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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 14

HONORABLE TERRY A. GREEN, JUDGE

ANTHONY MARIO ASSENZA, ET AL., )

PLAINTIFFS/PETITIONERS, )

VS. )

CITY OF LOS ANGELES, ET AL., )

DEFENDANTS/RESPONDENTS. )

CASE NO. BC115813

**CERTIFIED  
COPY**

REPORTER'S TRANSCRIPT OF PROCEEDINGS

MOTION TO ENFORCE JUDGMENT AND FOR MONETARY SANCTIONS

THURSDAY, JUNE 9, 2011

APPEARANCES:

FOR PLAINTIFFS/  
PETITIONERS:

BY: BURTON C. JACOBSON, ESQUIRE  
BEVERLY HILLS LAW BUILDING  
424 SOUTH BEVERLY DRIVE  
BEVERLY HILLS, CALIFORNIA 90212  
(310) 553-8533

MICHEL & ASSOCIATES, P.C.  
BY: JOSHUA R. DALE, ESQUIRE  
BY: TAMARA M. RIDER, ESQUIRE  
180 EAST OCEAN BOULEVARD  
SUITE 200  
LONG BEACH, CALIFORNIA 90802  
(562) 216-4444

FOR DEFENDANTS/  
RESPONDENTS CHARLIE BECK  
AND CITY OF LOS ANGELES:

CARMEN A. TRUTANICH, CITY ATTORNEY  
BY: DEBRA L. GONZALES,  
ASSISTANT CITY ATTORNEY  
200 NORTH MAIN STREET  
CITY HALL EAST, ROOM 800  
LOS ANGELES, CALIFORNIA 90012  
(213) 978-8380

SUSIE PRICE, #11954  
OFFICIAL COURT REPORTER

09:16

1 CASE NUMBER: BC115813  
2 CASE NAME: ANTHONY MARIO ASSENZA VS.  
3 CITY OF LOS ANGELES, ET AL.  
4 LOS ANGELES, CALIFORNIA THURSDAY, JUNE 9, 2011  
5 DEPARTMENT 14 HON. TERRY A. GREEN, JUDGE  
6 OFFICIAL REPORTER: SUSIE PRICE, CSR #11954  
7 TIME: 9:16 A.M.  
8 APPEARANCES: (AS HERETOFORE NOTED)

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11 THE COURT: ASSENZA VERSUS CITY OF LOS ANGELES.

12 MR. DALE: GOOD MORNING, YOUR HONOR. JOSHUA DALE ON  
13 BEHALF OF PLAINTIFFS/PETITIONERS.

09:16

14 MS. RIDER: GOOD MORNING, YOUR HONOR. TAMARA RIDER  
15 CO-COUNSEL ON BEHALF OF THE PLAINTIFFS/PETITIONERS.16 MR. JACOBSON: I DIDN'T HAVE A CHANCE TO CHECK IN  
17 WITH THE CLERK, BUT I'M BURT JACOBSON. I'M ALSO COUNSEL ON  
18 THAT MATTER.19 MS. GONZALES: GOOD MORNING, YOUR HONOR. ASSISTANT  
20 CITY ATTORNEY DEBRA GONZALES FOR THE CITY OF LOS ANGELES,  
21 LOS ANGELES POLICE DEPARTMENT AND CHIEF CHARLIE BECK. AND  
22 I HAVE DETECTIVE THOMPSON FROM THE GUN UNIT OF THE LAPD.

23 THE COURT: WELCOME. HAVE A SEAT.

24 SO THERE ARE EIGHT PEOPLE OVER THE PERIOD OF  
25 THE LAST FOUR OR FIVE YEARS WHO HAVE NOT GOTTEN A CCW  
26 PERMIT WITH THE STATEMENT OF POLICY.

27 MR. DALE: WELL, YOUR HONOR --

28 THE COURT: WAIT.

09:17

1 AND THEN THE ISSUE IS DOES THIS SHOW THAT LAPD  
2 IS NOT IN COMPLIANCE WITH BUCKNER'S AND MY ORDER ABOUT  
3 MAKING IT AVAILABLE TO THE PEOPLE WHO APPLY FOR A CCW IF  
4 THEY GET A HARD COPY OF THEIR POLICY.

5 YOU KNOW, THIS WAS NEVER INTENDED TO BE A  
6 STRICT LIABILITY SECTION, AS THE PEOPLE POINT OUT. LAPD IS  
7 A BIG ORGANIZATION. I DIDN'T REALIZE THERE WERE 9800 SWORN  
8 PEOPLE. I DIDN'T REALIZE THAT IT WAS THAT BIG BUT IT'S  
9 BIG.

10 AND THE FACT THAT THERE ARE EIGHT PEOPLE WHO  
11 DIDN'T GET A HARD COPY, AS I RECALL, OF THAT EIGHT, ONE OR  
12 TWO WENT TO A DIFFERENT POLICE STATION AND GOT A COPY, ONE  
13 WAS DIRECTED TO GET IT OFF THE INTERNET.

09:18

14 AND I DON'T MEAN TO MAKE LIGHT OF THIS. IT'S A  
15 COURT ORDER. YOU HAVE EVERY RIGHT TO BE CONCERNED ABOUT  
16 WHETHER THESE ORDERS ARE BEING IMPLEMENTED, BUT I JUST  
17 DON'T KNOW THAT EIGHT DECLARATIONS SHOWS A WILLFUL  
18 NONCOMPLIANCE.

19 NOW, THAT SAID, STILL IT IS NONCOMPLIANCE. I  
20 MEAN THERE SHOULDN'T BE EIGHT. THERE SHOULDN'T BE ANY.

21 BUT, YOU KNOW, ASIDE FROM -- YOU WANT ME TO  
22 ISSUE SANCTIONS AGAINST LAPD, AND I JUST DON'T KNOW THAT AS  
23 EVIDENCE OF WILLFUL FAILURE TO ABIDE BY THE ORDER.

24 NOW, YOU'RE GOING TO SAY, HOW MUCH EVIDENCE DO  
25 WE NEED? DO WE NEED 16? DO WE NEED TO HAVE, SAY 8<sup>2</sup> OR  
26 SOMETHING, YOU KNOW, HOW MANY DO YOU NEED BEFORE IT STARTS  
27 SHOWING WILLFUL NONCOMPLIANCE?

28 I DON'T HAVE AN ANSWER TO THAT QUESTION. I

09:19

1 JUST DON'T HAVE AN ANSWER. AND THROUGH READING THIS I WAS  
2 TEMPTED TO SAY, WELL, THROW THE BURDEN BACK ON LAPD TO TELL  
3 US IF THEY HAVE RECORDS OF HOW OFTEN THEY HAVE COMPLIED  
4 WITH THIS TO SEE WHAT THE TALLY IS.

