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ANDREWS SPORTING GOODS, INC
dba TURNERS OUTDOORSMAN
and SG DISTRIBUTING, INC.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

Judicial Council Coordination Proceeding
Special Title (Rule 1550(b))

FIREARM CASES

Coordinated actions:

THE PEOPLE OF THE STATE OF
CALIFORNIA, ex rel. the County of Los
Angeles, et. al.,

v.

ARCADIA MACHINE & TOOL, et. al.,

THE PEOPLE OF THE STATE OF
CALIFORNIA, by and through JAMES K.
HAHN, City Attorney of the City of Los
Angeles, et. al.,

v.

ARCADIA MACHINE & TOOL, et. al.,

THE PEOPLE OF THE STATE OF
CALIFORNIA, by and through San
Francisco City Attorney Louise H. Renne,

v.

ARCADIA MACHINE & TOOL, et. al.

JUDICIAL COUNCIL COORDINATION
PROCEEDINGS NO. 4095

Superior Court of California City & County of
San Francisco No. 303753

Superior Court of California County of Los
Angeles No. BC210894

Superior Court of California County of Los
Angeles No. BC214794

**DEFENDANT ANDREWS SPORTING
GOODS, INC.'S, DBA TURNERS
OUTDOORSMAN AND S.G.
DISTRIBUTING, INC.'S OBJECTIONS
TO PLAINTIFFS' NOTICES OF
DEPOSITIONS OF GARY MICHAEL
LUM AND BILL ORTIZ.**

3/20/02

1 Pursuant to California Code of Civil Procedure section 2025(g), and Case Management
2 Order Number 1 and 5, Andrews Sporting Goods, Inc. ("ASG") and S.G. Distributing, Inc.
3 ("SGD") hereby submits their objections to Plaintiffs' Notice of Deposition of Gary Michael Lum
4 and Notice of Deposition of Bill Ortiz.

5 On December 5, 2003, ASG and SGD separately filed their final fact witness list which
6 identified Gary Michael Lum and Notice of Deposition of Bill Ortiz as fact witnesses both ASG
7 and SGD intended to call to trial.

8 On March 18, 2003 Plaintiffs filed their separate Notices of Depositions of Gary Michael
9 Lum and Notice of Deposition of Bill Ortiz. Plaintiffs also sent a letter via facsimile notifying
10 ASG and SGD that they intend to depose Gary Michael Lum and Notice of Deposition of Bill
11 Ortiz. Plaintiffs' letter stated that their grounds for proceeding with a deposition at this late date is
12 a provision in Case Management Order No. 5 that allows depositions of persons identified in the
13 final fact witness list that were not identified prior to discovery deadline.

14 Case Management Order No. 5 section C states:

15 August 6, 2002 [is the] deadline to complete all fact discovery, including depositions.
16 However, if a party subsequently discloses new fact witnesses, the opposing party
shall have the right to take their depositions.

17 December 6, 2002 [is the] Deadline to provide final fact witness lists, identifying
18 information and a brief statement of the nature of their expected testimony. Any
19 witness identified on the list who was not formally identified before the discovery
deadline on May 31, 2002, can be deposed by the party or parties receiving this final
witness list.

20 On March 20, 2003 Defendants ASG and SGD filed their Supplemental Designation of Fact
21 Witnesses. This supplement states that pursuant to Case Management Order No.1 Paragraph
22 6(C), we have provided prompt notice to all counsel of those parties that ASG and SGD no longer
23 intend to call to trial. As stated in the supplement, ASG and SGD no longer intend to call Bill
24 Ortiz and Gary Michael Lum to trial and have removed them from the final fact witness list
25 pursuant to Case Management Order No. 1.

26 Case Management Order No. 1 section 6 subpart C states:

27 The Plaintiffs and Defendants shall identify the fact witnesses they intend to call at
28 trial [by a date or to be set latter] except rebuttal witnesses or witnesses to be called
solely for purpose of impeachment. Each party shall provide the name, address and

1 telephone number of each witness and a brief statement of the nature of the expected
2 testimony of the witness. Only those persons whom the parties actually then intend to
3 call at trial, rather than those they might call, shall be included. *Thereafter, all parties*
4 *shall be responsible for providing prompt notice* of any additional witnesses they
5 intend to call at trial and *of any decisions not to call witnesses previously identified.*
6 Absent a showing of good cause, fact witnesses not identified in the foregoing manner
7 and by the respective deadlines to be set later may not be called to testify at trial.

