

FILED

UNITED STATES COURT OF APPEALS

AUG 16 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

KRISTIN M. PERRY; et al.,

Plaintiffs - Appellees,

CITY AND COUNTY OF SAN
FRANCISCO,

Plaintiff - Intervenor-
Appellee,

v.

ARNOLD SCHWARZENEGGER, in his
official capacity as Governor of California;
et al.,

Defendants,

and

DENNIS HOLLINGSWORTH; et al.,

Defendants -Intervenors-
Appellants.

No. 10-16696

D.C. No. 3:09-cv-02292-VRW
Northern District of California,
San Francisco

ORDER

Before: LEAVY, HAWKINS and THOMAS, Circuit Judges.

Appellants' motion for a stay of the district court's order of August 4, 2010 pending appeal is GRANTED. The court *sua sponte* orders that this appeal be

KS/MOATT

expedited pursuant to Federal Rule of Appellate Procedure 2. The provisions of Ninth Circuit Rule 31-2.2(a) (pertaining to grants of time extensions) shall not apply to this appeal. This appeal shall be calendared during the week of December 6, 2010, at The James R. Browning Courthouse in San Francisco, California.

The previously established briefing schedule is vacated. The opening brief is now due September 17, 2010. The answering brief is due October 18, 2010. The reply brief is due November 1, 2010. In addition to any issues appellants wish to raise on appeal, appellants are directed to include in their opening brief a discussion of why this appeal should not be dismissed for lack of Article III standing. *See Arizonans For Official English v. Arizona*, 520 U.S. 43, 66 (1997).

IT IS SO ORDERED.