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Attorneys for Defendants,  
ANDREW'S SPORTING GOODS, INC.  
dba TURNER'S OUTDOORSMAN  
and S.G. 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  
Angeles, et. al.,

v.

ARCADIA MACHINE & TOOL, et. al.,

JUDICIAL COUNCIL COORDINATION  
PROCEEDINGS NO. 4095

Superior Court of California City & County of  
San Francisco No. 302753

Superior Court of California County of Los  
Angeles No. BCL 194

Superior Court of California County of Los  
Angeles No. BCL 194

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.,

**DECLARATION OF WILLIAM E.  
WECKER IN SUPPORT OF DEFENDANT  
ANDREWS SPORTING GOODS'  
MOTION IN LIMINE NUMBER ONE TO  
EXCLUDE ANTICIPATED TRIAL  
TESTIMONY OF PLAINTIFFS' GUN  
TRACE WITNESSES GERALD A.  
NUNZIATO AND JOSEPH J. VINCE, JR.  
AND REQUEST FOR KELLY HEARING**

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

ARCADIA MACHINE & TOOL, et. al.

Date:  
Time:  
Dept. 65  
Hon. Vincent. P. DiFiglia

1 I, William E. Wecker, declare as follows:

2 1. I have personal knowledge of the matters set forth herein and if called to testify could  
3 and would testify hereto. A copy of my curriculum vitae is attached as Exhibit 24 to Defendant's  
4 Notice of Lodgement. I have reviewed and am familiar with the Nunziato database produced by  
5 Plaintiffs in November 2002 (the November 2002 Database)

6 2. I performed a search of the 1,267 traces contained within the November 2002 Database  
7 that Mr. Nunziato attributed to Andrews and found that none involved a purchaser who had  
8 already been the subject of a trace request to Andrews.

9 3. As noted in prior testimony, the data contained within the Nunziato database is not  
10 reliable for statistical estimation. Without accepting the validity of crime codes or other statistical  
11 data points contained within that database, when one excludes duplicates, trace entries Mr.  
12 Nunziato noted as associated with health and safety code violations, entries with the potential  
13 default weapons possession codes<sup>1</sup>, and firearms Mr. Nunziato lists as other than handguns, there  
14 remain 130 requests which he lists with a violent crime code. When one excludes entries for  
15 firearms Mr. Nunziato's database indicates were sold prior to 1995, his "Andrews" trace requests  
16 drop to 31. Of the 31, Mr. Nunziato's database reflects 10 had a time to recovery of less than 1.5  
17 years.

18 4. I compared the serial numbers of firearms Mr. Nunziato claims were part of a multiple sale by  
19 Andrews with the serial numbers of firearms Mr. Nunziato claims were the subject of a trace request and  
20 found that he lists eight "multiple sale" firearms as the subject of a trace request. Mr. Nunziato's  
21 database identifies none of those eight trace requests with the same original purchaser.

22 I swear under penalty of perjury under the laws of the State of California that the foregoing  
23 is true and correct and that this declaration is executed on May 7, 2003 at Novato, California.

24  
25 William E. Wecker  
26 William E. Wecker  
27

28 <sup>1</sup> Weapons codes 5299 and 5212.

1  
2 **PROOF OF SERVICE**

3 STATE OF CALIFORNIA

4 COUNTY OF LOS ANGELES

5 I, Haydee Villegas, declare:

6 That I am employed in the City of San Pedro, Los Angeles County, California. I am over  
7 the age eighteen (18) years and am not a party to the within action. My business address is 407  
8 North Harbor Boulevard, San Pedro, California 90731.

9 On May 7, 2003, I served the foregoing document described as **DECLARATION OF**  
10 **WILLIAM E. WECKER IN SUPPORT OF DEFENDANT ANDREWS SPORTING**  
11 **GOODS' MOTION IN LIMINE NUMBER ONE TO EXCLUDE ANTICIPATED TRIAL**  
12 **TESTIMONY OF PLAINTIFFS' GUN TRACE WITNESSES GERALD A. NUNZIATO**  
13 **AND JOSEPH J. VINCE, JR. AND REQUEST FOR KELLY HEARING** on the interested  
14 parties in this action by Justice Link Electronic filing on all persons appearing on the Service List.

15 I declare under penalty that the foregoing is true and correct. Executed this 7<sup>th</sup> day of May,  
16 2003, at San Pedro, California.

17 Haydee Villegas

18 Haydee Villegas  
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