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5 Senator H. L. Richardson
Gun Owners of California
6 California Rifle and Pistol Association
The Madison Society



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

11 PAULA FISCAL et al.,
12
13 Plaintiffs and Petitioners,
14 vs.
15 CITY AND COUNTY OF SAN
16 FRANCISCO et al.,
17 Defendants and Respondents.

) CASE NO. CPF-05-505960
)
) **SUPPLEMENTAL DECLARATION OF**
) **DONALD KILMER IN SUPPORT OF**
) **APPLICATION OF SENATOR**
) **RICHARDSON, ET AL., TO FILE AMICUS**
) **BRIEF AND IN SUPPORT OF**
) **APPLICATION OF AMERICAN**
) **ENTERTAINMENT ARMORERS**
) **ASSOCIATION TO FILE AMICUS BRIEF**
)
)
) Hearing Date: February 15, 2006
) Hearing Judge: Warren
) Time: 9:30 a.m.
) Location: Dept. 301
)
) Date Action Filed: December 29, 2005
) Trial Date: None.scheduled
)
)

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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA

3 COUNTY OF LOS ANGELES

4 I, Cally Van Drielen, am employed in the City of San Jose, Santa Clara County, California. I
5 am over the age eighteen (18) years and am not a party to the within action. My business address is
1261 Lincoln Ave., Suite 108, San Jose, California.

6 On February 2, 2006, foregoing document(s) described as

7 SUPPLEMENTAL DECLARATION OF DONALD KILMER IN SUPPORT OF
8 APPLICATION OF SENATOR RICHARDSON, *ET AL.*, TO FILE *AMICUS* BRIEF AND IN
9 SUPPORT OF APPLICATION OF AMERICAN ENTERTAINMENT ARMORERS
ASSOCIATION TO FILE *AMICUS* BRIEF

10 on the interested parties in this action by placing

the original
 a true and correct copy

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

12 C. D. Michel
13 TRUTANICH - MICHEL, LLP
180 East Ocean Blvd., Suite 200
Long Beach, CA 90802
14 (Attorney for Petitioners)

Vince Chhabria
OFFICE OF THE CITY ATTORNEY
1 Dr. Carlton B. Goodlett Place
City Hall, Room 234
San Francisco, CA 94102
(Attorney for Respondents)

15 X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
16 processing correspondence for mailing: Under the practice it would be deposited with the U.S.
17 Postal Service on that same day with postage thereon fully prepaid at San Jose, California, in
the ordinary course of business. I am aware that on motion of the party served, service is
18 presumed invalid if postal cancellation date is more than one day after date of deposit for
mailing an affidavit.
Executed on February 2, 2006, at San Jose, California.

19 _____ (VIA FACSIMILE TRANSMISSION) As follows: The facsimile machine I used complies
20 with California Rules of Court, Rule 2003, and no error was reported by the machine. Pursuant
to Rules of Court, Rule 2006(d), I caused the machine to print a transmission record of the
21 transmission, copies of which is attached to this declaration.

22 _____ (PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of the
addressee.
23 Executed on February ___, 2006, at San Jose, California.

24 X (STATE) I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

25 _____ (FEDERAL) I declare that I am employed in the office of the member of the bar of this of this
26 court at whose direction the service was made.

27 COPY

28 CALLY VAN DRIELEN

1 I, DONALD KILMER, declare as follows:

2 1. I am an attorney licensed to practice in the State of California. I have first hand knowledge
3 of the matters set forth below; if called as a witness I could and would testify to the same.

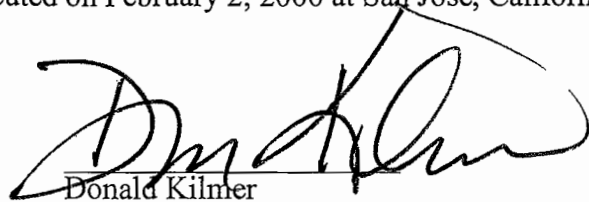
4 2. I am counsel for the Gun Owners of California, Senator Richardson, the California Rifle and
5 Pistol Association, and the Madison Society in the above-captioned matter. I have also agreed to
6 appear specially on behalf of Bruce Colodny, counsel for the American Entertainment Armorers
7 Association, on his application for permission to file an *amicus* brief in this matter.

8 3. My office and Bruce Colodny's office had originally given notice to Petitioners and
9 Respondents that they would seek *ex parte* orders to file *amicus* briefs on behalf of their clients on
10 Wednesday, February 1, 2006 at 11:00 a.m. in Department 301 of the San Francisco Superior Court.

11 4. On the morning of Wednesday, February 1, 2006, David Speakman from my office called
12 Wayne Snodgrass, counsel for Respondents, and told him that I would not be able to appear in court on
13 November 1, 2006, and that I would instead seek an *ex parte* order on behalf of my own clients and
14 specially on behalf of Mr. Colodny's client to file *amicus* briefs on Friday, February 3, 2006 at 8:30
15 a.m. in Department 301 of the San Francisco Superior Court.

16 5. On the morning of Wednesday, February 1, 2006, David Speakman from my office also
17 called C. D. Michel, counsel for Petitioners, and told him that I would not be able to appear in court on
18 February 1, 2006, and that I would instead seek an *ex parte* order on behalf of my own clients and
19 specially on behalf of Mr. Colodny's client to file *amicus* briefs on Friday, February 3, 2006 at 8:30
20 a.m. in Department 301 of the San Francisco Superior Court.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing is
22 true and correct and that this declaration is executed on February 2, 2006 at San Jose, California.

23
24
25 
Donald Kilmer