

SUPREME COURT OF CALIFORNIA

MONA FIELD, RICHARD WINGER, STEPHEN A. CHESSIN, JENNIFER WOZNIAK, JEFF MACKLER, and RODNEY MARTIN,

Petitioners,

vs.

SUPERIOR COURT FOR THE COUNTY OF SAN FRANCISCO,

Respondent;

DEBRA BOWEN, in only her official capacity as California Secretary of State; JOHN ARNTZ, in only his official capacity as Director of Elections of the City and County of San Francisco; DAVE MACDONALD, in only his official capacity as Registrar of Voters of the County of Alameda; JESSE DURAZO, in only his official capacity as Registrar of Voters of the County of Santa Clara; DEAN LOGAN, in only his official capacity as Registrar-Recorder / County Clerk of the County of Los Angeles; NEAL KELLEY, in only his official capacity as Registrar of Voters of the County of Orange; RITA WOODARD, in only her official capacity as

CASE NO: S188436

DECLARATION OF RICHARD WINGER IN FURTHER SUPPORT OF PETITION FOR WRIT OF MANDATE

[Arising from the Oct. 5, 2010 denial of Petitioner's Motion for Preliminary Injunction by Hon. Charlotte Walter Woolard, Dept. 302, Superior Court for the County of San Francisco (Civic Center), 400 McAllister St., San Francisco, CA 94102; 415.551.3723; Case No. CGC-10-502018]

Gautam Dutta, Esq. (Bar No. 199326)
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Fax: 213.405.2416

Attorney for Petitioners

Registrar of Voters of the
County of Tulare; and DOES
1-20;

*Real Parties in
Interest;*

ABEL MALDONADO; YES
ON 14 – CALIFORNIANS
FOR AN OPEN PRIMARY;
CALIFORNIA
INDEPENDENT VOTER
PROJECT;

Intervenors

DECLARATION OF RICHARD WINGER

GAUTAM DUTTA, ESQ. (State Bar No. 199326)
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Attorney for Petitioners

I, Richard Winger, declare as follows:

1. I am a Petitioner in this writ proceeding.
2. I graduated from the University of California at Berkeley in 1966 with an undergraduate degree in political science. Since 1985, I have been publisher of the Ballot Access News, a non-partisan newsletter that reports on development in the laws governing ballot access, the regulation of primary and general elections, the participation of political parties, and independent and write-in candidates in elections.
3. I have researched the election laws of all 50 states from 1888 to the present. I have become well versed in how the laws governing primary elections in each state have worked historically.
4. My articles about ballot access and other elections laws have been published in three books: (1) *Multiparty Politics in America*, edited by Paul S. Herrnson (1997: Rowman & Littlefield, Lanham, Md.); (2) *The Encyclopedia of Third Parties in America*, edited by Immanuel Ness and James Ciment (2000: M.E. Sharpe, Inc., Armonk, N.Y.); (3) *The New Populist Reader*, edited by Karl Trautman (1997: Praeger, Westport, Ct.).
5. Other articles of mine have been published in the *Wall Street Journal*, *Cleveland State Law Review*, *American Review of Politics*, *California Journal*, and *Election Law Journal*.
6. I have appeared on national news broadcasts of NBC, ABC, CNN, National Public Radio, and Pacifica Radio,

speaking on ballot access and election law issues. I am on the editorial board of the *Election Law Journal*.

7. On page 2 of her Dec. 6, 2010 Preliminary Opposition, the Secretary of State claimed that California law has never allowed minor-party candidates to state their party's name on the ballot: "[C]andidates who are not members of qualified political parties have *never* been allowed to identify their affiliation with a non-qualified political body on the ballot." (emphasis added).

8. The Secretary of State's claim is factually incorrect.

9. In fact, California's original government-printed ballot legislation (which was passed in 1891) allowed every candidate who qualified for the general-election ballot under the independent candidate procedures to choose *any* party label to be printed beside his or her name on the ballot. That original statute may be found in the 1891 state session laws, chapter 130, page 166. I have attached, as Exhibit 2, a true copy of the session laws from 1891 and 1915 (page 166 appears on the second page).

