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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 CITY AND COUNTY OF SAN DIEGO

10
11 Coordination Proceeding
12 Special Title (Rule 1550(b))

13 FIREARM CASES

14 Including Actions:

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

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

17 People, *et al.*, v. Arcadia Machine & Tool,
18 Inc., *et al.*

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4095

San Francisco Superior Court Case No. 303753
Los Angeles Superior Court Case No. BC 210894
Los Angeles Superior Court Case No. BC 214794

**RESPONSES AND OBJECTIONS TO
REQUEST FOR PRODUCTION OF
DOCUMENTS PURSUANT TO
SUBPOENA**

Trial Date: February 21, 2003

Judge: The Hon. Vincent DiFiglia

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21 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

22 NOTICE IS HEREBY GIVEN that Third Party Youth Alive! hereby
23 responds and objects to the April 5, 2002 deposition subpoena for production of documents and
24 things served by counsel for Defendants Beretta U.S.A. Corp., et al. as
25 follows:

26 **GENERAL STATEMENT**

27 1. To the extent that any request may be construed as calling for information that is
28 subject to a claim of privilege, including, but not limited to, the attorney-client privilege, the

[804423.1]

work-product doctrine, or any constitutional, statutory, or regulatory proscription against disclosure, Youth Alive! asserts that doctrine or privilege and objects to the request on that basis. In addition, the inadvertent production of documents protected by any privilege or doctrine shall not constitute a waiver of the applicable privilege or doctrine, either as to those documents inadvertently produced or as to any other documents.

2. Youth Alive! objects to any requests that call for the production of confidential, proprietary, trade-secret information, or other information in which individuals and entities, including non-parties, have an expectation of privacy.

3. Youth Alive! objects to any requests that call for the production of documents protected from disclosure by virtue of any confidentiality agreements entered into with other third parties.

4. Youth Alive! objects to any requests that purport to require Law.com to provide information beyond the scope of the discovery obligations imposed by the California Code of Civil Procedure or the Local Rules of this Court.

5. Youth Alive! objects to any requests that seek documents readily obtainable from sources other than Youth Alive! in a manner that would be more convenient and less burdensome.

6. Youth Alive! objects to any requests that are overbroad as to time or scope and call for documents whose production is burdensome and oppressive.

7. Each of the above general objections is incorporated by reference as if fully set forth in each of Youth Alive!'s responses and objections below.

RESPONSES AND OBJECTIONS

REQUEST NO. 1:

A copy of your most recent resume or curriculum vitae.

RESPONSE TO REQUEST NO. 1:

Youth Alive! has made available all non-privileged, responsive documents located after a reasonable inquiry and diligent search. Youth Alive! reserves the right to alter or supplement its response, but it does not hereby obligate itself to do so.

1 **REQUEST NO. 2:**

2 Any and all documents which refer or relate to the creation and composition of the
3 Oakland Gun Tracing Committee, including documents reflecting the names and affiliations of
4 each member of the Committee.

5 **RESPONSE TO REQUEST NO. 2:**

6 Youth Alive! has made available all non-privileged, responsive documents located after a
7 reasonable inquiry and diligent search. Youth Alive! reserves the right to alter or supplement its
8 response, but it does not hereby obligate itself to do so.

9 **REQUEST NO. 3:**

10 Any and all documents which refer or relate to meetings of the Oakland Gun Tracing
11 Committee, including agendas, minutes, notes, transcripts, and documents disseminated, referred
12 to, or created during any meeting of the Committee.

13 **RESPONSE TO REQUEST NO. 3:**

14 Youth Alive! has made available all non-privileged, responsive documents located after a
15 reasonable inquiry and diligent search. Youth Alive! reserves the right to alter or supplement its
16 response, but it does not hereby obligate itself to do so.

17 **REQUEST NO. 4:**

18 Any and all documents which refer or relate to work done, analyses performed,
19 conclusions reached, and/or recommendations made by the Oakland Gun Tracing Committee or
20 its members, including any reports, memoranda, studies, correspondence, and presentations by
21 the Committee.