5 I MEAN IT COULD BE THAT OVER THE LAST, WHAT,  
6 SINCE '98 -- WHEN WAS THE ORDER SIGNED? IT WAS '98? -- A  
7 MILLION PEOPLE HAVE COME IN AND ASKED FOR A CCW PERMIT WITH  
8 POLICY AND MAYBE THE ANSWER IS THAT ALL BUT EIGHT GOT ONE.

9 NOW, IF THAT'S THE ANSWER, THEN I'LL SAY, WELL,  
10 YOU KNOW, I'LL TELL LAPD, NICE JOB, BUT YOU CAN DO BETTER.  
11 IF THEY COME IN AND IT SHOWS THAT THE NUMBER IS FAR FEWER  
12 AND THEN YOU CAN SHOW THAT THERE HAVE BEEN OTHER ISSUES OF  
13 NONCOMPLIANCE, WELL, THAT'S ANOTHER ISSUE.

09:20

14 BUT AS WE SPEAK I DON'T KNOW THAT EIGHT IS  
15 ENOUGH TO SHOW WILLFUL NONCOMPLIANCE. I DON'T KNOW WHAT  
16 THE UNIVERSE LOOKS LIKE. EIGHT OUT OF WHAT? EIGHT OUT OF  
17 NINE? WERE THERE NINE PEOPLE THAT APPLIED FOR THIS AND  
18 EIGHT DIDN'T GET THEIR WRITTEN STATEMENT OR WERE THERE A  
19 MILLION PEOPLE WHO APPLIED AND ALL GOT IT EXCEPT FOR THE  
20 EIGHT?

21 SEE, I DON'T KNOW WHAT THE UNIVERSE LOOKS LIKE,  
22 SO WHAT DO YOU WANT --

23 MR. DALE: I CAN ADDRESS THAT, YOUR HONOR.

24 FIRST, UNDERSTAND THAT THE EIGHT THAT WE PUT IN  
25 THERE AREN'T THE ONLY EIGHT THAT WE KNOW OF.

26 THE COURT: OKAY.

27 MR. DALE: I CAN CERTAINLY, IF WE HAD AN EVIDENTIARY  
28 HEARING ON THIS, BRING ANOTHER FIVE OR SIX PEOPLE WHO

09:21

1 COULD -- BUT UNDERSTAND THAT IT'S NOT LIKE WE HAVE ACCESS  
2 TO THE UNIVERSE OF PEOPLE WHO HAVE APPLIED.

3 WE KNOW THAT THERE ARE APPROXIMATELY  
4 300 APPLICATIONS PER YEAR, BUT THESE ARE PEOPLE THAT SOUGHT  
5 OUT MR. JACOBSON OR SOUGHT US OUT AND SAID, HEY, WE'RE  
6 HAVING THIS PROBLEM.

7 SO WE DON'T KNOW HOW MANY OTHER PEOPLE ARE OUT  
8 THERE WHO DON'T GET THE PROPER MATERIALS, EITHER DON'T  
9 APPLY AT ALL BECAUSE LIKE IN SOME OF THE DECLARATIONS  
10 INDICATE, THEY'RE DISCOURAGED FROM DOING IT IN THE FIRST  
11 PLACE OR THEY APPLY, THEY'RE REJECTED, AND THEY MOVE ON  
12 WITH THEIR LIVES, NOT KNOWING THAT THE LAPD HASN'T SUPPLIED  
13 THEM WITH THE GUIDELINES THAT THEY NEEDED IN ORDER TO SHOW  
14 GOOD CAUSE UNDER --

09:21

15 AND THAT'S EXACTLY WHAT THE SPECIFIC PURPOSE OF  
16 THE ASSENT TO JUDGMENT WAS. IT WAS SO THAT PEOPLE WOULD  
17 HAVE A TRANSPARENT PROCESS WHERE THEY COULD WALK INTO ANY  
18 STATION IN LOS ANGELES AND, I WANT TO APPLY FOR A CCW  
19 PERMIT. HERE'S THE APPLICATION, HERE'S OUR POLICY, FILL IT  
20 OUT, COME BACK, YOU KNOW, WE'LL LET YOU KNOW. HERE ARE THE  
21 STEPS.

22 AND WHAT WE HAVE ARE EIGHT DECLARATIONS. AND  
23 IT'S A SAMPLING. IT'S NOT THE WHOLE UNIVERSE OF THE  
24 NONCOMPLIANCE THAT'S GOING ON.

25 THE COURT: YOU ASKED FOR AN EVIDENTIARY HEARING.  
26 WHAT DO YOU ENVISION IT BEING? WHAT WOULD HAPPEN AT THIS  
27 EVIDENTIARY HEARING?

28 MR. DALE: I COULD BRING AT THIS POINT PROBABLY AT

09:22

1 LEAST 16 APPLICANTS OVER THE PAST FOUR OR FIVE YEARS.

2 AND I COULD TELL YOU SOMETHING, IF THE COURT  
3 WANTS TO SEE THE TOTAL, THE TOTAL UNIVERSE OF IT, I AGREE  
4 WITH THE COURT THAT, YOU KNOW, THE LAPD SHOULD PROVIDE  
5 EVIDENCE AS TO HOW THEY'RE COMPLYING OTHER THAN A  
6 DECLARATION SAYING, WE THINK WE'RE COMPLYING OR  
7 ALTERNATIVELY GIVE US DISCOVERY INTO ALL THE PEOPLE WHO  
8 HAVE APPLIED AND WE'LL CONTACT THEM AND FIND OUT WHICH ONES  
9 ACTUALLY GOT THE POLICY AND WHO DIDN'T AND THEN WE CAN  
10 PRESENT THAT TO THE COURT.

11 THE COURT: OKAY. CITY, WHAT DO YOU THINK?

09:22

12 MS. GONZALES: YOUR HONOR, I THINK THAT WOULD BE  
13 UNFORTUNATELY A WASTE OF RESOURCES. WE DON'T -- I'M PRETTY  
14 CERTAIN THAT THE POLICE DEPARTMENT DOES NOT HAVE TALLIES,  
15 FOR EXAMPLE, OF LET'S SAY 20 PEOPLE CAME INTO VAN NUYS  
16 STATION TODAY --

17 THE COURT: DO YOU KEEP THAT KIND OF RECORD? I DON'T  
18 KNOW.

19 MS. GONZALES: THEY DO NOT. I'M SURE THEY DO NOT.

20 DETECTIVE THOMPKINS: NO, SIR. WE DON'T.

21 MS. GONZALES: BUT WHAT I THINK MOST IMPORTANT IS  
22 THAT THE DEPARTMENT IS COMMITTED TO COMPLYING WITH THE  
23 ASSENT OF JUDGMENT. THE TWO THINGS THAT THE PETITIONERS  
24 COMPLAIN OF ARE NOT GETTING APPLICATIONS FROM THE STATIONS  
25 AND NOT GETTING THE POLICY.

