

1 C.D. Michel - S.B.N. 144258
2 TRUTANICH • MICHEL, LLP
3 407 North Harbor Boulevard
San Pedro, CA 90731
Telephone: 310-548-0410

4 Attorneys for Defendant
5 S.G. Distributing, Inc.
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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN DIEGO
10

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

13 FIREARM CASES)

14 Coordinated actions:)

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

17 v.)

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

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

22 v.)

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

25 THE PEOPLE OF THE STATE OF)
26 CALIFORNIA, by and through San)
Francisco City Attorney Louise H. Renne,)
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
OPPOSITION TO PLAINTIFFS'
OMNIBUS MOTION TO STRIKE/TAX
COSTS**

Date: August 22, 2003

Time: 8:30a.m.

Dept: 65

Judge: Hon. Vincent P. Difiglia

1 I, C.D. Michel declare:

2 1. I am an attorney duly licenced to practice law before all courts in the State of California.
3 I am the managing partner of the law firm Trutanich-Michel, LLP, and am counsel of record on
4 behalf of defendant S.G. Distributing, Inc. (herinafter referred to as SGD). I was not the attorney
5 for SGD at the commencement of this litigation but was substituted later.

6 2. I have personal knowledge of the facts contained in this declaration and could, if called
7 upon to do so, testify competently there to. This declaration is offered in support of Defendants
8 Omnibus Opposition to Plaintiffs Motion to Strike/Tax Defendants' Costs.

9 **DEPOSITION ATTENDANCE**

10 3. At SGD's request, I did not travel to any depositions during the course of this litigation.

11 **HEARING ATTENDANCE**

12 4. At SDG's direction, I traveled from San Pedro to San Diego to attend 3 court hearings.
13 The hearings I attended were: The SLAPP (Strategic Lawsuits Against Public Participation)
14 hearing, the JOP (Judgement on the Pleadings) hearing, and the hearing on defendants' Motion for
15 Summary Judgment on March 7, 2003. My attendance at these hearings was reasonably necessary
16 to SGD's defense of these cases.

17 5. The travel expenses for these trips are as follows: \$187.61 for one night's lodging on
18 February 28, 2003 in San Diego for the JOP and SLAPP hearings and \$221.75 for one night's
19 lodging in San Diego on March 7, 2003 for the Motion for Summary Judgment hearing.

20 6. Attached as Exhibit ____ is a true and correct copy of SGD's Travel Expenses which
21 total \$409.36. The expenses itemized in Exhibit ____ are reasonable and necessary travel expenses
22 for the reasons detailed in the Defendants Omnibus Opposition to Plaintiffs Motion to Strike/Tax
23 Costs.

24 **JUSTICELINK CHARGES**

25 7. In accordance with the Court's order in this case, this firm filed and served documents
26 through the use of JusticeLink. Attached as Exhibit ____ are true and correct copies of invoices
27 received from JusticeLink and paid by this firm totaling \$15,240.62. The expenses itemized in
28 Exhibit ____ are reasonable and necessary JusticeLink expenses for the reasons detailed in the

1 Defendants Omnibus Opposition to Plaintiffs Motion to Strike/Tax Costs.

2 **FILING FEE EXPENSES**

3 8. Attached as Exhibit ____ is a true and correct copy of SGD's Filing Fee Expenses
4 totaling \$245.30. The expenses itemized in Exhibit ____ are reasonable and necessary filing fee
5 expenses for the reasons detailed in the Defendants Omnibus Opposition to Plaintiffs Motion to
6 Strike/Tax Costs.

7 **PRINTING AND REPRODUCTION EXPENSES**

8 9. Attached as Exhibit ____ is a true and correct copy of SGD's Printing and Reproduction
9 Expenses totaling \$307.61. The expenses itemized in Exhibit ____ are reasonable and necessary
10 printing and reproduction expenses for the reasons detailed in the Defendants Omnibus Opposition
11 to Plaintiffs Motion to Strike/Tax Costs.

12 **ADJUSTMENTS TO SGD'S MEMORANDUM OF COSTS**

13 10. In the course of responding to Plaintiffs' Motion to Tax Costs, it has come to my
14 attention that certain expenses were included on SGD's Memorandum of Costs that should not
15 have been included. Also there were certain expenses that were not included that should have been.
16 The amounts that should not have been included are \$57.51 for a food charge and \$1,201.12 for
17 JusticeLink charges which pertained to defendant Andrews Sporting Goods, Inc. and not SGD.
18 These adjustments are reflected in Exhibit ____ to the Notice of Lodgment and totals \$1,258.693.
19 The amount that should have been included is \$6,271.50 for a JusticeLink invoice. This adjustment
20 is reflected in Exhibit ____ (same as e-file exhibit above) and in Exhibit ____ to the Notice of
21 Lodgment and totals \$6,271.50.

22 **RECAPITULATION OF SGD'S COSTS**

23
24 11. After subtracting the foregoing expenses, the total expenses requested by SGD are
25 \$16,202.89. These calculations are summarized as follows:

26 Hearing Attendance Travel Expenses: \$409.36

27 JusticeLink Charges: \$15,240.62

1 Filing Fee Expenses: \$245.30

2 Printing and Reproduction Expenses: \$307.61

3 I declare under penalty of perjury under the laws of the state of California that the
4 foregoing is true and correct.
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7 Dated: July 8, 2003

TRUTANICH • MICHEL, LLP

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10 C. D. Michel
11 C. D. Michel,
12 Attorney for Defendant
13 S.G. Distributing, Inc.
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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA

3 COUNTY OF LOS ANGELES

4 I, Haydee Villegas, declare:

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

8 II. On _____ I served the foregoing document(s) described as
9 DECLARATION OF C.D. MICHEL IN OPPOSITION TO PLAINTIFFS' OMNIBUS MOTION
10 TO STRIKE/TAX DEFENDANTS' MEMORANDUM OF COSTS on the interested parties in
11 this action by JusticeLink Electronic filing on all persons appearing on JusticeLink's Service List.

12 I declare under penalty that the foregoing is true and correct. Executed this ____ day of July
13 2002, at San Pedro, California.

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15 Haydee Villegas

16 Haydee Villegas
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