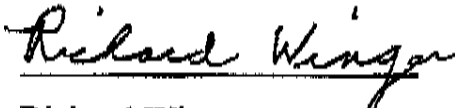
10. See the Statement of Vote for Nov. 5, 1912, published by the California Secretary of State, for examples of candidates who used the independent petition procedure to get on the ballot, and who were permitted to list a label on the ballot other than "independent". I have attached a true copy of that Statement of Vote as Exhibit 1. On page 14 (page 2 of Exhibit 1), in the First Congressional District, William Kent is

listed with his party label of "Progressive" even though the Progressive Party was not ballot-qualified in California until 1914. Kent was elected during the Nov. 5, 1912 election. Also see page 29 (page 3 of Exhibit 1), which shows that in the 74th Assembly District, L.C. Haller has the ballot label "Socialist-Labor", even though the Socialist Labor Party was not a ballot-qualified party at any time in California in the twentieth century.

11. In 1915, the State legislature repealed the right to choose a label other than "Independent". See 1915 state session laws, chapter 136, page 274 (appearing on the fourth page of Exhibit 2).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and is based on my personal knowledge, except for matters stated on information and belief; as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

Executed on Dec. 9, 2010 in San Francisco, California.


Richard Winger

DECLARATION OF RICHARD WINGER

STATEMENT

OF THE

VOTE OF CALIFORNIA

AT THE

General Election held November 5, 1912

ALSO

Voting Precincts in Each County and the Total Vote of California
for 1910 and 1912 by Counties

COMPILED BY

FRANK C. JORDAN, Secretary of State



FRIEND WM. RICHARDSON, SUPERINTENDENT OF STATE PRINTING
SACRAMENTO, CALIFORNIA
1912

Ex. 1

14

OFFICIAL STATE AND COUNTY VOTE.

FOR REPRESENTATIVES IN CONGRESS.

First Congressional District.

County.	James H. Clark (Republican)	William Kent (Democrat)	John W. Galt (Democrat)	James H. Galt (Democrat)	Ballots cast
Del Norte	146	264	228	68	
Humboldt	1,495	2,264	2,126	1,576	
Mendocino	1,268	1,802	1,857	542	
Glenn	412	789	1,141	82	
Butte	1,626	2,799	2,469	704	
Lake	221	635	866	194	2
Colusa	247	926	1,408	84	
Yuba	272	568	1,062	129	
Sutter	312	695	945	51	
Sonoma	2,156	3,322	4,715	1,022	
Marin	1,581	2,866	1,894	466	
Totals	54,574	90,941	118,766	4,892	2

Second Congressional District.

County.	John W. Galt (Democrat)	John S. Baker (Democrat)	J. H. Williams (Democrat)	Ballots cast
Madoc		1,368	70	
Stark		2,854	441	1
Trinity		620	123	
Shasta		2,753	628	
Lassen		1,096	82	
Tehama		2,115	291	1
Plumas		1,147	180	
Sierra		606	104	
Nevada		1,782	475	
El Dorado		2,184	383	
Alameda		1,811	295	
Colusa		1,392	122	
Yuba		1,466	302	
Alpine		90	1	
Tuolumne		614	297	
Mariposa		285	84	
Totals	37,463	10,178	22,467	3,818

OFFICIAL STATE AND COUNTY VOTE.

FOR MEMBERS OF THE ASSEMBLY—Continued.

