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OF ORIGINAL FILED
Los Angeles Superior Court**

MAR 22 2012

John A. Clarke, Executive Officer/Clerk
By  Deputy
SHAUNYA WESLEY

11 Attorneys for Plaintiffs/Petitioners

12 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 FOR THE COUNTY OF LOS ANGELES
14 CENTRAL DISTRICT

15 ANTHONY MARIO ASSENZA, et al.)	CASE NO. BC115813
)	
16 Plaintiffs and Petitioners,)	DECLARATION OF ROBERT YOUNG
)	SMITH, JR.
17 vs.)	
)	
18 THE CITY OF LOS ANGELES, et al.)	Hearing Date/Time: Apr 1 23, 2012
)	Time: 8:45 a.m.
19 Defendants and Respondents.)	Dept. No.: 14
)	Hearing Judge: Hon. Terry A. Green

20
21 I, Robert Young Smith, Jr., declare as follows:
22 1. I reside in the City and County of Los Angeles, California.
23 2. I have been a board member in the Atwater Village Neighborhood Council
24 ("AVNC") since May 2009 and the Co-Chair since August 2009. Additionally, I have been an
25 AVNC representative to the Northeast Community Police Advisory Board ("CPAB"), a
26 community advisory board formed by the LAPD, since August 2009.
27 3. I am aware that the City of Los Angeles ("The City") and Los Angeles Police
28 Department ("LAPD") were ordered to comply with the Assenza Judgment of Declaratory Relief

1 and provide both a copy of a Carry Concealed Weapon License ("CCW") application and the
2 LAPD CCW Policy to the public at all of its precincts and station houses. Below is a summary of
3 my interactions in this regard.

4 4. The Northeast CPAB meets on the fourth Monday of every month to provide
5 updates on crime statistics, criminal activity, monthly trends, crime prevention techniques,
6 problem areas in the Northeast Division of LAPD, and updates from the Police Athletic League.
7 Each Northeast CPAB meeting starts with a statement from the Captain of the Northeast Division
8 of the LAPD and additional commentary during the meeting is provided in varying extent by
9 Northeast LAPD Senior Lead Officers, the LA City Attorney's Office, Guest Speakers, and
10 Community Members.

11 5. On August 22, 2011, at the Northeast CPAB meeting, William A. Murphy, Captain
12 III of the Northeast Division, provided the opening statement. Following the meeting, I
13 approached Captain Murphy and, in a personal conversation, inquired with Captain Murphy as to
14 the availability of CCW applications, policy statements and examples of good cause statements at
15 his station.

16 6. Captain Murphy replied to my inquiry by stating, "No, they handle it downtown,"
17 or words similar to that. In response, I informed Captain Murphy that the information I had
18 inquired about is supposed to be available at his station as part of the *Assenza* judgment.

19 7. Captain Murphy replied to me by stating, "I don't know anything about that," or
20 words similar to that. Captain Murphy then stated he would email me after he looked into the
21 matter. To date, I have not received a response from Captain Murphy.

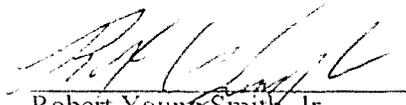
22 8. Based on my participation with the AVNC and CPAB, I have had numerous
23 conversations with Captain Murphy in the past. Based on my conversations and interactions with
24 Captain Murphy in the past, I know him to be a serious man. It was my assessment of the
25 conversation that his answers were not deflective or dismissive and that his responses were
26 truthful in that he genuinely believed it when he stated to me on August 22nd that his station did
27 not have or handle the CCW applications.

28 I declare under the penalty of perjury under the laws of the State of California that the

1 foregoing is true and correct. If called to testify, I would testify to the above facts.

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Dated: October 24, 2011


Robert Young Smith, Jr.

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA

3 COUNTY OF LOS ANGELES

4 I, Claudia Ayala, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Blvd., Suite 200, Long Beach, California 90802.

7 On March 22, 2012, I served the foregoing document(s) described as

8 **DECLARATION OF ROBERT YOUNG SMITH, JR.**

9 on the interested parties in this action by placing
10 the original
11 a true and correct copy
12 thereof enclosed in sealed envelope(s) addressed as follows:

13 **“SEE ATTACHED SERVICE LIST”**

14 X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
15 processing correspondence for mailing. Under the practice it would be deposited with the
16 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
17 California, in the ordinary course of business. I am aware that on motion of the party
18 served, service is presumed invalid if postal cancellation date is more than one day after
19 date of deposit for mailing an affidavit.
20 Executed on March 22, 2012, at Long Beach, California.

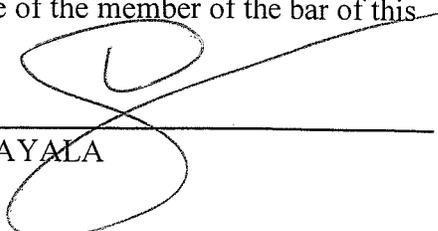
21 — (PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of
22 the addressee.
23 Executed on March 22, 2012, at Long Beach, California.

24 — (OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of
25 collection and processing correspondence for overnight delivery by UPS/FED-EX. Under
26 the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for
27 receipt on the same day in the ordinary course of business. Such envelope was sealed and
28 placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for
in accordance.
Executed on March 22, 2012, at Long Beach, California.

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

— (FEDERAL) I declare that I am employed in the office of the member of the bar of this
court at whose direction the service was made.

CLAUDIA AYALA



1 "SERVICE LIST"

2 ANTHONY MARIO ASSENZA, et al. v. THE CITY OF LOS ANGELES, et al.

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