

1 JOHN J. SANSONE, County Counsel
County of San Diego
2 By JAMES M. CHAPIN, Senior Deputy (SBN 118530)
1600 Pacific Highway, Room 355
3 San Diego, California 92101
Telephone: (619) 531-5649
4 Facsimile: (619) 531-6005
E-mail: james.chapin@sdcountry.ca.gov
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6 Attorneys for Defendant William D. Gore
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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 EDWARD PERUTA, MICHELLE
LAXSON, JAMES DODD, DR. LESLIE
12 BUNCHER, MARK CLEARY and
CALIFORNIA RIFLE AND PISTOL
13 ASSOCIATION FOUNDATION,

14 Plaintiffs,

15 v.

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

18 Defendants.
19

No. 09-CV-2371 IEG (BLM)

**DEFENDANT WILLIAM D. GORE'S
OPPOSITION TO PLAINTIFFS'
MOTION FOR LEAVE TO FILE A
SUR-REPLY AND OBJECTION TO
PLAINTIFFS' NEW SEPARATE
STATEMENT**

Date: November 15, 2010
Time: 10:30 a.m.
Dept: 1 – Courtroom of the
Hon. Irma E. Gonzalez

20 **I**

21 **THE ADDITIONAL FILINGS ARE UNTIMELY AND INAPPROPRIATE**

22 **A. Sur-Reply.**

23 Plaintiffs at the eleventh hour seek additional briefing offering new “expert”
24 evidence. There were no new issues raised in the Reply filed by Defendant and no new
25 evidence was submitted. Plaintiffs’ effort to produce new evidence at this late stage is
26 untimely and prejudicial to Defendant.

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