Seventy-second Assembly District—		11,803	Los Angeles
Arthur G. Kuck (Republican)			6,024
T. E. Crane (Democrat)			3,348
A. M. Salyer (Socialist)		1,877	1,508
Newton Hogan (Prohibitionist)		774	925
Scattering			9
Kuck's majority, 284.			
Seventy-third Assembly District—		8,785	Los Angeles
Howard A. Peairs (Republican)			3,284
S. M. Smyser (Democrat)			1,870
George W. Downing (Socialist)		2,443	3,017
Lorena J. Winslow (Prohibitionist)		672	891
Scattering			8
Peairs' plurality, 267.			
Seventy-fourth Assembly District—			Los Angeles
Frank H. Mouser (Republican)			3,002
Cladd E. Shocks (Socialist)		10,260	2,617
L. O. Haller (Socialist-Labor)		1,207	786
Scattering			12
Mouser's plurality, 335.			
Seventy-fifth Assembly District—		10,007	Los Angeles
Lyman Farwell (Republican)			3,684
Ernest Wilson (Democrat)			3,154
Albert J. Peterson (Socialist)		1,205	1,209
Scattering			9
Farwell's majority, 1,522.			
Seventy-sixth Assembly District—		9,709	Orange
Klaus V. Weisel (Republican)			4,450
I. D. Mills (Democrat)			3,420
J. H. Stewart (Socialist)		2,750	870
W. T. Mitchell (Prohibitionist)		999	989
Weisel's plurality, 1,030.			
Seventy-seventh Assembly District—		9,056	Riverside
William H. Ellis (Republican)			4,604
Robert M. Irving (Democrat)			2,336
S. S. Samuels (Socialist)			1,098
Joseph Jarvis (Prohibitionist)		1,025	928
Ellis' majority, 622.			
Seventy-eighth Assembly District—		2,771	Imperial
H. W. Morehouse (Republican)			1,440
Jas. W. Glassford (Democrat)			1,108
J. W. Kramer (Prohibitionist)		207	193
Scattering			1
Morehouse's majority, 182.			
Seventy-ninth Assembly District—		12,706	San Diego
E. O. Hinkle (Republican)			6,364
Edward T. Lanson (Democrat)			3,207
Kasper Bauer (Socialist)		1,619	2,083
Irving H. Skinner (Prohibitionist)		1,776	612
Hinkle's majority, 862.			
Eightieth Assembly District—		5,715	San Diego
Fred E. Judson (Republican)			3,424
George C. Tyler (Socialist)			1,220
E. E. Lowe (Prohibitionist)		1,078	1,071
Scattering			1
Judson's majority, 1,132.			

6,405

Pres. Am. Tot 169,142
 Sen. Am. Tot 590,357
 Rep. Am. Tot 583,398

Session Laws 1891

TWENTY-NINTH SESSION.

165

CHAPTER CXXX.

130

NIA,
any primary school in

valid for a period not to
exceed six months as may be author-
ized by the board of such city.

and ninety-two of the
to read as follows:

tion may also, without
fix the grade thereof,
as, California, Nevada,
California State Normal
University diplomas, when
University, San Francisco
ended by the Superin-
tendant in other cities,
California, and the life
diplomas of other States,
law, and for immoral or
intemperance, or evident
vices previously granted
by

and ninety-three is

as are eligible to teach
were granted in schools
of such certificates, and
for insubordination or
seventeen hundred and
and approved by the
City Superintendent
of Education, shall
and said City Boards of
the salary of all em-
ployees are eligible to
their certificates in all
cases where certificates were granted,
and twenty-five of the

and sixty-nine of the

and eighty-two of the

forty-four of the Political

Grammar School Course
the passage of this Act, the
money shall be directed to credit
the money that may stand