22 **RESPONSE TO REQUEST NO. 4:**

23 Youth Alive! has made available all non-privileged, non-confidential, responsive
24 documents located after a reasonable inquiry and diligent search. Youth Alive! reserves the right
25 to alter or supplement its response, but it does not hereby obligate itself to do so.

26 **REQUEST NO. 5:**

27 The June 20, 2000 report on Patterns of Youth Involvement in Obtaining Firearms,
28 presented to the Public Safety Committee (referenced on page 1 of the April 10, 2001, City of

Oakland Agenda Report from the Gun Tracing Committee to the Office of the City Manager,
Attn. Robert C. Bobb).

RESPONSE TO REQUEST NO. 5:

Youth Alive! has made available all non-privileged, responsive documents located after a reasonable inquiry and diligent search. Youth Alive! reserves the right to alter or supplement its response, but it does not hereby obligate itself to do so.

REQUEST NO. 6:

The February 20, 2001, report presented to the Public Safety Committee (referenced on page 4 of the April 10, 2001, City of Oakland Agenda Report from the Gun Tracing Committee to the Office of the City Manager, Attn. Robert C. Bobb).

RESPONSE TO REQUEST NO. 6:

Youth Alive! has made available all non-privileged, responsive documents located after a reasonable inquiry and diligent search. Youth Alive! reserves the right to alter or supplement its response, but it does not hereby obligate itself to do so.

REQUEST NO. 7:

Any and all documents which refer or relate to any evaluation of the Oakland Gun Tracing Committee and its work.

RESPONSE TO REQUEST NO. 7:

Youth Alive! has made available all non-privileged, responsive documents located after a reasonable inquiry and diligent search. Youth Alive! reserves the right to alter or supplement its response, but it does not hereby obligate itself to do so.

REQUEST NO. 8:

Any and all documents which reflect or refer or relate to programs implemented or measures taken as a result of findings or recommendations made by the Oakland Gun Tracing Committee.

RESPONSE TO REQUEST NO. 8:

Youth Alive! has made available all non-privileged, responsive documents located after a reasonable inquiry and diligent search. Youth Alive! reserves the right to alter or supplement its

response, but it does not hereby obligate itself to do so.

REQUEST NO. 9:

Any and all documents which refer or relate to the Oakland Gun Tracing Project.

RESPONSE TO REQUEST NO. 9:

Youth Alive! objects to this request for production on the grounds that it is overbroad, is unduly burdensome, and seeks information that is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, Youth Alive! has made available all non-privileged, non-confidential documents in its possession relating to Oakland Gun Tracing Project that are responsive to prior requests that it has located after a reasonable inquiry and diligent search. Youth Alive! reserves the right to alter or supplement its response, but it does not hereby obligate itself to do so.

REQUEST NO. 10:

Any and all documents which refer or relate to any other project, program, or work you have preformed for, or in conjunction with, the Oakland Police Department, the City of Oakland, or any agency, department, or unit of the City of Oakland, which refers or relates to firearms and/or firearms violence.

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1 **RESPONSE TO REQUEST NO. 10**

2 Youth Alive! objects to this request for production on the grounds that it is overbroad, is
3 unduly burdensome, and seeks information that is not reasonably calculated to lead to the
4 discovery of admissible evidence. Without waiving any objections, Youth Alive! has made
5 available all non-privileged documents in its possession relating to Oakland Gun Tracing Project
6 that are responsive to prior requests that it has located after a reasonable inquiry and diligent
7 search. Youth Alive! reserves the right to alter or supplement its response, but it does not hereby
8 obligate itself to do so.

9 DATED: February ²⁷__, 2002

MUNGER, TOLLES & OLSON LLP

11 By: _____
12 BEONG-SOO KIM

13 Counsel for Third Party
14 YOUTH ALIVE!

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On February 27, 2002, I served the foregoing document described as

RESPONSES AND OBJECTIONS TO REQUEST FOR PRODUCTION OF

DOCUMENTS PURSUANT TO SUBPOENA on the interested party in this action by placing

a true copy thereof enclosed in a sealed envelope addressed as follows:

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

Executed on February 27, 2002, at San Francisco, California.

Anna Carr

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