8 Defendants ASG and SGD object to the depositions of Bill Ortiz and Gary Michael Lum on
9 the grounds that they are no longer identified as fact witnesses that Defendants intend to call to
10 trial as required by Case Management Order No. 5 section C before allowing depositions of
11 persons beyond the Discovery Cut off Date of August 9, 2002. Therefore, Plaintiffs reliance on
12 Case Management Order No. 5 as grounds for deposing Bill Ortiz and Gary Michael Lum is now
13 meritless. Plaintiffs attempts to depose either Bill Ortiz or Gary Michael Lum should be denied as
14 untimely pursuant to Case Managment Order No. 5.

15 Dated: March 20, 2002

TRUTANICH • MICHEL, LLP:

16 C. D. Michel

17 C. D. Michel

18 Attorneys for Defendants
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**SUPPLEMENTAL DESIGNATION OF
FACT WITNESSES BY DEFENDANT
ANDREWS SPORTING GOODS, INC.
AND SG DISTRIBUTING, INC.**

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT Andrews Sporting Goods, Inc. and S.G. Distributing, Inc.
3 have removed Bill Ortiz and Gary Michael Lum from their Final Fact Witness List pursuant to
4 Case Management Order No. 1, Paragraph 6(C). Therefore, Andrews Sporting Goods, Inc. and
5 S.G. Distributing, Inc. Final Fact Witness List pursuant to Case Management Order No. 5, Section
6 C is as follows:

7 1. Shirley Andrews, Owner and President of Andrews Sporting Goods, Inc. and S.G.
8 Distributing, Inc. is expected to testify regarding the operations of the business of Defendant,
9 including marketing practices, distribution practices, sale practices, and trace requests.

10 2. Gene Lumsden, Vice President of Operations of Andrews Sporting Goods, Inc. and
11 S.G. Distributing, Inc. Mr. Lumsden is expected to testify regarding the operations of Defendants
12 business, including handling of ATF trace requests.

13 3. Bryan Harris, Vice President of Purchasing of Andrews Sporting Goods, Inc. and
14 S.G. Distributing, Inc. Mr. Harris is expected to testify regarding the purchasing and distribution.

15 4. Bobby, Miller, Berkeley Police Department, is expected to testify on the subject
16 matters addressed in his deposition.

17 5. Vicki Porter, East Palo Alto Police Department, is expected to testify on the subject
18 matters addressed in her deposition.

19 6. Gary L. Tolleson, Oakland Police Department, is expected to testify on the subject
20 matters addressed in his deposition.

21 7. William Pedrini, San Mateo County Sheriff's Department, is expected to testify on
22 the subject matters addressed in his deposition.

23 8. Janie Ito, Los Angeles County Coroner's Office, is expected to testify on the
24 subject matters addressed in her deposition.

25 9. Wendy Harn, Los Angeles County Sheriff's Department, is expected to testify on
26 the subject matters addressed in her depositions.

27 10. Paul Martinson, Sacramento Police Department, is expected to testify on the
28 subject matters addressed in his deposition.

1 11. Christopher Hadley, Sacramento Police Department, is expected to testify on the
2 subject matters addressed in his depositions.

3 12. Patricia Reed, Inglewood Police Department, is expected to testify on the subject
4 matters addressed in her deposition.

5 13. Winthrop Taylor, Los Angeles Police Department, is expected to testify on the
6 subject matters addressed in his deposition.

7 14. Adrian Lim, San Francisco Police Department, is expected to testify on the subject
8 matters addressed in his deposition.

9 15. Stephen C. Murphy, San Francisco Police Department, is expected to testify on the
10 subject matters addressed in his depositions.

11 16. Boyd Stephen, San Francisco Police Department, is expected to testify on the
12 subject matters addressed in his deposition.

13 17. Patrick Adams, Alameda County Sheriff's Department, is expected to testify on the
14 subject matters addressed in his deposition.

15 18 Christopher Ostlund, Alameda County Sheriff's Department, is expected to testify
16 on the subject matters addressed in his depositions.

17 19 Tom Maloney, San Mateo County Sheriff's Department, is expected to testify on
18 the subject matters addressed in his depositions.

19 20 Michael Peck, San Mateo County Sheriff's Department, is expected to testify on the
20 subject matters addressed in his depositions.

21 21 John Sanchez, San Mateo County Sheriff's Department, is expected to testify on
22 the subject matters addressed in his deposition.

23 22 Dennis Quigley, San Francisco Police Department, is expected to testify on the
24 subject matters addressed in his deposition.

25 23 Keith LeBrun, Los Angeles County Sheriff's Department, is expected to testify on
26 the subject matters addressed in his deposition.

27 24 Richard Catalani, Los Angeles County Sheriff's Department, is expected to testify
28 on the subject matters addressed in his deposition.

1 25 Wally Lampe, Los Angeles County Sheriff's Department, is expected to testify on
2 the subject matters addressed in his deposition.

3 26 Rafael Kenealy, Los Angeles County Sheriff's Department, is expected to testify on
4 the subject matters addressed in his deposition.

