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10 **IN THE UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA**
 12 **WESTERN DIVISION**

13 **MICHELLE FLANAGAN, et al.,**
 14 **Plaintiffs,**
 15 **v.**
 16 **CALIFORNIA ATTORNEY**
 17 **GENERAL XAVIER BECERRA, in**
 18 **his official capacity as Attorney**
 19 **General of the State of California, et**
 20 **al.,**
 21 **Defendants.**

Case No.: 2:16-cv-06164-JAK-AS

**DECLARATION OF JONATHAN M.
 EISENBERG REGARDING
 DEFENDANT'S REPLY IN
 SUPPORT OF MOTION FOR
 SUMMARY JUDGMENT**

Date: November 6, 2017
 Time: 8:30 a.m.
 Courtroom: 10B
 Judge: Hon. John A. Kronstadt
 Action Filed: August 17, 2016

1 I, Jonathan M. Eisenberg, declare as follows:

2 1. I am a Deputy Attorney General in the California Attorney General’s
3 Office. In the above-captioned matter, I represent Defendant Xavier Becerra,
4 Attorney General of the State of California, sued in his official capacity
5 (“Defendant”). I have personal knowledge of each fact stated in this declaration,
6 and if called as a witness I could and would testify competently to them under oath.

7 2. On July 12, 2017, counsel for Plaintiffs deposed Defendant’s expert
8 witness, Stanford Law Prof. John J. Donohue III. Attached hereto as Exhibit 1 is a
9 true and correct copy of excerpts from the transcript of Prof. Donohue’s July 12,
10 2017 deposition.

11 3. On August 8, 2017, counsel for Plaintiffs deposed Prof. Donohue again.
12 Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the
13 transcript of Prof. Donohue’s August 8, 2017 deposition.

14 4. On July 25, 2017, counsel for Defendant deposed Plaintiffs’ rebuttal
15 expert witness Gary Kleck. Attached hereto as Exhibit 3 is a true and correct copy
16 of excerpts from the transcript of Mr. Kleck’s deposition, as well as an exhibit
17 introduced during Mr. Kleck’s deposition.

18 5. On July 27, 2017, counsel for Plaintiffs deposed Defendant’s expert
19 witness, former Covina Chief of Police Kim Raney. Attached hereto as Exhibit 4 is
20 a true and correct copy of excerpts from the transcript of Chief Raney’s deposition.

21 6. On July 17, 2017, counsel for Defendant deposed Plaintiffs’ rebuttal
22 expert witness Guy A. Rossi. Attached hereto as Exhibit 5 is a true and correct
23 copy of excerpts from the transcript of Mr. Rossi’s deposition, as well as excerpts
24 of an exhibit introduced during Mr. Rossi’s deposition.

25 7. On August 10, 2017, counsel for Defendant deposed Plaintiffs’ rebuttal
26 expert witness John Cooke. Attached hereto as Exhibit 6 is a true and correct copy
27 of excerpts from the transcript of Mr. Cooke’s deposition, as well as an exhibit
28 introduced during Mr. Cooke’s deposition.

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I declare under penalty of perjury that the foregoing is true and correct.
Executed on October 16, 2017, at Los Angeles, California.



Jonathan M. Eisenberg