



October 25, 2018

Judges Wallace, Kleinfeld, and Graber  
U.S. Court of Appeals for the Ninth Circuit  
95 Seventh Street  
San Francisco, CA 94103

Re: *State of California, et al. v. March for Life Education and Defense Fund, et al.*, No. 18-15166, Oral Argument: October 19, 2018 (San Francisco)

Dear Judges Wallace, Kleinfeld, and Graber:

The undersigned represents Appellant March for Life Education and Defense Fund (“March for Life”) in the above-referenced appeal. I am writing to clarify a statement I made at oral argument on October 19, 2018.

Judge Wallace and I had the following exchange:

JUDGE WALLACE: Why was your client interested in staying the trial?

BAYLOR: I don’t believe we participated in that decision, your Honor. We are intervenor-defendants, and we were granted intervention shortly before the preliminary injunction was granted.

JUDGE WALLACE: You were not involved in the stipulation?

BAYLOR: I don’t believe that we were. My memory may be wrong, but I don’t believe we were.

In fact, my memory was incorrect. After the hearing I went back to research the question and found that March for Life did consent to the stipulation that was proposed by the Departments and agreed to by all of the parties. *See* No. 4:17-cv-05783-HSG (N.D. Cal. Mar. 8, 2018) (Dkt. No. 146).

I apologize to the Court.

Very truly yours,

*s/ Gregory S. Baylor*  
Gregory S. Baylor  
*Attorney for Appellant March for Life*



cc:

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