5 27 Brayton Stone, Berkeley Police Department, is expected to testify on the subject
6 matters addressed in his deposition.

7 28. Joseph Sanchez, Berkeley Police Department, is expected to testify on the subject
8 matters addressed in his deposition.

9 29. Gary Tolleson, Oakland Police Department, is expected to testify on the subject
10 matters addressed in his deposition.

11 30 Kenneth Brazile, Los Angeles County Sheriff's Department, is expected to testify
12 on the subject matters addressed in his deposition.

13 31. Thomas Farrell, Inglewood Police Department, is expected to testify on the subject
14 matters addressed in his deposition.

15 32. Paul Simon, Los Angeles County Health Department, is expected to testify on the
16 subject matters addressed in his deposition.

17 33. James Boggs, Inglewood Police Department, is expected to testify on the subject
18 matters addressed in his deposition.

19 34. Joseph Sledge, Sacramento Police Department, is expected to testify on the subject
20 matters addressed in his deposition.

21 35. Dorothy Pearson, Sacramento Police Department, is expected to testify on the
22 subject matters addressed in her deposition.

23 36. Teri Barrett, San Francisco Police Department, is expected to testify on the subject
24 matters addressed in her deposition.

25 37. Christina Goette, San Francisco Department of Public Health, is expected to testify
26 on the subject matters addressed in her deposition.

27 38. Judie Pursell, San Francisco Police Department, is expected to testify on the
28 subject matters addressed in her deposition.

1 39. Kitt Crenshaw, San Francisco Police Department, is expected to testify on the
2 subject matters addressed in his deposition.

3 40. Anne Marie Jenkins, San Francisco Police Department, is expected to testify on the
4 subject matters addressed in her deposition.

5 41. Robert Costa, Los Angeles County Sheriff's Department, is expected to testify on
6 the subject matters addressed in his deposition.

7 42. John Bauer, Los Angeles County Sheriff's Department, is expected to testify on the
8 subject matters addressed in his deposition.

9 43. James Lally, Los Angeles County Sheriff's Department, is expected to testify on the
10 subject matters addressed in his deposition.

11 44. Arthur Herrera, Los Angeles County Sheriff's Department, is expected to testify on
12 the subject matters addressed in his deposition.

13 45. Daniel Hinerfeld, Los Angeles, is expected to testify on the subject matters
14 addressed in his deposition.

15 46. Ron Wood, Inglewood Police Department, is expected to testify on the subject
16 matters addressed in his deposition.

17 47. Julius Wachtel, Garden Grove, California, is expected to testify on the subject
18 matters addressed in his deposition.

19 48. Donald Farrell, Los Angeles, Police Department, is expected to testify on the
20 subject matters addressed in his depositions.

21 49. Sherri Scruggs, Sacramento Police Department, is expected to testify on the subject
22 matters addressed in her depositions.

23 50. Rick Gautier, Sacramento Police Department, is expected to testify on the subject
24 matters addressed in his deposition.

25 51. David McKaig, Alameda County Sheriff's Department, is expected to testify on the
26 subject matters addressed in his deposition.

27 52. Joseph Fabiny, Alameda County Sheriff's Department, is expected to testify on the
28 subject matters addressed in his deposition.

53. Brian Ballard, Alameda County Sheriff's Department, is expected to testify on the subject matters addressed in his deposition.

54. T.J. Rourmph, Alameda County Sheriff's Department, is expected to testify on the subject matters addressed in his deposition.

55. Theresa Langdon, Alameda County Sheriff's Department, is expected to testify on the subject matters addressed in her deposition.

56. Jeff Reed, Alameda County Sheriff's Department, is expected to testify on the subject matters addressed in his deposition.

57. Sonia Jain, Alameda County Sheriff's Department, is expected to testify on the subject matters addressed in her deposition.

58. Coraline Journal, Riez, France, is expected to testify on the subject matters addressed in her deposition.

59. Wesley Bowling, East Palo Alto Police Department, is expected to testify on the subject matters addressed in his deposition.

60. Deane Calhoun, Youth Alive, is expected to testify on the subject matters addressed in her deposition.

61. Carolyn Klassen, San Francisco Department of Public Health, is expected to testify on the subject matters addressed in her deposition.

62. Steven Roller, Compton Police Department, is expected to testify on the subject matters addressed in his deposition.

Defendants business locations are 12615 Colony Street, Chino, CA 91710.

Defendants reserves the right to amend this final fact witness list pursuant to Case Management Order No. 1 and to call as a witness at the time of trial any fact witness designated by any other party.

Dated: March 20, 2002

TRUTANICH • MICHEL, LLP:

C. D. Michel

C. D. Michel

Attorneys for Defendants