NO. 26**

27 In defending California's domestic partner statutes against legal challenges to their validity,
28 the California Department of Justice incurred at least \$148,065.45 in legal fees and costs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 26**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 27**

4 The California Secretary of State estimates that the Secretary of State's Office has incurred
5 approximately \$242,981 to establish a domestic partner registry.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 27**

7 The Attorney General admits that he has seen documents in which employees of the
8 Secretary of State have so stated.

9 **REQUEST FOR ADMISSION NO. 28**

10 The California Secretary of State estimates that the Secretary of State's Office incurs a cost
11 of \$70,000 per year to administer California's domestic partner registry.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 28**

13 The Attorney General admits that he has seen documents in which employees of the
14 Secretary of State have so stated.

15 **REQUEST FOR ADMISSION NO. 29**

16 The California Secretary of State estimates that the Secretary of State's Office incurred
17 approximately \$118,000 to establish a domestic partner registry.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 29**

19 The Attorney General admits that he has seen documents in which employees of the
20 Secretary of State have so stated.

21 **REQUEST FOR ADMISSION NO. 30**

22 The California Secretary of State estimates that the Secretary of State's Office has incurred
23 an additional cost of approximately \$118,000 to modify its domestic partner registry procedures
24 as required by Assembly Bill 205 (Statutes of 2003, chapter 421) and Assembly Bill 102 (Statutes
25 of 2007, chapter 567).

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1 **RESPONSE TO REQUEST FOR ADMISSION NO. 30**

2 The Attorney General admits that he has seen documents in which employees of the
3 Secretary of State have so stated.

4
5 Dated: November 30, 2009

Respectfully submitted,

6 EDMUND G. BROWN JR.
7 Attorney General of California
8 JONATHAN K. RENNER
9 Senior Assistant Attorney General
10 Gordon Burns
11 Deputy Solicitor General

12 /s/ Tamar Pachter
13 TAMAR PACHTER
14 Deputy Attorney General
15 Attorneys for Attorney General
16 Edmund G. Brown Jr.

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DECLARATION OF SERVICE BY ELECTRONIC SERVICE

Case Name: **Kristin M. Perry, et al. v. Arnold Schwarzenegger, et al.**

No.: **3:09-cv-02292-VRW**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. My business address is: 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004.

On November 30, 2009, I served the attached:

- 1. ATTORNEY GENERAL'S RESPONSE TO DEFENDANT INTERVENORS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS; and**
- 2. ATTORNEY GENERAL'S RESPONSES TO PLAINTIFF INTERVENOR CITY AND COUNTY OF SAN FRANCISCO'S FIRST SET OF REQUESTS FOR ADMISSIONS**

by transmitting a true copy via electronic mail, addressed as follows:

SEE ATTACHED LIST

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on November 30, 2009, at San Francisco, California.

J. Espinosa

Declarant

/s/ J.Espinosa

Signature

Perry Service List

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