26 AS WE POINTED OUT IN OUR DECLARATION, THE CHIEF  
27 OF POLICE ISSUED AND MADE PART OF THE POLICY MANUAL THAT  
28 THE EMPLOYEES HAVE THAT OBLIGATION. IT WOULD HAVE BEEN

09:23

1 HELPFUL IF EITHER ANY OF THESE INDIVIDUALS OR MR. JACOBSON  
2 OR MR. MICHEL HAD ALERTED THE DEPARTMENT, SAID, YOU KNOW  
3 WHAT? THERE'S A PROBLEM OUT THERE. WE HAD SOMEONE TELL US  
4 THAT THEY WENT TO HARBOR DIVISION AND THEY DIDN'T HAVE AN  
5 APPLICATION OR THEY WENT TO TOPANGA OR THEY WENT TO  
6 WHEREVER.

7 THE CHIEF, I GUARANTEE YOU, WOULD HAVE INSURED  
8 THAT A REMINDER WENT OUT.

9 WHEN WE BECAME AWARE OF THESE EIGHT INSTANCES,  
10 EVEN THOUGH THEY WERE OVER SEVERAL YEARS, WE SAID, YOU KNOW  
11 WHAT, LET'S REMIND OUR OFFICERS THAT THEY HAVE THAT  
12 OBLIGATION. AND LET'S MAKE SURE THAT THEY HAVE THESE  
13 POLICIES OUT THERE.

09:24

14 AND SO THE GANG AND NARCOTICS DIVISION, WHICH  
15 IS OVER THE GUN UNIT, SAID, LET'S GET IT OUT TO THE  
16 DIVISIONS AGAIN. LET'S MAKE SURE THAT THEY ALL HAVE THEM  
17 AND THEY, YOU KNOW, ANY TIME ANYBODY COMES IN.

18 BUT MORE IMPORTANTLY, BECAUSE I DO THINK THIS  
19 IS BENEFICIAL AND SORT OF GOES TO THE SPIRIT OF THE ASSENT  
20 OF JUDGMENT, WE'VE ALSO TOLD -- THE DEPARTMENT HAS ALSO  
21 TOLD ITS PERSONNEL, YOU KNOW, WHEN SOMEBODY COMES IN  
22 LOOKING FOR AN APPLICATION OR THE POLICY OR IS INTERESTED  
23 IN ANY WAY, GIVE THEM THE APPLICATION, GIVE THEM THE  
24 POLICY, BUT ALSO SEND THEM OVER TO THE GUN UNIT BECAUSE  
25 THEY'RE THE EXPERTS, THEY'RE THE ONES THAT ARE GOING TO  
26 PROCESS THE APPLICATION, THEY KNOW THE POLICY, THEY CAN  
27 HELP THE APPLICANT GO THROUGH THE PROCESS.

28 THE COURT: YOU MUST HAVE SOME -- YOU MUST HAVE

09:24

1 RECORDS OF CCW PERMITS ISSUED AND PERMITS DENIED.

2 MS. GONZALES: YES.

3 THE COURT: OKAY. SO HOW BIG IS THAT UNIT? LET'S GO  
4 BACK SINCE '98, DO YOU KNOW HOW MANY CCW PERMITS HAVE BEEN  
5 ISSUED? DO YOU KNOW THAT?

6 MS. GONZALES: EACH YEAR -- SINCE 1998?

7 THE COURT: SINCE BUCKNER SIGNED THE ORDER.

8 MS. GONZALES: WELL, EVERY -- IS IT TWO YEARS THAT  
9 THEY -- EVERY TWO YEARS AN, YOU KNOW, A PERMITTEE CAN  
10 SUBMIT A RENEWAL APPLICATION. AND THEN OF COURSE EVERY  
11 YEAR THERE MAY BE NEW APPLICANTS. SO YES, WE DO HAVE  
12 THOSE.

13 PERHAPS DETECTIVE THOMPkins CAN TELL ME ABOUT  
14 HOW MANY YOU GET PER YEAR WOULD YOU SAY?

09:25

15 DETECTIVE THOMPkins: RIGHT NOW WE HAVE 23 ACTIVE CCW  
16 HOLDERS IN THE CITY OF LOS ANGELES.

17 THE COURT: 23?

18 DETECTIVE THOMPkins: THAT'S CORRECT.

19 THE COURT: THERE ARE 23 PEOPLE IN THE CITY OF  
20 LOS ANGELES WHO HAVE A CCW PERMIT.

21 DETECTIVE THOMPkins: THAT'S CORRECT.

22 MS. GONZALES: BUT WHAT I WAS SAYING ABOUT --

23 THE COURT: I KNOW MORE JUDGES -- THERE ARE 24 JUDGES  
24 WHO HAVE CCW PERMITS.

25 MS. GONZALES: SOME OF THEM MAY HAVE IT FROM THE  
26 COUNTY, FROM SHERIFF BACA.

27 THE COURT: THAT'S TRUE.

28 MS. GONZALES: BUT WHAT I WAS SAYING IS WE WOULDN'T

09:25

1 NECESSARILY HAVE RECORDS THAT REFLECT 20 PEOPLE CAME IN  
2 TODAY TO TOPANGA STATION AND REQUESTED A CCW APPLICATION  
3 AND POLICY.

4 THE COURT: DO YOU HAVE REJECTIONS? DO YOU KEEP  
5 TRACK OF REJECTIONS?

6 MS. GONZALES: THE DEPARTMENT KEEPS RECORDS OF ALL  
7 APPLICATIONS AND THE RESULT OF THAT APPLICATION, WHETHER  
8 THEY WERE GRANTED A PERMIT OR THEY WERE DENIED A PERMIT,  
9 YES.

10 THE COURT: THAT'S WHAT I THINK WE OUGHT TO HAVE AND  
11 WE OUGHT TO HAVE IT GOING BACK SINCE BUCKNER'S ORDER. WE  
12 OUGHT TO SEE WHAT THAT, AT LEAST THAT UNIVERSE LOOKS LIKE.  
13 SHOULDN'T WE?

09:26

14 MS. GONZALES: I DON'T KNOW THAT THAT WOULD SHOW  
15 ANYTHING BECAUSE OBVIOUSLY, AND IN FACT DETECTIVE THOMPKINS  
16 CAN TELL THE COURT, THAT THEY OFTEN, THE GUN UNIT OFTEN  
17 GETS TELEPHONE CALLS FROM PEOPLE WHO ARE INTERESTED AND  
18 THEY WILL TAKE THEIR INFORMATION AND MAIL OUT A PACKET OR  
19 MAYBE INSTEAD THEY'VE GONE TO A DIVISION TO AN AREA AND  
20 GOTTEN AN APPLICATION AND WILL CALL THE GUN UNIT WITH  
21 QUESTIONS OR SO FORTH.

