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5 Attorneys for Defendant,  
ANDREW'S SPORTING GOODS, INC.  
6 dba TURNERS OUTDOORSMAN  
7

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF SAN DIEGO  
10

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

12 FIREARM CASES )

13 Coordinated actions: )  
14 )

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

17 v. )

18 ARCADIA MACHINE & TOOL, et. al., )  
19 )

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

22 v. )

23 ARCADIA MACHINE & TOOL, et. al., )  
24 )

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

27 ARCADIA MACHINE & TOOL, et. al. )  
28 )

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

**DECLARATION OF C.D. MICHEL IN  
SUPPORT OF DEFENDANT ANDREWS  
SPORTING GOODS, INC.'S, DBA  
TURNERS OUTDOORSMAN, AND S.G.  
DISTRIBUTING, INC.'S EX PARTE  
MOTION FOR PROTECTIVE ORDER.**

DATE: April 9, 2003

TIME: 8:30 a.m.

DEPT: 65

Hon. Vincent P. DiFiglia

1                   1. I, the undersigned, am the attorney of record herein for Defendants Andrews  
2 Sporting Goods, Inc., dba Turner's Outdoorsman, and S.G. Distributing.

3                   2. Said party seeks an order of court, as specified in the notice of motion attached  
4 hereto and served and filed herewith. Said order is required in the interests of justice to protect  
5 Bill Ortiz annoyance, harassment, entertainment or oppression, for the following reasons: despite  
6 being placed on notice that Bill Ortiz is an employee of Andrews Sporting Goods, Inc., despite  
7 Plaintiffs failure to depose Bill Ortiz prior to the discovery cut off date, Plaintiffs seek to depose  
8 Bill Ortiz. Plaintiffs only basis to depose Bill Ortiz is Defendants' decision to place Bill Ortiz on  
9 their witness list as a back-up witness. However, upon discovering that Bill Ortiz's wife was to  
10 have a baby on or around the time of deposition, Defendant Andrews Sporting Goods, Inc.  
11 decided against calling Mr. Ortiz as a witness in their case in chief and removed Mr. Ortiz from  
12 their witness list pursuant to Case Management Order No. 1. Despite being removed from  
13 Defendant Andrews Sporting Goods fact witness list, which also eliminates Plaintiffs only basis  
14 for seeking to depose Bill Ortiz, Plaintiffs filed their ex parte motion for an order compelling  
15 deposition of Bill Ortiz on April 7, 2003.

16                   3. Prior to filing this motion for a protective order, our firm made reasonable  
17 attempts to resolve the issues raised by this motion via a telephone call on or about March 28 to  
18 Mr. Goldstein alerting Plaintiffs that we did not intend to produce Mr. Ortiz. On April 1, after  
19 filing our objections to the deposition of Bill Ortiz, I sent Mr. Goldstein a letter providing "prompt  
20 notice that we no longer intend to call Bill Ortiz as a witness in the case in chief" and that  
21 "Plaintiffs for no longer intend to call him as a witness."

22  
23                   I declare under penalty of perjury under the laws of the State of California that the foregoing  
24 is true and correct.

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26 DATED: April 8, 2003

27                   TRUTANICH • MICHEL, LLP

28                   /s/ C.D. Michel

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C.D. Michel  
Attorneys for Defendants  
Andrews Sporting Goods, Inc. dba  
Turner’s Outdoorsman, Inc.  
and S. G. Distributing, Inc.