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as California Attorney General*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THERESE MARIE PIZZO,

Plaintiff,

v.

**CITY AND COUNTY OF SAN
FRANCISCO, etc.,**

Defendants.

4:09-cv-04493-CW

**REQUEST FOR JUDICIAL NOTICE OF
DEFENDANT CALIFORNIA
ATTORNEY GENERAL IN SUPPORT
OF CROSS-MOTION FOR SUMMARY
JUDGMENT**

Date: July 26, 2012
Time: 2:00 p.m.
Courtroom: Courtroom 2, 4th Floor
Judge: The Honorable Claudia Wilken
Trial Date: October 9, 2012
Action Filed: September 23, 2009

Pursuant to Federal Rule of Evidence 201, Defendant Kamala D. Harris, California Attorney General, respectfully requests that the Court take judicial notice of the following documents attached to the accompanying Declarations of Allan Harjala, Joel Tochtermann, and George Waters:

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Attached to Harjala Declaration

1. Exhibit A: Statutes of California (1917), Chapter 145 (excerpts).
2. Exhibit B: Statutes of California (1923), Chapter 339 (excerpts)
3. Exhibit C: Statutes of California (1947), Chapter 1281 (excerpts)
4. Exhibit D: Statutes of California (1951), Chapter 1619 (excerpts)
5. Exhibit E: Statutes of California (1953), Chapter 36 (excerpts)

Attached to Tochtermann Declaration

6. Exhibit F: Statutes of California (1967), Assembly Bill 1591, ch. 960 (statute as adopted).
7. Exhibit G: All versions of Statutes of California (1967), Assembly Bill 1591, prior to adoption.
8. Exhibit H: California Legislature, Assembly Final History of AB 1591 (1967).
9. Exhibit I: Governor's Chaptered Bill File for AB 1591 (1967) (Governor Ronald Reagan).
10. Exhibit J: California Legislature, Senate Daily Journal (July 26, 1967) (excerpts).
11. Exhibit K: California Legislature, Assembly Daily Journal (July 27, 1967) (excerpts).

Attached to Waters Declaration

12. Exhibit L: California Department of Justice's STANDARD APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON (CCW).
13. Exhibit M: Commission on Peace Officer Standards and Training (POST) Training Manual (excerpts).

Federal Rule of Evidence 201 provides that "[a] judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b). "A court shall take judicial notice if requested by a party and supplied with the necessary information." Fed. R. Evid. 201(d). "A trial court may presume that public records are authentic and trustworthy." *Gilbrook v. City of Westminster*, 177 F.3d 839, 858 (9th Cir. 1999).

1 The exhibits described above are authentic public documents. Accordingly, defendant
2 respectfully requests that the Court take judicial notice of these documents.

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4 Dated: June 28, 2012

Respectfully submitted,

5 KAMALA D. HARRIS
6 Attorney General of California
7 PETER A. KRAUSE
8 Supervising Deputy Attorney General

9 /s/ George Waters

10 GEORGE WATERS
11 Deputy Attorney General
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13 *as California Attorney General*

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