22 MANY PEOPLE WHO MIGHT ORIGINALLY THINK THAT  
23 THEY WANT TO APPLY AND THEN THEY MAY READ THE POLICY OR  
24 READ THE APPLICATION AND THEY MAY SAY, YOU KNOW WHAT, I'M  
25 NOT GOING TO APPLY.

26 SO I DON'T KNOW THAT IT'S VERY HELPFUL TO  
27 KNOW -- I MEAN THOSE RECORDS ARE CERTAINLY AVAILABLE.

28 THE COURT: I THINK IT WOULD BE HELPFUL TO KNOW

09:26

1 BECAUSE, AS I SAID, IF THIS WERE A LARGE NUMBER OF PEOPLE  
2 WHO APPLY, AND APPARENTLY IT'S A VERY SMALL NUMBER WHO IS  
3 GRANTED -- AT LEAST WE KNOW WHAT EIGHT DECLARATIONS LOOK  
4 LIKE IN CONTEXT OR 16 OR HOWEVER MORE YOU HAVE, EIGHT  
5 THIRTEEN OR WHATEVER, AT LEAST I WOULD KNOW WHAT THAT WOULD  
6 LOOK LIKE.

7 YOU MAKE THE POINT IN YOUR PAPERS THAT EIGHT  
8 GOES BACK OVER FOUR YEARS. YOU KNOW, OKAY. IN OTHER WORDS  
9 IT'S A PRETTY SMALL NUMBER, BUT I DON'T KNOW THAT UNTIL I  
10 SEE WHAT THE UNIVERSE LOOKS LIKE.

09:27

11 MS. GONZALES: WHAT I CAN TELL THE COURT, WHICH IS  
12 WHAT -- AND PERHAPS IT WASN'T MADE VERY CLEAR. I TRIED TO  
13 MAKE IT CLEAR IN DETECTIVE THOMPKINS' DECLARATION, IS THAT  
14 WHENEVER AN APPLICATION COMES IN OR A TELEPHONE CALL COMES  
15 IN OR ANY INQUIRY AT ALL COMES INTO THE GUN UNIT, THEY MAKE  
16 SURE THAT THE PERSON HAS RECEIVED THE POLICY.

17 THE COURT: DO PEOPLE LOG THIS IN? I GOT A PHONE  
18 CALL FROM JOE TODAY AND I DID THE FOLLOWING. IS THERE A  
19 LOG?

20 MS. GONZALES: I DON'T KNOW --

21 DETECTIVE THOMPKINS: NO. NO, SIR.

22 MS. GONZALES: -- THAT THEY NECESSARILY DO.

23 BUT THEY WOULD HAVE IT IF THERE WAS AN  
24 APPLICATION THAT'S SUBMITTED, THEN THEY'RE GOING TO  
25 START -- OBVIOUSLY THEY'RE GOING TO HAVE DOCUMENTATION WITH  
26 REGARD TO INTERVIEWING THE PERSON AND SO FORTH.

27 THE COURT: WOULD IT BE BURDENSOME TO HAVE YOUR DESK  
28 OFFICER OR SOMEBODY LOG IN PHONE CALLS AND THEN CHECK A

09:28

1 BOX, MAILED OUT, HARD COPY MAILED OUT, WOULD THAT BE A  
2 BURDENSOME THING?

3 MS. GONZALES: WELL, UNFORTUNATELY, YOUR HONOR, ALL  
4 OF THE DEPARTMENT IS UNDERSTAFFED, ESPECIALLY THE GUN UNIT.  
5 I WOULD NOT WANT --

6 THE COURT: IT WOULDN'T BE THE GUN UNIT. I  
7 CONTEMPLATE --

8 MS. GONZALES: OH, YOU MEAN THE STATIONS.

9 THE COURT: YES. THE WATCH COMMANDER WOULD GIVE IT  
10 TO SOMEBODY AT THE TELEPHONE OR FRONT DESK. AND IT WOULD  
11 BE A CHECK JUST TO KEEP TRACK OF THIS SO WE WILL KNOW  
12 THAT -- YOU KNOW, I DON'T DEMAND STRICT LIABILITY. I DON'T  
13 DEMAND THAT EVERYBODY BE PERFECT. AND WHILE THIS IS  
14 IMPORTANT, I RESPECT THAT, IT'S NOT THE MOST IMPORTANT  
15 FUNCTION OF LAPD. THEY HAVE OTHER THINGS TO DO TOO.

09:28

16 BUT, YOU KNOW, WE OUGHT TO KNOW WHETHER EIGHT  
17 IS A BIG NUMBER OR A SMALL NUMBER. AND IF WE KEPT TRACK,  
18 WE WOULD KNOW THAT.

19 SO WOULD IT BE A PROBLEM SAY FOR SIX MONTHS  
20 KEEPING TRACK AND THEN JUST, YOU KNOW, CHECKING THE BOX,  
21 WRITE IT DOWN, TERRY GREEN CALLED, ASKED FOR APPLICATION,  
22 MAILED APPLICATION, MAILED HARD COPY, AND JUST KEEP TRACK  
23 OF THAT FOR SIX MONTHS?

24 MS. GONZALES: FOR THE GUN UNIT AND FOR THE STATIONS,  
25 CAN YOU --

26 DETECTIVE THOMPKINS: THE STATIONS MIGHT BE HARD. I  
27 KNOW FOR OUR UNIT WE HAVE THESE PACKETS, WE DO HAND THEM  
28 OUT REGULAR AND VERY EASILY. WE MAIL THEM TO THE

09:29

1 LOCATIONS, WE DROP THEM OFF AT PEOPLE'S HOUSES. I CAN  
2 TRACK FROM THE GUN UNIT SIDE, BUT TO HAVE THE DIVISION DO  
3 IT, IT WILL REQUIRE SOME KIND OF SPECIAL ORDER REQUIRING  
4 THEM TO DO IT AND ALSO A FORM THAT THEY CAN FILL OUT SO WE  
5 CAN ACCURATELY TRACK IT.

6 WE WANT THESE TO GO OUT. WE GIVE THEM OUT  
7 FREELY. WE VOLUNTEER THIS INFORMATION AS MUCH AS WE CAN.  
8 I DO ALL QUAL TRAINING AT THE DIVISIONS. PEOPLE AT MY UNIT  
9 DO ALL AT THE STATIONS.

