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8 Attorneys for Respondents
CITY OF SUNNYVALE and
9 THE SUNNYVALE CITY COUNCIL

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 IN AND FOR THE COUNTY OF SANTA CLARA

12
13 U.S. FIREARMS COMPANY LLC,
a limited liability company;
14 ERIC W. FISHER; and THE NATIONAL
SHOOTING SPORTS FOUNDATION,
15 INC., a non-profit trade association,

16 Petitioners,

17 vs.

18 CITY OF SUNNYVALE; THE
SUNNYVALE CITY COUNCIL; and
19 DOES 1 through 30, inclusive,

20 Respondents.
21

Case No. 113cv257353

**SUPPLEMENTAL DECLARATION OF
ANTHONY P. SCHOENBERG IN
SUPPORT OF RESPONDENTS'
OPPOSITION TO ORDER TO SHOW
CAUSE RE PRELIMINARY INJUNCTION**

Judge: The Hon. Kevin E. McKenney
Department: 20
Action Filed: December 10, 2013

22
23 I, Anthony P. Schoenberg, declare as follows:

24 1. I am an attorney licensed to practice law in the State of California, and a partner of
25 the law firm Farella Braun + Martel LLP, counsel of record for Respondents City of Sunnyvale
26 and Sunnyvale City Counsel (collectively "Sunnyvale") in the above-captioned action. I have
27 personal knowledge of the facts set forth in this declaration, or I am informed and believe that
28 they are true, and if called to do so, I could and would competently testify to the same.

1 2. On December 30, 2013, Respondents filed the Declaration of Anthony P.
 2 Schoenberg in Support of Respondents' Opposition to Order to Show Cause Re Preliminary
 3 Injunction. Attached thereto as Exhibit D were true and correct copies of excerpts of the rough
 4 draft of the transcript of the deposition of Plaintiff Eric Fisher that was taken on December 27,
 5 2013. At the time of filing Respondents' opposition papers, the final transcript of the Fisher
 6 deposition was not yet available. Plaintiffs' counsel and I reached an agreement that Defendants
 7 could submit rough pages of the deposition transcript with the opposition papers and could file
 8 replacement pages from the final transcript once it became available. Respondents have now
 9 received the final transcript.


10 3. Accordingly, attached hereto are true and correct copies of the excerpts of the final
 11 Fisher deposition transcript cited in Respondents' opposition papers.

12 4. The following shows the rough draft citations and the final transcript citations.

Page	Fisher Rough Transcript citations	Revised final citations
8	47:13-19	52:24-53:5
13	82:21-25	92:5-9
13	88:15-19	97:24-98:3
13	95:8-96:7	104:17-105:16
13	98:23-99:6	108:7-15
13	79:8-80:1	88:18-89:10
13	61:14-22	70:21-71:4
15	64:20-67:16	74:3-76:24

18
 19 I declare under penalty of perjury under the laws of the State of California that the
 20 foregoing is true and correct.

21 Executed this 8th day of January 2014 in San Francisco, California.

22
 23
 24

 Anthony P. Schoenberg

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FILED UNDER SEAL

**EXHIBIT D TO SUPPLEMENTAL
DECLARATION OF ANTHONY P.
SCHOENBERG IN SUPPORT OF
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