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Attorneys for The People of the State of California, et al.

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN DIEGO

Coordination Proceeding Special Title (Rule 1550(b)))	JUDICIAL COUNCIL COORDINATION
)	PROCEEDING NO. 4095
FIREARM CASE)	
Including actions:)	
<i>People, et al. v. Arcadia Machine & Tool, Inc., et al.</i>)	San Francisco Superior Court No. 303753
<i>People, et al. v. Arcadia Machine & Tool, Inc., et al.</i>)	Los Angeles Superior Court No. BC210894
<i>People, et al. v. Arcadia Machine & Tool, Inc., et al.</i>)	Los Angeles Superior Court No. BC214794
_____)		DATE: February 6, 2001
		TIME: 8:30 a.m.
		DEPT: 65
		Hon. Vincent P. DiFiglia

DECLARATION OF D. CAMERON BAKER IN SUPPORT OF PLAINTIFFS'
EX PARTE MOTION FOR ORDER COMPELLING DEFENDANT TRADER
SPORTS, INC. TO PRODUCE DOCUMENTS FOR INSPECTION

1 I, D. CAMERON BAKER, declare as follows:

2 1. I am a Deputy City Attorney in the San Francisco City Attorney's Office and represent
3 plaintiffs, the People of the State of California, in *People of the State of California v. Arcadia*
4 *Machine & Tool, Inc. et al.*, Judicial Council Coordinated Proceeding No. 4095. I have personal and
5 first-hand knowledge of the matters recounted below and could testify as to them competently.

6 2. Prior to coordination of the above-referenced actions, plaintiffs served discovery
7 requests upon defendant Traders Sports, Inc. ("Traders"). By agreement among counsel, on October
8 12, 1999, counsel for plaintiffs, including myself, inspected Traders' documents. After we had
9 reviewed certain documents, the parties postponed further inspection of the documents until a later
10 date.

11 3. Subsequently, on October 31, 1999, Traders served its written responses to plaintiffs'
12 request for production of documents. A true and correct copy of Traders' written response is attached
13 hereto as Exhibit A. In its written response, Traders agreed to produce responsive documents.

14 4. Since October 31, 1999 and prior to October 22, 2000, I have had many conversations
15 with counsel for Traders, either James Crew or Jack Leavitt. During those conversations, Mr. Crew
16 and Mr. Leavitt repeatedly indicated that Traders would permit plaintiffs to complete their inspection
17 commenced on October 12, 1999.

18 5. By Order dated October 13, 2000, this Court required all parties to respond to certain
19 specified core discovery and provided that "[n]o written discovery shall be served by any party
20 during the period of ninety days from the date of this agreement." October 13, 2000 Written
21 Discovery Stipulation and Order attached hereto as Exhibit B. On October 25, 2000, Traders served
22 its First Set of Requests for Admissions (RFAs) on "Plaintiff People, by San Francisco."

23 6. On October 31, 2000, I notified Traders' counsel in writing that service of Traders'
24 RFAs was improper under the Court's Order and that plaintiffs would not respond to that discovery.
25 A true and correct copy of my October 31, 2000 letter to James Crew and Jack Leavitt is attached
26 hereto as Exhibit C. In my October 31 letter, I also requested that Traders provide dates upon which
27 to inspect the documents being produced by Traders.

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7. On January 5, 2001, Traders' counsel responded in writing that Traders wanted plaintiffs to respond to Traders' RFAs prior to producing its documents. A true and correct copy of Traders' January 5, 2001 letter is attached hereto as Exhibit D. Following this letter, I spoke with Mr. Crew via telephone. In our conversation, Mr. Crew indicated that Traders would make its documents available without regard to whether or not plaintiffs had responded to Traders' RFAs. However, in a later telephone discussion, Jack Leavitt, Mr. Crew's co-counsel, indicated that Traders would not produce its documents for inspection until plaintiffs responded to Traders' RFAs. I memorialized my conversations with Mr. Crew and Mr. Leavitt in a January 17, 2001 letter to these gentlemen, attached hereto as Exhibit E.

8. On January 29, 2001, I made a final attempt to resolve the matter by calling Mr. Crew. When Mr. Crew did not respond to my telephone message, I notified Mr. Crew and Mr. Leavitt in writing that plaintiffs would make this ex parte application to compel Traders to produce its documents. A true and correct copy of my January 29, 2001 letter to Mr. Crew and Mr. Leavitt is attached hereto as Exhibit F.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 31st day of January, 2001, at San Francisco, California.

D. Cameron Baker
D. CAMERON BAKER

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(*People, et al. v. Arcadia Machine & Tool, Inc., et al.*)
 San Francisco Superior Court No. 303753
 Los Angeles Superior Court No. BC210894
 Los Angeles Superior Court No. BC214794

I, Veronica Rivera, declare:

1. That I am and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interested in the within action; that my business address is 600 West Broadway, Suite 1800, San Diego, California 92101.

2. That on January 31, 2001, I served the **DECLARATION OF D. CAMERON BAKER IN SUPPORT OF PLAINTIFFS' EX PARTE MOTION FOR ORDER COMPELLING DEFENDANT TRADER SPORTS, INC. TO PRODUCE DOCUMENTS FOR INSPECTION** by JusticeLink Electronic filing on all persons appearing on the Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 31st day of January, 2001, at San Diego, California.

Veronica Rivera
VERONICA RIVERA