10 CCW ISSUE HAS ALWAYS BEEN A BIG ISSUE WITH THE  
11 CITY AND THE STATE OF CALIFORNIA.

12 WE DON'T HAVE A PROBLEM WITH PEOPLE CALLING US.  
13 WE DON'T HAVE A PROBLEM WITH PEOPLE GETTING INFORMATION ON  
14 WHERE WE'RE AT. AND WE DO HAND THESE OUT.

09:30

15 NOW, WHETHER OR NOT THEY COMPLETE IT AND COME  
16 BACK TO US FOR AN INTERVIEW, WHICH IS PART OF THE PROCESS  
17 THAT THEY MEET WITH US AND COMPLETE THE APPLICATION. BUT  
18 IF THEY DON'T DO THAT, WE SEND THE APPLICATION OUT, WE HAVE  
19 NO IDEA WHAT THEY'VE DONE WITH IT OR IF THEY'VE DECIDED NOT  
20 TO GO WITH IT OR HOLD IT FOR A COUPLE YEARS.

21 WE CAN DO WHATEVER YOU DEMAND, SIR. BUT AS FAR  
22 AS THE GUN UNIT, I CAN TRACK IT. AS FAR AS OUTSIDE THE GUN  
23 UNIT, I THINK IT'S GOING TO REQUIRE A LITTLE BIT OF WORK ON  
24 THE DEPARTMENT TO MAKE THAT HAPPEN.

25 THE COURT: WHAT DO YOU GUYS SUGGEST?

26 MR. DALE: I THINK IF THE STATIONS WOULD TRACK IT AND  
27 CAN SHOW THAT THEY'RE CONSISTENTLY DOING IT, THAT COMPLIES.

28 I DO HAVE AN ISSUE WITH THIS IDEA THAT THEY'VE

09:30

1 SORT OF CHANGED THE POLICY NOW NOW THAT IT GETS MAILED OUT  
2 AFTER THE FACT. AND ONE OF THE CONCERNS THAT GOT RAISED  
3 FROM MY REVIEW OF OFFICER THOMPKINS' DEPOSITION TRANSCRIPT  
4 IS IT LOOKED LIKE THEY SORT OF HAD TWO COMPETING POLICIES,  
5 ONE WAS THE POLICY THAT WAS ADOPTED UNDER ASSENZA WHICH IS  
6 SOMEBODY COMES INTO THE STATION -- AND I AGREE WITH YOUR  
7 HONOR. THERE MAY BE TIMES WHEN THERE ARE FORMS THAT  
8 THEY'VE RUN OUT OF. AND THAT HAPPENS. I UNDERSTAND. I  
9 DON'T EXPECT PERFECTION EITHER.

09:31

10 BUT THERE SEEMS TO BE A PATTERN AND PRACTICE  
11 AND IT MAY BE AN ADOPTED POLICY AT THIS POINT WHERE  
12 SOMEBODY COMES IN AND EITHER THE OFFICER DOESN'T KNOW WHAT  
13 TO DO, EVEN THOUGH IT'S IN THE MANUAL, OR THE OFFICER SAYS,  
14 CALL THE GUN UNIT. AND THAT'S NOT REALLY THE POLICY THAT  
15 JUDGE BUCKNER ORDERED.

16 HE ORDERED THAT ANYBODY WHO WALKS INTO A  
17 STATION GETS A COPY OF THE POLICY AND A COPY OF THE  
18 APPLICATION FORM.

19 NOW IF THEY WANT TO CHANGE THE POLICY AND COME  
20 TO PETITIONERS AND SAY, THIS IS THE POLICY WE WANT AND THIS  
21 IS HOW WE'RE GOING TO ENSURE IT'S GOING TO HAPPEN, THEN  
22 THAT'S ANOTHER ISSUE AND WE CAN CERTAINLY HAVE THAT  
23 DISCUSSION.

24 BUT WHAT I'M HEARING IS THAT IT WOULD BE  
25 DIFFICULT FOR THEM TO COMPLY ON A STATION-WIDE BASIS  
26 BECAUSE THEY WOULDN'T BE ABLE TO IMPLEMENT IT WITH ALL OF  
27 THEIR OFFICERS OR IT WOULD REQUIRE A SPECIAL ORDER.

28 THE PROBLEM IS JUDGE BUCKNER'S ORDER

09:32

1 SPECIFICALLY SAYS THEY HAVE TO COMPLY ON A STATION-WIDE  
2 BASIS, AND HE ORDERED THE EIGHTEEN STATION WATCH COMMANDERS  
3 TO PROVIDE DECLARATIONS THAT THEY WERE COMPLYING ON A  
4 STATION-WIDE BASIS.

5 SO NOW THEY'RE SAYING IT MIGHT BE DIFFICULT.  
6 THIS IS WHAT ESSENTIALLY THEY'RE SUPPOSED TO BE DOING ALL  
7 ALONG IS ENSURING THAT THEY'RE HAVING THIS COMPLIANCE ON  
8 THE STATION HOUSE LEVEL.

9 THE COURT: JUST OUT OF CURIOSITY, WHY IS IT  
10 UNACCEPTABLE TO HAVE THEM GET IT OFF THE INTERNET?

11 MR. DALE: IF THE PEOPLE ARE ACTUALLY GETTING IT OFF  
12 THE INTERNET, I DON'T KNOW THAT IT IS UNACCEPTABLE. BUT  
13 THE ISSUE HERE IS, WE DON'T HAVE ANY INDICATION, OTHER THAN  
14 OFFICER THOMPKINS' WORD, THAT PEOPLE ARE ACTUALLY GETTING  
15 IT OFF THE INTERNET.

09:32

16 THE COURT: WELL, IT'S ON THE INTERNET, RIGHT?

17 MR. DALE: WELL, NO. I DON'T -- I'M NOT AWARE AND  
18 THEY CERTAINLY HAVEN'T DEMONSTRATED ANY EVIDENCE IN THEIR  
19 OPPOSITION PAPERS THAT IT IS FULLY AVAILABLE ON THE  
20 INTERNET.

