

ORIGINAL

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**FILED**  
San Francisco County Superior Court

AUG 15 2006

GORDON PARK-LI, Clerk

BY: J. King Deputy Clerk

7 Attorneys for Defendants  
8 CITY AND COUNTY OF SAN FRANCISCO, et al.

9  
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SAN FRANCISCO  
12 UNLIMITED JURISDICTION

13 PAULA FISCAL, LARRY P.  
BARSETTI, REBECCA KIDDER,  
14 DANA DRENKOWSKI, JOHN  
CANDIDO, ALAN BYARD, ANDREW  
15 SIRKIS, NATIONAL RIFLE  
ASSOCIATION, SECOND  
16 AMENDMENT FOUNDATION,  
CALIFORNIA ASSOCIATION OF  
17 FIREARMS RETAILERS, LAW  
ENFORCEMENT ALLIANCE OF  
18 AMERICA, and SAN FRANCISCO  
VETERAN POLICE OFFICERS  
ASSOCIATION,

19 Plaintiffs and Petitioners,

20 vs.

21 CITY AND COUNTY OF SAN  
22 FRANCISCO, SAN FRANCISCO  
POLICE CHIEF HEATHER FONG in her  
23 official capacity and SAN FRANCISCO  
POLICE DEPARTMENT, and Does 1-25,

24 Defendants and Respondents.  
25

Case No. CPF-05-505960

26 **NOTICE OF DESIGNATION OF  
RECORD ON APPEAL;  
27 DECLARATION OF APPELLANTS'  
COUNSEL**

28 Date Action Filed: Dec. 28, 2005  
Notice of Appeal  
Filed: July 20, 2006

**CG COPY**

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

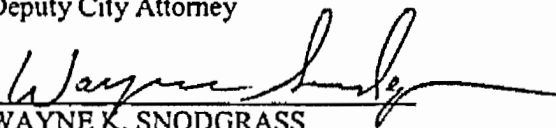
2 NOTICE IS HEREBY GIVEN that in connection with the notice of appeal filed on or about  
3 July 20, 2006, and following this Court's Notice dated August 2, 2006, appellants the City and  
4 County of San Francisco, the San Francisco Police Department, and San Francisco Chief of Police  
5 Heather Fong, who were defendants and respondents below, hereby designate the following record  
6 on appeal:

7 1. **Appendix in Lieu of Clerk's Transcript.** Pursuant to Rule 5.1 of the California  
8 Rules of Court, appellants elect to prepare a joint appendix and/or appellants' appendix in lieu of a  
9 Court-prepared clerk's transcript.

10 2. **Reporter's Transcript.** Pursuant to Rule 4 of the California Rules of Court,  
11 appellants designate the reporter's transcript of the February 23, 2006 hearing on petitioners and  
12 plaintiffs' Motion for Writ of Mandate and/or Prohibition or Other Appropriate Relief, in  
13 Department 301 (9:30 a.m., regular calendar). (As explained in the declaration of appellants'  
14 counsel, below, appellants have already paid for and received a copy of that reporter's transcript.)

15  
16 Dated: August 15, 2006

DENNIS J. HERRERA  
City Attorney  
WAYNE SNODGRASS  
Deputy City Attorney

17  
18  
19 By:   
20 WAYNE K. SNODGRASS  
21 Attorneys for Appellants

22 **DECLARATION OF APPELLANTS' COUNSEL**

23 I, WAYNE SNODGRASS, declare as follows:

24 1. I am counsel of record for appellants, who were defendants and respondents in the  
25 trial court, in the above-captioned matter.  
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2. The official court reporter for the February 23, 2006 hearing on petitioners and plaintiffs' Motion for Writ of Mandate and/or Prohibition or Other Appropriate Relief, on the 9:30 a.m. calendar in Department 301, was Christina T. Paxton, C.S.R. Certificate No. 1558.

3. Appellants' counsel has already paid Ms. Paxton for the Reporter's Transcript of the above-referenced hearing, and Ms. Paxton already has prepared and sent appellant's counsel a copy of that Reporter's Transcript.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 15<sup>th</sup> day of August, 2006, at San Francisco, California.

  
WAYNE K. SNODGRASS

**PROOF OF SERVICE**

I, MONICA QUATTRIN, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, #1 Dr. Carlton B. Goodlett Place – City Hall, Room 234, San Francisco, CA 94102.

On August 15, 2006, I served the following document(s):

- **NOTICE OF DESIGNATION OF RECORD ON APPEAL;  
DECLARATION OF APPELLANTS' COUNSEL**

on the following persons at the locations specified:

C.D. Michel  
Don B. Kates  
Thomas E. Maciejewski  
TRUTANICH MICHEL, LLP  
180 East Ocean Blvd., Suite 200  
Long Beach, CA 90802  
Telephone: (562) 216-4444

in the manner indicated below:

- BY UNITED STATES MAIL:** Following ordinary business practices, I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's Office for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited, postage prepaid, with the United States Postal Service that same day.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed August 15, 2006, at San Francisco, California.

  
\_\_\_\_\_  
MONICA QUATTRIN