

1 Jason A. Davis (Calif. Bar No. 224250)  
2 Davis & Associates  
27201 Puerta Real., Suite 300  
Mission Viejo, CA 92691  
3 Tel 949.310.0817/Fax 949.288.6894  
4 E-Mail: Jason@CalGunLawyers.com

5 Donald E.J. Kilmer., Jr. (Calif. Bar. No. 179986)  
Law Offices of Donald Kilmer  
A Professional Corporation  
6 1645 Willow Street, Suite 150  
San Jose, CA 92125  
7 Tel 408.264.8489/Fax 408.564.8487  
8 E-Mail: Don@DKLawOffice.com

9 Attorneys for Plaintiffs

10  
11 **IN THE UNITED STATES DISTRICT COURT**  
12 **EASTERN DISTRICT OF CALIFORNIA**

13 JEFF SILVESTER, MICHAEL POESCHL,  
14 BRANDON COMBS, THE CALGUNS  
15 FOUNDATION, INC. a non-profit  
organization, and THE SECOND  
16 AMENDMENT FOUNDATION, INC., a non-  
profit organization,

17  
18 Plaintiffs,  
19 vs.

20 KAMALA HARRIS, Attorney General of  
California (in her official capacity), and DOES  
21 1 TO 20,

22 Defendants.  
23  
24  
25  
26  
27  
28

**Case No: 1:11-CV-02137**

**JOINT MID-DISCOVERY STATUS  
CONFERENCE REPORT**

**DATE: December 13, 2012**

**TIME: 9:30 A.M.**

**CTRM: #7 (6th Floor)**

**SHIELA K. OBERTO  
U.S. MAGISTRATE JUDGE**

**ALL COUNSEL APPEARING  
TELEPHONICALLY**

1                   **REQUEST TO VACATE MID-DISCOVERY STATUS CONFERENCE**

2                   Counsels for all parties have conferred regarding the Joint Mid-Discovery Status  
3 Conference Report and desire and request that the Status Conference be vacated, as all parties  
4 believe the conference to be unnecessary at this time.

5                   **ALTERNATIVE REQUEST FOR TELEPHONIC APPEARANCE**

6                   Alternatively, should the conference not be vacated, counsel for all parties desire to  
7 appear at the Mid-Discovery Status Conference telephonically. Counsel for Plaintiffs shall  
8 initiate the call at the above-designated time.

9                   **JOINT MID-DISCOVERY STATUS CONFERENCE REPORT**

10                  Pursuant to the Scheduling Order dated May 15, 2012, Plaintiffs, JEFF SILVESTER,  
11 MICHAEL POESCHL, BRANDON COMBS, THE CALGUNS FOUNDATION, INC. and  
12 SECOND AMENDMENT FOUNDATION, INC. and Defendant KAMALA D. HARRIS,  
13 Attorney General of California, sued in her official capacity hereby submit this joint mid-  
14 discovery status conference report.

15                  **1. Mid-Discovery Status Conference Report**

16                  *Plaintiffs' Status*

- 17                  (a) Plaintiffs propounded requests for production of documents upon Defendant Kamala  
18 Harris. Defendant disclosed to the plaintiffs approximately 3,000 pages of documents in  
19 response;  
20                  (b) Plaintiffs intend on propounding Interrogatories;  
21                  (c) Plaintiffs plan to depose those persons most knowledgeable identified by Defendant,  
22 although the plaintiffs do not presently expect that any of these depositions will take very  
23 long;  
24                  (d) Plaintiffs are contemplating retaining some expert witnesses but so far have thought  
25 about expert-witness issues only preliminarily.

26                  *Defendant's Status*

- 27                  (e) Defendant recently propounded a set of interrogatories to each Plaintiff; Plaintiffs' time  
28 to respond has not expired;

1 (f) Following receipt of satisfactory responses to the interrogatories, the defense plans to  
2 depose each Plaintiff, although the defense doesn't presently expect that any of the  
3 depositions will take very long;

4 (g) The defense is contemplating retaining some expert witnesses but so far has thought  
5 about expert-witness issues only preliminarily.

6 Date: December 7, 2012,

Respectfully submitted,

7 Davis & Associates

8 /s/ Jason A. Davis

9 Jason A. Davis

10 Jason@CalGunLawyers.com

Attorneys for Plaintiffs

11 KAMALA D. HARRIS

12 Attorney General of California

13 PETER K. SOUTHWORTH

Supervising Deputy Attorney General

14 /s/ Jonathan M. Eisenberg

JONATHAN M. EISENBERG

15 Deputy Attorney General

16 Attorneys for Defendant Kamala D. Harris,

Attorney General of California

CERTIFICATE OF SERVICE

This is to certify under penalty of perjury that the true and correct copy of this JOINT MID-DISCOVERY STATUS CONFERENCE REPORT to the Court in the above-captioned case was served through U.S. Postal Service mail, and through electronic filing with the Court's electronic PACER system, on the opposing counsel of record as indicated below:

JONATHAN M. EISENBERG

Deputy Attorney General

300 South Spring Street, Suite 1702

Los Angeles, CA 90013

Signed and certified this 7<sup>th</sup>, day of December, 2012, in Rancho Santa Margarita by:

Davis & Associates

/s/ Jason A. Davis

Jason A. Davis

Jason@CalGunLawyers.com

Attorneys for plaintiffs