

C. D. Michel — SBN 144258
Jason A. Davis — SBN 224250
TRUTANICH • MICHEL, LLP
180 East Ocean Blvd., Suite 200
Long Beach, CA 90802
Tel: (562) 216.4444

Stephen P. Halbrook
LAW OFFICES OF STEPHEN P. HALBROOK
10560 Main Street., Suite 404
Fairfax, Virginia 22030
Tel: (703) 352.7276

Don B. Kates — SBN 039193
BENENSON & KATES
22608 North East 269th Avenue
Battleground, Washington 98604
Tel: (360) 666.2688

Attorneys for Plaintiffs

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF FRESNO

EDWARD W. HUNT, in his official
capacity as District Attorney of Fresno
County, and in his personal capacity as a
citizen and taxpayer, et. al.,

Plaintiffs,

v.

STATE OF CALIFORNIA; WILLIAM
LOCKYER, Attorney General of the State of
California; CALIFORNIA DEPARTMENT
OF JUSTICE; Does 1-100;

Defendants.

) CASE NO. 01CECG03182

)
) **DEMAND FOR EXCHANGE OF EXPERT**
) **TRIAL WITNESS INFORMATION UNDER**
) **CCP SECTION 2034.210, AND DEMAND**
) **FOR PRODUCTION OF EXPERT REPORTS**
) **AND WRITINGS UNDER CCP SECTION**
) **2034.270**

) TRIAL: April 23, 2007
) DEPT: 73
) TIME: 8:30 a.m.

PARTY MAKING THIS DEMAND: Plaintiffs, EDWARD HUNT, et al.

EXCHANGE BY MAIL

DATE OF EXCHANGE: February 27, 2007

PLACE OF EXCHANGE: Trutanich • Michel, LLP, 180 E. Ocean Blvd., Suite
200, Long Beach, CA 90802

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 Plaintiffs, EDWARD HUNT, et al., hereby demands under Code of Civil Procedure
3 Section 2034.260(a), that on or before the above-stated date of exchange and at the above-stated
4 place of exchange all parties to this action shall participate in a mutual and simultaneous exchange
5 of information concerning each party's expert trial witness(es), in writing as required by Section
6 2034.210 of the Code of Civil Procedure, to the following extent.

7 1. A written list containing the name and address of each natural person, including any
8 party, whose oral or deposition testimony in the form of an expert opinion the responding party
9 expects to offer in evidence at the trial.

10 2. In the alternative, a statement that the responding party does not presently intend to
11 offer the testimony of any expert.

12 3. If any witness on the list to be exchanged is the responding party, an employee of the
13 responding party (as described under CCP section 2034.210(b)), or has been retained by that party
14 for the purpose of forming and expressing an opinion in anticipation of the litigation or in
15 preparation of the trial of the action, the exchange shall also include or be accompanied by an
16 expert witness declaration signed only by the attorney for the party designating the expert, or by
17 that party if that party has no attorney. The declaration shall be under penalty of perjury and shall
18 contain:

19 (a) A brief narrative statement of the qualifications of each expert;

20 (b) A brief narrative statement of the general substance of the testimony that the expert is
21 expected to give;

22 (c) A representation that the expert will be sufficiently familiar with the pending action to
23 submit to a meaningful oral deposition concerning the specific testimony, including any
24 opinion and its basis, that the expert is expected to give at trial; and

25 (d) A statement of the expert's hourly and daily fee for providing deposition testimony.

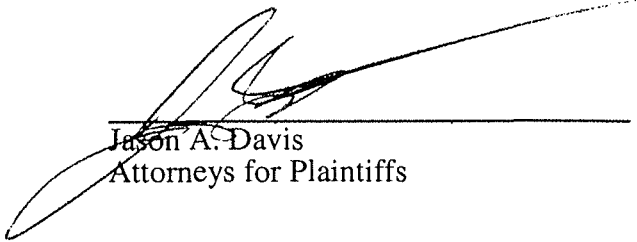
26 Under Code of Civil Procedure Section 2034.270, each party is also required to produce
27 for inspection and copying at the time and place of exchange stated above, all discoverable reports
28 and writings, if any, made in the course of preparing an expert opinion by the responding party, if

1 designated as an expert, and by any witness on the list to be exchanged who is an employee of the
2 responding party or has been retained by that party for the purpose of forming and expressing and
3 opinion in anticipation of the litigation or in the preparation for the trial of the action.

4 Except as provided by Code of Civil Procedure Section 2034.210, any party's failure to
5 comply with this demand will constitute a waiver of that party's right to call expert witnesses at
6 the time of trial.

7
8 DATED: January 22, 2007

TRUTANICH • MICHEL, LLP

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12 Jason A. Davis
13 Attorneys for Plaintiffs
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PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

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

On January 22, 2007, I served the foregoing document(s) described as

DEMAND FOR EXCHANGE OF EXPERT TRIAL WITNESS INFORMATION UNDER CCP SECTION 2034.210, AND DEMAND FOR PRODUCTION OF EXPERT REPORTS AND WRITINGS UNDER CCP SECTION 2034.270

on the interested parties in this action by placing

☐ the original

☒ a true and correct copy

thereof enclosed in sealed envelope(s) addressed as follows:

Douglas J. Woods
ATTORNEY GENERAL'S OFFICE
1300 "I" Street, Ste. 125
Sacramento, CA 94244-2550

(BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date is more than one day after date of deposit for mailing an affidavit.
Executed on January 22, 2007, at Long Beach, California.

(PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee.

X (MAIL OVERNIGHT) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for overnight delivery by UPS/FED-EX. Under the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for receipt on the same day in the ordinary course of business. Such envelope was sealed and placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for in accordance with ordinary business practices.
Executed on January 22, 2007, 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