All outstanding claims
of the Fund shall be paid out

Act to amend sections one thousand one hundred and eighty-
five, one thousand one hundred and eighty-six, one thousand
one hundred and eighty-seven, one thousand one hundred and
eighty-eight, one thousand one hundred and eighty-nine, one
thousand one hundred and ninety, one thousand one hundred
and ninety-one, one thousand one hundred and ninety-two, one
thousand one hundred and ninety-three, one thousand one hun-
dred and ninety-four, one thousand one hundred and ninety-
five, one thousand one hundred and ninety-six, one thousand
one hundred and ninety-seven, one thousand one hundred and
ninety-eight, one thousand one hundred and ninety-nine, one
thousand two hundred, one thousand two hundred and one, one
thousand two hundred and two, one thousand two hundred and
three, one thousand two hundred and four, one thousand two
hundred and five, one thousand two hundred and six, one thou-
sand two hundred and seven, one thousand two hundred and
eight, one thousand two hundred and nine, one thousand two
hundred and ten, one thousand two hundred and eleven, one
thousand two hundred and twelve, one thousand two hundred
and fifty-seven, one thousand two hundred and fifty-eight, and
one thousand two hundred and fifty-nine of the Political Code,
and to add four new sections thereto, to be numbered one thou-
sand two hundred and thirteen, one thousand two hundred and
fourteen, one thousand two hundred and fifteen, and one thou-
sand two hundred and sixteen, all in relation to the conduct of
elections in this State.

[Approved March 20, 1891.]

The People of the State of California, represented in Senate and
Assembly, do enact as follows:

SECTION 1. Section eleven hundred and eighty-five of the
Political Code is hereby amended to read as follows:

1185. All ballots cast in elections for public officers within
this State shall be printed and distributed at public expense, as
hereinafter provided. The printing of general tickets and cards
of instruction to electors of each county, and the delivery of the
same to the election officers, shall be a county charge, the pay-
ment of which shall be provided for in the same manner as the
payment of other county expenses; and the printing and deliv-
ery of "municipal tickets," and also in case of separate elec-
tions for city, city and county, or town officers, the printing and
delivery of cards of instruction, shall be a charge upon the
respective city, city and county, or town in which such "muni-
cipal tickets" and cards of instruction are to be used, the pay-
ment of which shall be provided for in the same manner as the
payment of other city, city and county, or town expenses.

Ballots
and other
printing
to be at
public
expense.

SEC. 2. Section eleven hundred and eighty-six of the Polit-
ical Code is hereby amended to read as follows:

Ex. 2

Session Laws 1891

What a Convention is.

1186. Any Convention, as hereinafter defined, held for the purpose of making nominations for public office, and also electors, to the number hereinafter specified, may nominate candidates for public office to be filled by election within the State. A Convention, within the meaning of this Act, is an organized assemblage of delegates representing a political party which, at the last election before the holding of such Convention, polled at least three per cent of the entire vote of the State, county, district, or other political division for which the nomination is made; provided, that in any county, township, city, or district, wherein no general election shall have been held after its organization, a Convention of any party polling at least three per cent of the votes cast in the precincts composing such county, township, city, or district shall have the same power, and its nominations the same effect, as though such county, township, city, or district had been organized before the next preceding general election.

Sec. 3. Section eleven hundred and eighty-seven of the Political Code is hereby amended to read as follows:

Certificate of nomination.

1187. All nominations made by any such Convention shall be certified as follows: The certificate of nomination, which must be in writing, shall contain the name of each person nominated, his residence, and the office for which he is nominated, and shall designate the party or principle which such Convention represents. It shall be signed by the Chairman and Secretary of such Convention, who shall add to their signatures their respective places of residence, and make oath, before an officer authorized to administer the same, that the matter stated in such certificate is true to the best of their knowledge and belief, and a certificate of the oath shall be annexed to the certificate of nomination.

Sec. 4. Section eleven hundred and eighty-eight of the Political Code is hereby amended to read as follows:

How candidates are nominated other than by Convention.

1188. A candidate for public office may be nominated otherwise than by a Convention in the manner following: A certificate of nomination containing the name of the candidate to be nominated, with the other information required to be given in the certificates provided for in section one thousand one hundred and eighty-seven of this Code, shall be signed by electors residing within the district or political division for which candidates are to be presented, equal in number to at least five per cent of the entire vote cast at the last preceding election in the State, district, or political division for which the nomination is to be made. Said signatures need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number, when he resides in a city. One of the signers of each such certificate shall swear that the statements therein made are true to the best of his knowledge and belief, and a certificate of such oath shall be annexed. Such a certificate, when made as above prescribed, shall have the same effect as a certificate of nomination made by a party Convention.

