

1 XAVIER BECERRA  
Attorney General of California  
2 MARK R. BECKINGTON  
Supervising Deputy Attorney General  
3 JOHN D. ECHEVERRIA  
Deputy Attorney General  
4 PETER H. CHANG  
Deputy Attorney General  
5 State Bar No. 241467  
455 Golden Gate Avenue, Suite 11000  
6 San Francisco, CA 94102-7004  
Telephone: (415) 510-3776  
7 Fax: (415) 703-1234  
E-mail: Peter.Chang@doj.ca.gov  
8 *Attorneys for Defendant Xavier Becerra*

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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
12 SOUTHERN DIVISION  
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14 **STEVEN RUPP, et al.,**

15 Plaintiffs,

16 v.

17 **XAVIER BECERRA, in his official  
capacity as Attorney General of the  
18 State of California, et al.,**

19 Defendants.  
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8:17-cv-00746-JLS-JDE

**DEFENDANT'S OBJECTIONS TO  
EVIDENCE FILED IN SUPPORT  
OF PLAINTIFFS' OPPOSITION  
TO DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT**

Date: May 31, 2019  
Time: 10:30 a.m.  
Courtroom: 10A  
Judge: Hon. Josephine L. Staton  
Trial Date: N/A  
Action Filed: April 24, 2017

Defendant Xavier Becerra, Attorney General of the State of California, sued in his official capacity (“Defendant”), submits the following objections to evidence filed in support of Plaintiffs’ opposition to Defendant’s motion for summary judgment.

No.	Plaintiffs’ Evidence	Defendant’s Objections
1	Plaintiffs’ Exhibit 49 (Testimony of David B. Kopel before the U.S. Senate Judiciary Committee) (objection to exhibit in its entirety).	Exhibit 49 is unauthenticated and is not competent evidence to support summary judgment. (Fed. R. Evid. 901, 902.) Exhibit 49 was not referenced in either the Declaration of Sean A. Brady in Support of Plaintiffs’ Opposition to Defendant’s Motion for Summary Judgment, ECF No. 95, or the Declaration of Sean A. Brady re: Technical Issues with Filing Exhibits in Support of Plaintiffs’ Opposition to Defendant’s Motion for Summary Judgment, ECF No. 96.
2	Plaintiffs’ Exhibit 51 (Supplemented Expert Witness Report of William English) (objection to report in its entirety).	<p>Failure to timely produce underlying NSSF Reports. (<i>See</i> Def.’s Objs. to Evidence Filed in Supp. of Pls.’ Mot. for Summ. J., ECF No. 91, Objection No. 1.)</p> <p>Lack of qualification to provide expert testimony. (<i>See</i> Def.’s Objs. to Evidence Filed in Supp. of Pls.’ Mot. for Summ. J., ECF No. 91, Objection No. 2.)</p> <p>Lack of sufficient facts and unreliable methodology. (<i>See</i> Def.’s Objs. to Evidence Filed in Supp. of Pls.’ Mot. for Summ. J., ECF No. 91, Objection No. 2.)</p>

1		Speculative expert testimony. ( <i>See</i>
2		Def.'s Objs. to Evidence Filed in
3		Supp. of Pls.' Mot. for Summ. J.,
4		ECF No. 91, Objection No. 2.)

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Dated: May 17, 2019

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
MARK R. BECKINGTON  
Supervising Deputy Attorney General  
JOHN D. ECHEVERRIA  
Deputy Attorney General

/s/ Peter H. Chang

PETER H. CHANG  
Deputy Attorney General  
*Attorneys for Defendant Xavier Becerra*