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12 [Additional counsel appear on signature page.]

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14 SUPERIOR COURT OF CALIFORNIA

15 COUNTY OF SAN DIEGO

16 Coordination Proceeding Special Title (Rule 1550(b)))	JUDICIAL COUNCIL COORDINATION PROCEEDING NO. 4095
17 FIREARM CASE)	San Francisco Superior Court No. 303753
18 Including actions:)	Los Angeles Superior Court No. BC210894
)	Los Angeles Superior Court No. BC214794
19 <i>People, et al. v. Arcadia Machine & Tool, Inc., et al.</i>)	NOTICE OF DEPOSITION OF ANDREWS SPORTING GOODS, INC.
20 <i>People, et al. v. Arcadia Machine & Tool, Inc., et al.</i>)	[CCP §2025(d)(6)]
21 <i>People, et al. v. Arcadia Machine & Tool, Inc., et al.</i>)	
22 <i>People, et al. v. Arcadia Machine & Tool, Inc., et al.</i>)	
23 _____)	

1 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

2 Plaintiffs, through their attorneys, will take the deposition of the following witness(es)
3 designated and produced by defendant Andrews Sporting Goods, Inc. ("defendant") as its Person(s)
4 Most Knowledgeable, pursuant to §2025(d)(6) of the California Code of Civil Procedure, for each
5 of the categories listed below. C.C.P. §2025(d)(6) requires that defendant designate and produce
6 the officers or employees "most qualified" to testify on its behalf as to knowledge of the subject of
7 this Notice of Deposition, and the person or persons so designated must testify "to the extent of any
8 information known or reasonably available" to defendant. Pursuant to §6A of Case Management
9 Order No. 1, the deposition will be scheduled for a time and place to be agreed on by the parties.
10 The deposition will continue from day-to-day until completed, weekends and holidays excepted.
11 Plaintiffs intend the deposition to be recorded both stenographically and by videotape and audio
12 recording.

13 Further, in accordance with C.C.P. §2025(d)(4), defendant is requested to produce at the
14 deposition the following documents (including writings as defined in Evidence Code §250 and all
15 electronic documents) listed on Exhibit "A". This notice to produce specifically embraces, in
16 addition to documents within the possession, custody or control of said defendant, documents within
17 the possession, custody, or control of its agents, representatives or attorneys.

18 Defendant shall produce the Person(s) Most Knowledgeable regarding the following
19 categories of information.

20 CATEGORIES

21 1. Defendant's arrangements, practices, or systems for selling or distributing firearms,
22 the volume of such sales, and where its firearms are sold, specifically including, but not limited to,
23 the sales employees, agents, and representatives utilized by defendant; defendant's relationships with
24 distributors; defendant's relationship with dealers; defendant's relationship with manufacturers;
25 relations between distributors and dealers; and defendant's selection, screening, investigation,
26 monitoring, supervision, termination, or discipline of distributors or dealers.

2. Defendant's marketing, advertising, and promotion of firearms, specifically including, but not limited to, any research performed or information obtained by defendant about the market for firearms and the consumers or users of firearms sold or distributed by defendant.

3. Training or instruction given by defendant, its employees, agents or representatives regarding the sale or use of firearms, specifically including, but not limited to, training or instruction of the sales employees, agents, or representatives utilized by defendant, as well as any training or instruction given to distributors or dealers.

4. Activities of the Bureau of Alcohol, Tobacco and Firearms ("ATF") or other law enforcement agencies relating to the sale, distribution, or recovery of firearms, specifically including, but not limited to, tracing of defendant's firearms by ATF; use or analysis by defendant or ATF of information generated by tracing firearms; defendant's systems for responding to ATF trace requests, whether electronic or otherwise, including how those systems were established and how they operate.

5. The risks associated with selling and distributing firearms, specifically including, but not limited to, sale, transfer, acquisition, possession, access to and use of firearms by criminals, juveniles, and other prohibited by law from acquiring or using firearms; diversion of firearms to illegal purchasers and markets; gun trafficking; straw purchases; "kitchen table," or other non-stocking gun dealers; gun shows; multiple sales; obliteration of firearm serial numbers; and defendant's activities relating to the safety or risks of firearm distribution and sale.

6. Security of firearms prior to retail sale, specifically including, but not limited to, theft of defendant's firearms from defendant, distributors, dealers, or shippers; and efforts or means to prevent such thefts.

7. Defendant's participation in or contact with any trade association or association or organization of firearm manufacturers, sellers, or owners, specifically including, but not limited to, the American Firearms Council, the American Shooting Sports Council (also once known as the American Shooting Sports Coalition), the Hunting and Shooting Sports Heritage Funds, the National Alliance of Stocking Gun Dealers, the National Association of Sporting Goods Wholesalers, the

1 National Rifle Association, the National Shooting Sports Foundation, Inc., and the Sporting Arms
2 and Ammunition Manufacturers' Institute.

3 8. Defendant's lobbying and political activities, including but not limited to, efforts by
4 defendant to influence the decisions or actions of federal, state, or local government entities or
5 agencies; and efforts to influence the elections or appointments of federal, state, or local government
6 officials.

7 9. The agreement among Smith & Wesson Corp. and federal, state, and local
8 governments dated March 17, 2000, specifically including, but not limited to, any discussions,
9 consideration or analysis by defendant or other members of the firearms industry of implementing
10 (or not implementing) any of the terms of that arrangement or the feasibility, cost or consequences
11 of doing so.

12 10. The distribution of firearms, specifically including, but not limited to, production
13 years and quantities of all models of firearms distributed by defendant; the distribution procedure;
14 the wholesale prices, and retail prices of all models of firearms and their component parts distributed
15 by defendant; and defendant's testing of firearms.

