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10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF SAN DIEGO
13

14 Coordination Proceeding
Special Title (Rule 1550 (b))

15
16 FIREARMS CASE
17

18
19 Including actions:

20 *People, et al. v. Arcadia Machine & Tool, Inc.,*
21 *et al.*

22 *People, et al. v. Arcadia Machine & Tool, Inc.,*
23 *et al.*

24 *People, et al. v. Arcadia Machine & Tool, Inc.,*
25 *et al.*

) JUDICIAL COUNCIL COORDINATION
) PROCEEDING NO. 4095
)

) San Francisco Superior Court No. 303753
) Los Angeles Superior Court No. BC210894
) Los Angeles Superior Court No. BC214794
)

) **DECLARATION OF LAWRENCE J.**
) **KOUNS IN SUPPORT OF *EX PARTE***
) **MOTION TO COMPEL PLAINTIFFS TO**
) **DISCLOSE (1) ACCIDENTAL**
) **DISCHARGE AND SUICIDE INCIDENTS**
) **AND (2) PLAINTIFFS' APPROVAL AND**
) **USE OF SPECIFIC FIREARMS**
)

) DATE: December 19, 2000
) TIME: 8:30
) DEPT: 65
) JUDGE: Honorable Vincent P. DiFiglia
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1 I, Lawrence J. Kouns, declare as follows:

2 1. I am an attorney licensed to practice before the courts of the State of California and am
3 a member of the law firm of Luce, Forward, Hamilton & Scripps LLP, attorneys of record for Sturm,
4 Ruger & Company, Inc. and Co-Liaison counsel for the Defendant Manufacturers in this case. If
5 called as a witness, I could and would testify as follows:

6 2. Attached to the Notice of Lodgment as Exhibit "1" is a true and correct copy of a letter
7 dated October 25, 2000 from attorney James Vogts to plaintiffs' Liaison Counsel, Robert Nelson and
8 Michael Dowd.

9 3. Attached to the Notice of Lodgment as Exhibit "2" is a true and correct copy of Michael
10 Dowd's letter to me dated October 27, 2000.

11 4. Attached to the Notice of Lodgment as Exhibit "3" is a true and correct copy of James
12 Vogts' letter dated November 20, 2000 to Attorney Jennie Lee Anderson.

13 5. Attached to the Notice of Lodgment as Exhibit "4" is a true and correct copy of my
14 letter dated December 5, 2000 to Michael Dowd and Robert Nelson.

15 6. Attached to the Notice of Lodgment as Exhibit "5" is a true and correct copy of my
16 letter dated December 8, 2000 to Michael Dowd and Robert Nelson.

17 7. I tried to reach Mr. Dowd by telephone on December 7 and 8, but was not successful.
18 Steve Polapink of his office and I traded several calls. On December 12, 2000 attorneys for plaintiffs
19 and for defendant manufacturers had a "meet and confer" discussion by telephone. Plaintiffs stated
20 they were producing documents pertaining to firearms located in their property rooms. Defendants
21 asked if plaintiffs intended to produce the underlying data (e.g. police reports) concerning accidental
22 shootings and suicides. Plaintiffs said they would not be producing that material. With regard to the
23 approval and use by plaintiffs of specific firearms, plaintiffs indicated they would stand on their
24 objections and not provide any of the requested information or documents.

25 8. Attached to the Notice of Lodgment as Exhibit "6" are true and correct copies of
26 documents produced by plaintiffs (stamped PLTF 0004952 through PLTF 0004978).

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1 9. Attached to the Notice of Lodgment as Exhibit "7" are true and correct copies of the
2 plaintiff City and County of San Francisco's Responses to Smith & Wesson Corp.'s First Set of Special
3 Interrogatories.

4 10. Attached to the Notice of Lodgment as Exhibit "8" are true and correct copies of the
5 Plaintiffs' Consolidated Responses to Sturm, Ruger & Company, Inc.'s First Set of Requests for
6 Production of Documents.

7 11. Attached to the Notice of Lodgment as Exhibit "9" are true and correct copies of the
8 Plaintiff City and County of San Francisco's Responses to Sturm, Ruger & Company, Inc.'s First Set
9 of Special Interrogatories.

10 12. Attached to the Notice of Lodgment as Exhibit "10" are true and correct copies of the
11 Plaintiffs' Consolidated Responses to Smith & Wesson Corp.'s First Set of Requests for Production
12 of Documents.

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

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16 Dated: December 12, 2000


LAWRENCE J. KOUNS