Oath to be taken.

Sec. 5. Section eleven hundred and eighty-nine of the Political Code is hereby amended to read as follows:

1189. Certificates of nomination for public office, the Secretary of State for the nomination filled by the electors of the entire State, the State Board of Equalization, State Senators, or House of Representatives, shall be filed with the Clerk of the County in which the body of any incorporated city or town, to be filled by the electors, or other nominations to public office shall be filed with the Clerks of the cities, towns, or districts, if the offices are to be filled by the electors of the district or political division embracing the offices. The certificate must be filed with the Clerk of the County in which the candidate resides; and the name of the candidate shall be specified in the certificate of nomination, and the name of the County Clerk to the County within the district or political division for which the office is to be filled, five days before the day of election.

Sec. 6. Section eleven hundred and eighty-nine of the Political Code is hereby amended to read as follows:

1190. No certificate of nomination for public office shall be filed for more than one candidate for each office, and more than one nominee for each office shall be named in a certificate of nomination for any office shall join in nominating a nominee for that office, and no person shall be named in a certificate of nomination for more than one office.

Sec. 7. Section eleven hundred and eighty-nine of the Political Code is hereby amended to read as follows:

1191. The Secretary of State shall, during the period of two years all certificates of nomination filed therein under the provisions of this Code; preserve in his office for a like period all certificates of nomination filed therein under the provisions of this Code; and the Clerk or Secretary of the legislative body of any city or town shall for a like period preserve in his office all certificates of nomination filed therein under the provisions of this Code.

Sec. 8. Section eleven hundred and eighty-nine of the Political Code is hereby amended to read as follows:

1192. Certificates of nomination for public office, the Secretary of State shall be filed with the Clerk of the County in which the body of any incorporated city or town, to be filled by the electors, or other nominations to public office shall be filed with the Clerks of the cities, towns, or districts, if the offices are to be filled by the electors of the district or political division embracing the offices. The certificate must be filed with the Clerk of the County in which the candidate resides; and the name of the candidate shall be specified in the certificate of nomination, and the name of the County Clerk to the County within the district or political division for which the office is to be filled, five days before the day of election.

Session Laws 1891

CALIFORNIA,

TWENTY-NINTH SESSION.

167

after defined, held for
for public office, and
er specified, may nomina
lled by election within t
meaning of this Act, is
representing a political party
the holding of such Con
out of the entire vote of the
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cast in the precincts con-
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: for which he is nominated,
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by the Chairman and Secre-
add to their signatures their
make oath, before an offic-
y, that the matter stated in
f their knowledge and belief
be annexed to the certificate

nd and eighty-eight of the
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manner following: A certifi-
name of the candidate to be
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tion one thousand one hun-
, shall be signed by electo-
tical division for which can-
n number to at least five pe-
ast preceding election in the
for which the nomination

not all be appended to om-
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ificate of such oath shall
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ificate of nomination ma-

Sec. 5. Section eleven hundred and eighty-nine of the Political Code is hereby amended to read as follows:

1189. Certificates of nomination shall be filed with the Secretary of State for the nomination of candidates for offices to be filled by the electors of the entire State, or for members of the State Board of Equalization, State Board of Railroad Commissioners, or House of Representatives. Certificates of nomination shall be filed with the Clerk or Secretary of the legislative body of any incorporated city or town for the nomination of any candidate for an office under the government of any city or town, to be filed by the electors of such city or town. For all other nominations to public offices, certificates of nomination shall be filed with the Clerks of the respective counties wherein the offices are to be filled by the electors; and where the district or political division embraces more than one county, such certificate must be filed with the Clerk of the county in which the candidate resides; and the name of each such candidate, as specified in the certificate of nomination, shall be certified by said County Clerk to the County Clerks of the other counties within the district or political division not less than fifteen days before the day of election.

where certificates are to be filed for State and county offices.