21 THE COURT: WELL, I THOUGHT ONE OF THE PEOPLE, ONE OF  
22 YOUR DECLARANTS GOT IT OFF THE INTERNET.

23 MR. DALE: THEY GOT THE DOJ'S APPLICATION FORM OFF  
24 THE DOJ'S WEBSITE. THEY DIDN'T GET THE LAPD POLICY.

25 AND THE LAPD POLICY IS KEY HERE BECAUSE THESE  
26 PEOPLE ARE GOING TO FILL OUT THE APPLICATION, YOU KNOW, THE  
27 DOJ APPLICATION. AND THERE ARE GOOD CAUSE REQUIREMENTS  
28 THAT WERE NEGOTIATED OVER A SERIES OF YEARS BETWEEN THE

09:33

1 ASSENZA PLAINTIFFS AND THE LAPD REGARDING WHAT FACTORS THE  
2 LAPD WOULD CONSIDER IN GRANTING THE APPLICATION.

3 AND IF THEY'RE NOT GETTING THE POLICY WITH THE  
4 APPLICATION OR IF IT'S GETTING MAILED TO THEM AFTER THEY'RE  
5 SUBMITTING THE APPLICATION THEY GOT OFF THE DOJ'S WEBSITE,  
6 THEN THEY'RE SUBMITTING AN APPLICATION IN THE BLIND. THEY  
7 DON'T KNOW WHAT THE FACTORS ARE AND SO THEY'RE GOING TO GET  
8 REJECTED OUT OF HAND AS A RESULT BECAUSE THEY HAVEN'T --  
9 THEY DON'T KNOW WHAT THEY'RE BEING MEASURED AGAINST.

09:33

10 AND GETTING BACK TO THAT'S WHY WE WENT THROUGH  
11 THIS WHOLE RIGAMAROLE THREE YEARS AFTER THE ASSENZA  
12 JUDGMENT GOING IN FRONT OF JUDGE BUCKNER, BECAUSE AGAIN,  
13 LAPD SAID THEY WERE COMPLYING BUT AT THE END OF THE DAY  
14 PEOPLE WERE COMING TO US GOING, I DON'T KNOW HOW TO APPLY  
15 FOR THIS. I HAVE TO GO HIRE BURT JACOBSON IN ORDER TO  
16 FIGURE OUT HOW TO APPLY FOR A CCW.

17 AND ASSENZA WAS SUPPOSED TO MAKE THIS A VERY  
18 SIMPLE PROCESS, WALK IN, GET AN APPLICATION, GET A POLICY  
19 FORM, AND THEN YOU FILL IT OUT AND GO FROM THERE. AND IT  
20 WASN'T HAPPENING.

21 AND SO THEY CAN REPRESENT THAT EVERYBODY IS  
22 GETTING FORMS, BUT WE HAVE PEOPLE WHO SAY OTHERWISE. AND  
23 AT THE END OF THE DAY IF THEY WANT TO CHANGE THE POLICY,  
24 WE'LL COME BACK AND NEGOTIATE WITH THEM.

25 BUT WE'VE NEVER HAD THAT DISCUSSION WITH THEM.  
26 IF THEIR NEW POLICY IS, WELL, WE'RE NOT GOING TO SUPPLY IT  
27 AT THE STATION HOUSES; WE'RE GOING TO MAKE SURE IT GETS  
28 MAILED OUT, THEN WE NEED TO HAVE THAT CONVERSATION WITH

09:34

1 THEM AND FIND OUT IF THERE ARE WAYS TO ENSURE THAT THEY'RE  
2 COMPLYING WITH BOTH THE LETTER AND SPIRIT OF ASSENZA.

3 THE COURT: OKAY, OKAY. SO WHAT DO YOU WANT FROM ME?

4 MR. DALE: I THINK -- I LIKE YOUR HONOR'S IDEA ABOUT  
5 ORDERING THEM TO CREATE CHECKLISTS FOR EACH OF THEIR  
6 STATION HOUSES.

7 WE WOULD ALSO LIKE TO GET COPIES OF ALL THE  
8 REJECTED APPLICATIONS AND CONTACT THOSE PEOPLE BECAUSE TO  
9 THE EXTENT THIS COURT HAS ANY QUESTIONS ABOUT WHETHER THE  
10 EIGHT REPRESENTS, YOU KNOW, A MINOR ERROR OR IT REPRESENTS  
11 AN ONGOING PATTERN AND PRACTICE, THAT'S GOING TO BE  
12 DETERMINATIVE OF WHAT THE LAPD NEEDS TO DO IN ORDER TO SHOW  
13 THAT THEY'RE IN COMPLIANCE AND WHAT FURTHER STEPS MAY NEED  
14 TO BE TAKEN IN ORDER TO DO THAT.

09:35

15 THE COURT: WHAT ABOUT -- I'M SORRY. YES.

16 MR. JACOBSON: ALONG THE LINES THAT IS MENTIONED --  
17 I'M THE ATTORNEY THAT FILED THE ASSENZA CASE. I KNOW IT  
18 FROM -- I KNOW IT VERY WELL, FROM THE GET-GO. AND I KEEP  
19 PLOWING THE SAME GROUND.

20 THERE WAS NO COMPLIANCE WITH -- THE ASSENZA  
21 JUDGMENT CAME INTO EFFECT BECAUSE REJECTION LETTERS WENT  
22 OUT SAYING, USE A CELL PHONE. I MEAN INCREDIBLE SOME OF  
23 THE REJECTION LETTERS.

24 THE ASSENZA JUDGMENT THEN WENT TO SAY -- THERE  
25 WAS A MAIN HEADING AS TO A GENERAL RULE OF GOOD CAUSE, AND  
26 THEN IT WENT TO SIX SPECIFIC ITEMS THAT CONSTITUTED GOOD  
27 CAUSE. THAT'S WHAT WAS IN THE BUCKNER ORDER AS TO THE  
28 GUIDELINES TO BE SUBMITTED ALONG WITH EVERY APPLICATION.

09:35

1 THE ASSENZA JUDGMENT THEN WENT ON TO SAY, IF  
2 YOU SUBMIT AN APPLICATION UNDER PENALTY OF PERJURY AND YOU  
3 FALL WITHIN ONE OF THOSE SIX HEADINGS, THAT'S CONSIDERED  
4 SUFFICIENT EVIDENCE UNLESS THE LAPD HAS, QUOTE -- I WROTE  
5 THE LANGUAGE -- "STRONG COUNTERVAILING EVIDENCE." THIS HAS  
6 NOT BEEN COMPLIED WITH.

7 IT ALSO PROVIDED THAT IF THERE WAS A DENIAL, IT  
8 WOULD GO TO A CITIZEN'S PANEL. I HAPPEN TO BE ON THE  
9 PANEL. I CAN TELL YOU THAT EVER SINCE CHIEF WILLIE  
10 WILLIAMS LEFT OFFICE -- WHEN HE WAS THERE, ABOUT 70 PERCENT  
11 OF THE CITIZEN'S PANEL'S RECOMMENDATIONS WERE FOLLOWED.  
12 SINCE THEN, ZERO.

09:36

13 YOU MENTION THERE'S 20-SOME-ODD CCW'S. I CAN  
14 TELL YOU WHAT MOST OF THEM ARE. THEY ARE EITHER THE  
15 ORIGINAL ASSENZA PLAINTIFFS THAT ARE STILL ALIVE AND AROUND  
16 OR THE LATE PLAINTIFFS BECAUSE THERE WAS A COMPANION CASE  
17 THAT WENT JUST BEFORE ASSENZA CALLED LAKE VERSUS CITY OF  
18 SAN FERNANDO AND ANOTHER ONE CALLED KIHM, K-I-H-M.