16 11. The design of firearms sold or distributed by defendant, specifically including any
17 decisions to distribute or not distribute firearms because of design features or characteristics of the
18 firearm.

19 12. Safety devices for firearms, whether or not part of firearms distributed by defendant;
20 specifically including, but not limited to, "chamber-loaded indicators" or any other device intended
21 to inform or warn users of a firearm that a round of ammunition is housed in the firearm's firing
22 chamber; "magazine disconnect safeties" or any other device that prevents the firing of a firearm
23 when the magazine has been removed from the firearm; trigger locks, lock boxes, or other locking
24 devices; "personalized" or "smart" gun technology or any other device intended to prevent persons
25 not authorized to use a firearm from firing a particular firearm, including internal locking devices
26 and user recognition devices; or any other firearm feature or accessory intended to prevent the
27 unauthorized use of a firearm or otherwise to increase the safety or to reduce a potential risk or
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1 danger of a firearm; and specifically including, but not limited to, defendant's consideration, testing,
2 policies, knowledge, and decisions about such safety devices.

3 13. Warnings provided by defendant about firearms, whether printed on a firearm,
4 contained in an instruction manual or other item accompanying a firearm when it is sold, contained
5 in an advertisement or public service announcement, or disseminated in any other manner,
6 specifically including, but not limited to, defendant's consideration, testing, implementation,
7 rejection, knowledge, and decisions about such warnings.

8 14. Unauthorized use of firearms, specifically including, but not limited to, the
9 occurrence, likelihood, frequency, extent, cost, consequences, or prevention of use of a firearm by
10 an underage person or other person who is not expressly permitted to use the firearm by the firearm's
11 lawful owner.

12 15. Unintentional firings of firearms, specifically including, but not limited to, the
13 occurrence, likelihood, frequency, extent, cost, consequences, or prevention of discharge of a
14 firearm that occurs because a person is unaware that a round of ammunition is in the firing chamber,
15 discharge that occurs because a person incorrectly believes a firearm will not discharge when the
16 magazine is empty or out of the firearm, or any other discharge of ammunition from a firearm that
17 is not intended by the person in possession of the firearm.

18 16. Defendant's responses to plaintiffs' document production requests, interrogatories,
19 and other discovery requests.

20 17. Defendant's corporate structure and business organization, including, but not limited
21 to, its manufacturing, distribution and repair plants, facilities, offices, branch locations, personnel
22 and their titles and responsibilities, subcontractors, sales representatives, and defendant's
23 incorporation, by laws, and corporate meetings.

24 18. Defendant's possession and production of documents, specifically including, but not
25 limited to, defendant's document maintenance, retention, and destruction policies or procedures; and
26 defendant's computer, e-mail, and voice mail systems, including any data back-up procedure
27 performed on all computer, e-mail and voice mail systems used by defendant.
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1 PLEASE TAKE FURTHER NOTICE that plaintiffs request notice of the names of the
2 deponents to be produced by defendant at least one week prior to commencement of the deposition,
3 setting forth the matters on which each person will testify.

4 DATED: March 20, 2002

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BRADY CENTER TO PREVENT GUN
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EXHIBIT "A"

Defendant is requested to produce at the deposition the following documents to the extent they have not already been produced in this case. "Documents" shall mean writings as defined in Evidence Code §250 which shall include, but are not limited to, all materials or communications in any form, specifically including, but not limited to, writings, recordings, photographs, videotapes, drawings, diagrams, notes, summaries, schedules, contracts or agreements, drawings, sketches, invoices or acknowledgments, diaries, reports, forecasts or appraisals, memoranda of telephone and in-person conversations, and any other memoranda, letter telegrams, telexes, cables, and fax transmittals that were prepared, drafted, received or sent; tapes, transcript and recordings, photographs, pictures, and films; computer programs or data; and other graphic symbolic recorded, and written materials or any nature whatsoever. Any document which contains any comments, notations, addition, insertion, or making of any kind which is not part of another document, or any document which is not part of another documents, or any document which does not contain any comment, notation, addition, insertion, or marking of any kind which is part of another document. is to be considered as a separate document.

1. All documents relating or referring to the subject of Category 1 above.
2. All documents relating or referring to the subject of Category 2 above.
3. All documents relating or referring to the subject of Category 3 above.
4. All documents relating or referring to the subject of Category 4 above.
5. All documents relating or referring to the subject of Category 5 above.
6. All documents relating or referring to the subject of Category 6 above.
7. All documents relating or referring to the subject of Category 7 above.
8. All documents relating or referring to the subject of Category 8 above.
9. All documents relating or referring to the subject of Category 9 above.
10. All documents relating or referring to the subject of Category 10 above.
11. All documents relating or referring to the subject of Category 11 above.
12. All documents relating or referring to the subject of Category 12 above.
13. All documents relating or referring to the subject of Category 13 above.

- 1 14. All documents relating or referring to the subject of Category 14 above.
2 15. All documents relating or referring to the subject of Category 15 above.
3 16. All documents relating or referring to the subject of Category 16 above.
4 17. All documents relating or referring to the subject of Category 17 above.
5 18. All documents relating or referring to the subject of Category 18 above.

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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, Kathy Scoville, 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 401 B Street, Suite 1700, San Diego, California 92101.

2. That on March 20, 2002, I served the NOTICE OF DEPOSITION OF ANDREWS SPORTING GOODS, INC. by JusticeLink Electronic filing on all persons appearing on the Service List.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20th day of March, 2002, at San Diego, California.

/s/ Kathy Scoville

Kathy Scoville