Sec. 6. Section eleven hundred and ninety of the Political Code is hereby amended to read as follows:

1190. No certificate of nomination shall contain the name of more than one candidate for each office to be filled. No person shall join in nominating, under the provisions of this Code, more than one nominee for each office to be filled; and no person who has voted in a Convention for or against a candidate for any office shall join in nominating, in any manner, any other nominee for that office, and no person shall accept a nomination to more than one office.

No person to receive more than two candidates.

Sec. 7. Section eleven hundred and ninety-one of the Political Code is hereby amended to read as follows:

1191. The Secretary of State shall preserve in his office for the period of two years all certificates of nomination filed therein under the provisions of this Code; and each County Clerk shall preserve in his office for a like period all certificates of nomination filed therein under the provisions of this Code; and each Clerk or Secretary of the legislative body of any incorporated city or town shall for a like period preserve in his office all certificates of nomination filed therein under the provisions of this Code.

Certificates to be preserved.

Sec. 8. Section eleven hundred and ninety-two of the Political Code is hereby amended to read as follows:

1192. Certificates of nomination required to be filed with the Secretary of State shall be filed not more than sixty days and not less than forty days before the day fixed by law for the election of the persons in nomination, when the nomination is made by a Convention, and not more than sixty days and not less than thirty days before the day of election, when the nomination is made by electors, as provided in section one thousand one hundred and eighty-eight of this Code. Certificates of nomination required to be filed with the County Clerks, or with

When certificates to be filed.

Ch 136, 1915 Session Laws

STATUTES OF CALIFORNIA.

FOR:

county, which is lowest in numerical order, and thereafter for each succeeding assembly district in such county, or city and county, the name appearing first for each office in the last preceding assembly district shall be placed last, the order of the other names remaining unchanged.

State senator.

(c) If the office is that of state senator or assemblyman, or any office except the office of representative in congress to be voted on wholly within any county or city and county, but not throughout such county or city or county, the names of all candidates for such office shall be placed upon the ballot in alphabetical order.

City officer.

(d) If the office is a municipal office in any city or town whose charter does not provide for the order in which names shall appear on the ballot, the names of candidates for such office shall be placed upon the ballot in alphabetical order.

NEW

"Independent"

(e) If a candidate shall be nominated under section 1188 of the Political Code, the word "Independent" shall be printed to the right of his name.

Order of propositions.

3. The order in which all questions and propositions (including proposed laws and constitutional amendments), which are to be submitted to the vote of the electors, shall appear upon the ballot shall be determined by the secretary of state and such questions and propositions shall be numbered consecutively on the ballot. The attorney general shall provide and return to the secretary of state a ballot title or designation by which all such questions, propositions, proposed laws and constitutional amendments shall be designated upon the ballot; provided, however, any person who is interested in any question, proposition, proposed law or constitutional amendment, the petition as to which is being circulated for the purpose of having the same submitted under an initiative petition, as provided in section one of article IV of the constitution, to a vote of the electors, or any proposed constitutional amendment to be submitted to a vote of the electors, may, at any time prior to one hundred and thirty days before the election at which such question, proposition, proposed law or constitutional amendment is to be submitted to a vote of the electors, file a copy of said question, proposition, proposed law or proposed constitutional amendment with the secretary of state, together with a request that a ballot title be prepared for the same; such request shall be accompanied with the address of the person or association of persons proposing such measure. The secretary of state shall forthwith transmit a copy of said question, proposition, proposed law or constitutional amendment to the attorney general. Within ten days after the same is filed with him, said attorney general shall provide and return to the secretary of state a ballot title for said measure. The ballot title may be distinguished from the legislative or other title of the measure and shall express in not exceeding one hundred words, the purpose of the measure. In making such ballot title, the attorney general shall give a true and impartial statement of the purpose of

Titles.