19 UNLESS YOU'RE ONE OF THOSE ORIGINAL PLAINTIFFS,  
20 YOUR ODDS ARE INFINITESIMAL THAT YOU'RE GOING TO BE  
21 GRANTED -- I ONLY KNOW OF TWO. ONE FELLOW IS A MACHINE GUN  
22 DEALER. OBVIOUSLY THEY DON'T WANT HIM TO NOT BE ABLE TO  
23 PROTECT THE MACHINE GUNS. AND ANOTHER FELLOW --

24 THE COURT: MACHINE GUN DEALER.

25 MR. JACOBSON: YEAH, MACHINE GUN DEALER, LICENSED  
26 MACHINE GUN DEALER, DEALS WITH LAW ENFORCEMENT.

27 AND ANOTHER FELLOW WAS A LOCKSMITH. WELL, YOU  
28 SAY WHAT'S A LOCKSMITH GOT TO DO WITH IT. WELL, HE HAS THE

09:37

1 COMBINATIONS OF ALL THE ATM'S IN TOWN. THEY GAVE HIM  
2 PERMITS.

3 THOSE ARE THE ONLY TWO WHO ARE NOT ASSENZA  
4 PEOPLE THAT I AM PERSONALLY AWARE OF. AND I AM AWARE OF A  
5 LOT OF THEM.

6 THE COURT: WELL, WE CAN AT LEAST AGREE THAT YOU  
7 SHOULD PRODUCE ALL APPLICATIONS, REJECTS AND ACCEPTED ONES.

8 MS. GONZALES: YOUR HONOR, IF THEY MADE A PUBLIC  
9 RECORDS REQUEST, WE WOULD BE REQUIRED TO GIVE THEM THAT  
10 INFORMATION.

11 THE COURT: WHY DON'T I JUST SAY IT?

12 MS. GONZALES: THAT'S FINE, THAT'S FINE. WHAT I'M  
13 SAYING IS THAT THEY'VE NEVER REQUESTED THAT INFORMATION.  
14 IT'S NOT THAT WE ARE HIDING THAT INFORMATION. MR. BURT --

09:38

15 THE COURT: OKAY, BUT NOW I'M GOING TO ASK YOU TO DO  
16 THAT.

17 NOW, AS TO STATION BY STATION COMPLIANCE --  
18 WELL, I THINK WHAT WE NEED AT THE VERY LEAST IS A  
19 DECLARATION FROM THE WATCH COMMANDER OR STATION COMMANDERS  
20 THAT THEY ARE IN COMPLIANCE AND WHAT THEY'RE DOING TO  
21 COMPLY AT THE VERY LEAST.

22 I AM A LITTLE RELUCTANT TO ADD TO WHAT PEOPLE  
23 ARE DOING AT THE DESK BECAUSE I UNDERSTAND THAT THERE ARE A  
24 LOT OF MOVING PARTS IN THE POLICE STATION, A LOT OF THINGS  
25 HAPPEN AND A LOT OF THINGS THAT NEED ATTENTION IMMEDIATELY  
26 ARE HAPPENING. AND TO ADD ONE MORE THING OF RECORDKEEPING  
27 CAN BE -- IT CAN BE, A, IT CAN GET IN THE WAY AND IT CAN  
28 ALSO JUST FALL BY THE WAYSIDE AS YOU ARE PRIORITIZING YOUR

09:39

1 TIME.

2 I KNOW WE GET THINGS OCCASIONALLY FROM AOC THAT  
3 WE HAVE TO KEEP TRACK OF CERTAIN -- THE LAST THING I WANT  
4 TO SEE. IT'S NOT LIKE I'M SITTING AROUND AND, OH, BOY, I  
5 HAVE SOMETHING NOW TO DO. IT JUST GETS IN THE WAY.

6 WHAT I WOULD LIKE, WHAT I NEED FROM YOU IS ALL  
7 APPLICATIONS AND ALL REJECTS AND TO TURN THAT OVER TO THE  
8 PETITIONERS.

9 MS. GONZALES: JUST THE DENIALS, APPLICATIONS AND  
10 DENIALS?

11 THE COURT: EVERY APP. YOU HAVE SO THEY CAN CONTACT  
12 THESE FOLKS. AND I NEED A DECLARATION FROM STATION  
13 COMMANDER -- I DON'T KNOW, WATCH COMMANDER -- STATION  
14 COMMANDER THAT THEY ARE IN COMPLIANCE WITH THIS AND WHAT  
15 THEY ARE DOING TO ENSURE COMPLIANCE.

09:39

16 AND LET'S SEE WHERE THAT GOES. LET'S SEE WHERE  
17 THAT GOES.

18 PERHAPS AT THE END OF THE DAY WE'LL NEED TO  
19 HAVE AN ORDER THAT THEY DO IN FACT KEEP TRACK OF PEOPLE WHO  
20 COME IN. I HOPE NOT BECAUSE, AGAIN, I HOPE THEY ARE  
21 COMPLYING AND I WOULD LIKE TO HAVE THEM BE DOING THINGS  
22 THAT ARE, YOU KNOW, MORE IN TRADITIONAL POLICE WORK.

23 BUT LET'S DO THIS AND SEE WHERE IT TAKES US.  
24 AND --

25 MS. GONZALES: THAT'S FINE, YOUR HONOR.

26 I JUST WANTED TO CORRECT ONE THING THAT  
27 PETITIONER'S COUNSEL SAID WHICH IS THAT THE POLICE  
28 DEPARTMENT HAS NOT CHANGED ITS POLICY.

09:40

1 THE POLICE DEPARTMENT HAS NO QUARREL WHATSOEVER  
2 WITH HOW THEY -- THE NOW 21 AREA STATIONS HAVE THE ENTIRE  
3 PACKET AVAILABLE, WHICH IS THE DOJ APPLICATION, THE LAPD  
4 POLICY, AND THE COVER SHEET WHICH COMES FROM THE GUN UNIT  
5 WHICH KIND OF EXPLAINS A LITTLE BIT TO THEM AND GIVES THEM  
6 THE GUN UNIT CONTACT NUMBER.

7 AS DETECTIVE THOMPKINS INDICATED, THE  
8 DEPARTMENT IS MORE THAN HAPPY TO ASSIST ANY MEMBER OF THE  
9 PUBLIC WHO IS INTERESTED IN APPLYING, SO.

