

1 C.D. Michel – SBN 144257
 Clint B. Monfort – SBN 255609
 2 Sean A. Brady – SBN 262007
 cmichel@michellawyers.com
 3 MICHEL & ASSOCIATES, P.C.
 180 E. Ocean Blvd., Suite 200
 4 Long Beach, CA 90802
 Telephone: (562) 216-4444
 5 Facsimile: (562) 216-4445
 Attorneys for Plaintiffs / Petitioners

6 Paul Neuharth, Jr. – SBN 147073
 pneuharth@sbcglobal.net
 7 PAUL NEUHARTH, JR., APC
 8 1140 Union Street, Suite 102
 San Diego, CA 92101
 9 Telephone: (619) 231-0401
 Facsimile: (619) 231-8759
 10 Attorney for Plaintiffs / Petitioners

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 12 **UNITED STATES DISTRICT COURT**
 13 **SOUTHERN DISTRICT OF CALIFORNIA**
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15 EDWARD PERUTA, MICHELLE) CASE NO: 09-CV-2371 IEG (BGS)
LAXSON, JAMES DODD, DR.	
16 LESLIE BUNCHER, MARK	
CLEARY, and CALIFORNIA RIFLE	
17 AND PISTOL ASSOCIATION	
FOUNDATION	
18 Plaintiffs,	
19 v.	
20 COUNTY OF SAN DIEGO,	
21 WILLIAM D. GORE,	
22 INDIVIDUALLY AND IN HIS) DECLARATION OF SEAN BRADY
23 CAPACITY AS SHERIFF,	
Defendants.) IN SUPPORT OF PLAINTIFFS'
) CONSOLIDATED OPPOSITION TO
) DEFENDANT'S MOTION FOR
) SUMMARY JUDGMENT AND;
) REPLY TO DEFENDANT'S
) OPPOSITION TO PLAINTIFFS'
) MOTION FOR PARTIAL SUMMARY
) JUDGMENT
) Hon. Irma E. Gonzalez
) Date Action Filed: October 23, 2009

DECLARATION OF SEAN BRADY

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I, Sean Brady, am competent to state, and testify to the following based on my personal knowledge:

1. I am over the age of eighteen and not a party to this action. I am an attorney licensed to practice law before the courts of the State of California and am admitted to practice before the United States District Court for the Southern District of California. I am an associate of the law firm Michel & Associates, P.C., attorneys of record for Plaintiffs in this action.

2. I have personal knowledge of the facts stated in this Declaration and, if called to testify, could and would testify competently and under oath to these facts.

3. On or about August 4, 2010, Plaintiffs' counsel, including myself, spoke with Defendants' counsel regarding stipulating to facts in this matter. During this conversation, it came to light that the County claims it considers Mr. Peruta a resident of San Diego. We also discussed the basis of Plaintiffs' Due Process claim, and came to the understanding, or so Plaintiffs' counsel believed, that the issues relating to Mr. Peruta's residency and possible Due Process violation could possibly be resolved informally without litigation.

4. On or about August 25, 2010, based on that understanding by Plaintiffs' counsel, I agreed to temporarily relieve Defendants of the duty to respond to the majority of our discovery requests so that Defendants could focus on responding to the discovery involving the claims at issue in Plaintiffs' Motion for Partial Summary Judgment, for which there is no chance of informal resolution.

5. On or about October 15, 2010, I sent an electronic mail to Counsel for Defendants, James Chapin, requesting that he withdraw the claims relating to residency and Due Process in the Defendants' Cross Motion for Summary Judgment, explaining Plaintiffs' understanding of the status of those claims and that Plaintiffs were unable to finish discovery on the matter, believing all parties to be in negotiations to informally resolve those claims.

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6. Mr. Chapin refused my request to withdraw Defendants' claims regarding those claims.

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

Executed in the United States on October 18, 2010.



Sean A. Brady
Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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EDWARD PERUTA,
MICHELLE LAXSON, JAMES
DODD, DR. LESLIE
BUNCHER, MARK CLEARY,
and CALIFORNIA RIFLE
AND PISTOL ASSOCIATION
FOUNDATION

Plaintiff,

v.

COUNTY OF SAN DIEGO,
WILLIAM D. GORE,
INDIVIDUALLY AND IN HIS
CAPACITY AS SHERIFF,

Defendants.

) CASE NO. 09-CV-2371 IEG (BGS)
)
) CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of:

DECLARATION OF SEAN BRADY IN SUPPORT OF PLAINTIFFS' CONSOLIDATED OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND;

REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

James M. Chapin
County of San Diego
Office of County Counsel
1600 Pacific Highway
Room 355
San Diego, CA 92101-2469
(619) 531-5244
Fax: (619-531-6005
james.chapin@sdcounty.ca.gov

Paul Neuharth, Jr. (State Bar #147073)
PAUL NEUHARTH, JR., APC
1140 Union Street, Suite 102
San Diego, CA 92101
Telephone: (619) 231-0401
Facsimile: (619) 231-8759
pneuharth@sbcglobal.net

I declare under penalty of perjury that the foregoing is true and correct.
Executed on October 18, 2010

/s/ C.D. Michel
C. D. Michel
Attorney for Plaintiffs