Title for initiative questions.

Statement of purpose of measure.

the measure and in such be an argument or like against the measure. It title as prepared by the a shall mail to any and all preparation of such ball person or persons at the stating that the attorney ballot title, which notice : title as prepared by the a dissatisfied with the bal general for any such quest stitutional amendment, m to the secretary of state : ten days after said notice tary of state, as above p: retary of state his object of such question, proposi amendment, together with the attorney general and board of title commission three justices of the dist: California, in and for the he ex officio title commis: and which board is hereby at which any person may objection so made and she set and thereupon said proceed to consider the s general and the objection title by which such ques constitutional amendment. Said title commissioners s the secretary of state with tions have been received b said board of title commise Such questions, proposition amendments shall be design title certified to the secre general, or in case a differe and filed by the said boar title shall be the title an question, proposition, prop ment shall be designated u 4. All ballots shall be n length, and shall be four i such width as may be nec candidates nominated, with voter to write in names no separate column or column: of all questions, propositions mitted to vote of the elect

PROOF OF SERVICE

I, Gautam Dutta, 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.

On Dec. 9, 2010, I served the following documents:

- (1) Declaration of Richard Winger in Further Support of Writ of Mandate

on the following persons at the locations specified:

A. Mark Beckington, Esq., Office of the Attorney General, 300 South Spring St., Ste. 1702, Los Angeles, CA 90013; 213.897.1096 (Attorney for RPI Debra Bowen).

B. Steve Mitra, Esq., Office of Santa Clara County Counsel, 70 W. Hedding St., 9th Floor, East Wing, San Jose, CA 95110; 408.299.5916 (Attorney for RPI Jesse Durazo).

C. Raymond Lara, Esq., Office of Alameda County Counsel, 1221 Oak St., Ste. 450, Oakland, CA 94612; 510.272.6700 (Attorney for RPI Dave Macdonald).

D. Mollie Lee, Esq., Office of the San Francisco City Attorney, 1 Dr. Carlton B. Goodlet Place, Ste. 234, San Francisco, CA 94102; 415.554.4705 (Attorney for RPI John Arntz).

E. Wendy J. Phillips, Esq., Office of Orange County Counsel, 333 W. Santa Ana Blvd., Ste. 407, Santa Ana, CA 92702; 714.834.6298 (Attorney for RPI Neal Kelley).

F. Kathleen Taylor, Esq., Office of Tulare County Counsel, 2900 W. Burrell St., Visalia, CA 93291; 559.636.4950 (Attorney for RPI Rita Woodard).

G. Patrice J. Salseda, Esq., Office of Los Angeles County Counsel, 500 W. Temple St., Rm. 648, Los Angeles, CA 90012; 213.974.1895 (Attorney for RPI Dean Logan).

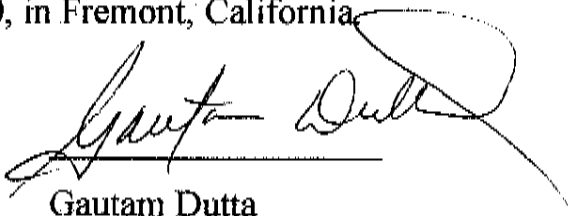
H. Marguerite Mary Leoni, Esq., Nielsen Merksamer,
2350 Kerner Blvd., Ste. 250, San Rafael, CA 94901;
415.389.6800 (Attorney for Intervenors Abel Maldonado, Yes
on 14, and California Independent Voter Project).

I. The Honorable Charlotte Walter Woolard,
Superior Court for the County of San Francisco, Dept. 302, 400
McAllister St., San Francisco, CA 94102; 415.551.3723
(Respondent).

Following ordinary business practices, I sealed true and
correct copies of the above documents in addressed envelopes
and placed them, postage prepaid, for collection and mailing
with the U.S. Postal Service.

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

Executed Dec. 9, 2010, in Fremont, California


Gautam Dutta