10 THE COURT: OKAY. AND HERE'S ONE MORE THING I WILL  
11 ASK. I'VE NEVER BEEN ON THE LAPD WEBSITE, I DON'T KNOW  
12 WHAT'S THERE, BUT WE OUGHT TO PUT SOMETHING ON THE WEBSITE  
13 FOR OBTAINING A CCW, PUT THE POLICY ON THE WEBSITE AND THE  
14 FORM ON THE WEBSITE.

09:41

15 MS. GONZALES: I'M GLAD YOU MENTIONED THAT, YOUR  
16 HONOR, BECAUSE WE WERE JUST TALKING ABOUT THAT THAT WE HAD  
17 BEEN TALKING ABOUT WHAT -- THERE WAS A QUESTION ABOUT THE  
18 DOJ FORM THAT WE COULD POSSIBLY LINK TO IT, BUT DEFINITELY  
19 PUTTING --

20 THE COURT: PUT IT ON. PUT IT ON TO WHERE THERE MUST  
21 BE AN INDEX, ONE FOR CARRYING A CONCEALED WEAPON, CLICK ON  
22 IT, AND THEN HAVE WHERE THEY CAN READ IT AND DOWNLOAD A  
23 HARD COPY OF THE POLICY AND READ THE APP. AND DOWNLOAD THE  
24 APP.

25 MS. GONZALES: RIGHT, EXACTLY, WHICH IS -- WE HAVE NO  
26 PROBLEM WITH THAT WHATSOEVER.

27 THE COURT: ALL RIGHT. SO I WILL ORDER THAT. I WILL  
28 ORDER THAT YOU TURN OVER THE APPS. AND DENIALS, AND I'LL

09:42

1 ORDER YOU TO GET DECLARATIONS FROM STATION COMMANDERS WHAT  
2 THEY ARE DOING TO COMPLY WITH THE RULE.

3 AND THEN WE'LL SEE WHERE WE ARE. COULD BE  
4 EVERYBODY WILL BE SATISFIED, COULD BE. WE'LL SEE.

5 MS. GONZALES: LIKE I SAID, IT'S JUST UNFORTUNATE  
6 THAT THE DEPARTMENT WAS NOT CONTACTED BECAUSE WE WOULD BE  
7 MORE THAN HAPPY TO DO EVERYTHING IN OUR POWER TO ENSURE  
8 THAT ALL OF THE PERSONNEL OF THE DEPARTMENT DO COMPLY.  
9 IT'S NOT THAT HARD, NOT THAT HARD AT ALL.

10 THE COURT: I'M ALWAYS ENCOURAGING PEOPLE TO MEET AND  
11 CONFER IN PERSON AND TALK TO ONE ANOTHER, BUT, YOU KNOW,  
12 THIS IS WHAT I HAVE RIGHT NOW, SO DO YOU OBJECT TO THIS OR  
13 WHAT?

09:42

14 MR. DALE: NO, NO. I'M IN FULL AGREEMENT WITH HOW  
15 YOUR HONOR WANTS TO HANDLE THIS. I THINK IF WE GET  
16 DECLARATIONS BACK THAT SHOW COMPLIANCE AND THEN WE HAVE AN  
17 OPPORTUNITY TO CONFIRM THAT BY CONTACTING THE APPLICANTS,  
18 THAT WILL SATISFY, YOU KNOW, WHAT WE NEED TO DO AND WE'LL  
19 DO OUR DUE DILIGENCE TO MAKE SURE --

20 THE COURT: YOU GUYS COULD ALSO, YOU KNOW, GET YOUR  
21 NEIGHBOR TO WALK INTO THE VAN NUYS STATION OR SOMETHING AND  
22 ASK FOR ONE AND SEE WHAT HAPPENS.

23 MR. DALE: YEAH. AND THAT'S CERTAINLY AN OPTION TOO,  
24 BUT, YOU KNOW, WE DON'T EVEN WANT TO GO THERE YET.

25 MS. GONZALES: YOUR HONOR, MAY I JUST GET  
26 CLARIFICATION WITH REGARD -- BECAUSE I'M JUST TRYING TO  
27 REDUCE THE AMOUNT OF WORK THAT LAPD NEEDS TO DO --

28 THE COURT: RIGHT.

09:43

1 MS. GONZALES: -- TO EFFECTUATE THE COURT'S ORDER.  
2 AND THAT IS, DOES THE PETITIONER REALLY JUST WANT THE NAMES  
3 OF THE APPLICATIONS WITH CONTACT INFO SO THAT THEY CAN  
4 CONTACT AND SAY, BY THE WAY, DID YOU HAVE ANY DIFFICULTY  
5 GETTING IT, BECAUSE THESE PACKAGES CAN BE QUITE LENGTHY.

6 THE COURT: ALL RIGHT. THAT'S FAIR. IS CONTACT  
7 INFORMATION ENOUGH?

8 MR. DALE: I THINK IT WOULD BE HELPFUL TO HAVE ALL  
9 THE INFORMATION.

10 THE COURT: "ALL" MEANING --

11 MR. DALE: THE ENTIRE APPLICATION FORM AND --

12 THE COURT: LET ME TELL YOU THIS. WE'LL JUST START  
13 WITH THE CONTACT INFORMATION, HAVE TWO LISTS, PERMITTEES  
14 AND DENIALS, AND CONTACT INFORMATION FOR BOTH THOSE. AND  
15 LET'S SEE WHERE IT GOES.

09:43

16 MR. DALE: I APPRECIATE THAT, YOUR HONOR. I DO  
17 ANTICIPATE THAT WE MAY NEED SOME ADDITIONAL INFORMATION AT  
18 SOME POINT SIMPLY BECAUSE IT'S BEEN 13 YEARS, SOME OF THESE  
19 PEOPLE MAY HAVE MOVED AND WE MAY NEED SOME OF THAT  
20 INFORMATION TO TRACK THEM DOWN.

21 THE COURT: OKAY. SO WHAT IS A -- WELL, ACCORDING TO  
22 COUNSEL SAYS IT'S EVERY TWO YEARS THEY HAVE TO RE-UP.

23 MS. GONZALES: AND, I'M SORRY. MAYBE I NEED  
24 CLARIFICATION ON THE PERIOD OF TIME THAT WE'RE TALKING  
25 ABOUT. ARE WE TALKING ABOUT EVERY SINGLE PERSON WHO  
26 SUBMITTED AN APPLICATION SINCE 1998 TO PRESENT?

27 THE COURT: SINCE BUCKNER'S ORDER, YEAH.

28 MS. GONZALES: OKAY. THAT IS GOING TO TAKE A LITTLE





**MICHEL & ASSOCIATES, P.C.**

Susie Price

Client Advance: Court Reporter/Videograp Susie Price: 06/21/11 Fee for Hearing Transcript for

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