E-FILED 3/27/2017 4:42:58 PM 1 Anna M. Barvir, SBN 268728 FRESNO COUNTY SUPERIOR COURT MICHEL & ASSOCIATES, P.C. 2 | 180 East Ocean Blvd., Suite 200 By: C. Cogburn, Deputy Long Beach, CA 90802 Telephone: (562) 216-4444 Fax: (562) 216-4445 Email: abarvir@michellawyers.com Attorney for Plaintiffs and Petitioners 6 7 8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 FOR THE COUNTY OF FRESNO SHERIFF CLAY PARKER, TEHAMA Case No. 10CECG02116 COUNTY SHERIFF; HERB BAUER SPORTING GOODS; CALIFORNIA RIFLE 11 **DECLARATION OF SEAN A. BRADY IN** AND PISTOL ASSOCIATION SUPPORT OF PLAINTIFFS' MOTION 12 FOUNDATION; ABLE'S SPORTING, INC.; FOR ATTORNEYS' FEES ON APPEAL RTG SPORTING COLLECTIBLES, LLC: 13 AND STEVEN STONECIPHER, Judge: Jeffrey Y. Hamilton Dept.: 402 14 Plaintiffs and Petitioners, May 31, 2017 Date: 3:30 PM Time: 15 VS. 16 THE STATE OF CALIFORNIA; KAMALA D. HARRIS, in her official capacity as Attorney 17 General for the State of California; THE CALIFORNIA DEPARTMENT OF JUSTICE; 18 and DOES 1-25, Action Filed: June 17, 2010 19 Defendants and Respondents. 20 21 22 23 24 25 26 27 28

DECLARATION OF SEAN A. BRADY

1	DECLARATION OF SEAN A. BRADY
2	I, Sean A. Brady, declare as follows:
3	1. I am an attorney at the law firm Michel & Associates, P.C., attorneys of record for
4	Plaintiffs in this action. I have personal knowledge of the facts set forth herein and, if called and
5	sworn as a witness, could and would testify competently thereto.
6	Plaintiffs' Counsel's Background and Experience
7	2. I began my full-time legal career in August 2008 as a law clerk at Trutanich-
8	Michel, LLP. In January 2009, I became an associate attorney for Trutanich-Michel, LLP, which
9	soon thereafter became Michel and Associates, P.C., where I have worked exclusively ever since.
10	3. My practice for the past approximately nine years has been primarily dedicated to
11	matters involving California and federal firearm laws. In that capacity, I have advised individuals,
12	businesses, and governments on how to comply with complicated firearm regulation schemes,
13	provided analyses of proposed state and local firearm and ammunition related legislation, as well a
14	potential legal challenges thereto, and drafted numerous legal memoranda concerning firearm laws
15	4. I have also drafted or assisted in drafting various amicus curiae briefs in important
16	firearm-related cases throughout the country. And I have litigated or assisted in litigating civil
17	rights lawsuits concerning Second Amendment and other constitutional rights violations in various
18	phases of both trial and appellate proceedings in state and federal courts, including petitions to the
19	United States Supreme Court. In doing so, I have personally argued before the Ninth Circuit Court
20	of Appeal and the California Court of Appeal.
21	5. During the appeal for which plaintiffs seek fees, I was categorized by Michel &
22	Associates as an "Associate 2" (see Ex. B, attached to declaration of Anna M. Barvir, filed
23	simultaneously herewith). My \$250 hourly rate is well within the hourly rates charged by highly
24	specialized firms for attorneys of similar skill, experience, and expertise in Southern California.
25	Authentication of Billing
26	6. Plaintiffs' billing records, attached to the Declaration of Haydee Villegas filed
27	simultaneously herewith, include true and accurate copies of my billing records for which fee
28	

1	recovery is sought in this matter. The records include detailed descriptions of the work I performed
2	on this appeal and the time spent on each task between May 2011 and December 2013.
3	7. In the regular course and scope of my daily business activities, I prepared the
4	descriptions contained in each billing record that shows my name as the "Timekeeper," and I did so
5	at or near the time of the occurrence of the work that I performed on this matter.
6	8. The descriptions contained within my billing records are a fair and accurate
7	description of the work I performed on this matter and time spent on each task. In my professional
8	judgment, the amount of time indicated for each task described in my billing records is a
9	reasonable amount of time for me to have spent on the type of work described therein.
0	Role in the Appeal
1	9. I spent approximately 1.1 hours engaged in case management and strategy work,
2	discussing and responding to requests for amicus assistance and analyzing the effect of Senate Bill
3	427 on the appeal. (Ex. A; Ex. C.)
4	10. During the Respondents' Brief phase, I billed at least 10.5 hours. In that time, I
5	reviewed and analyzed Respondents' Opening Brief, met with and e-mailed co-counsel regarding
6	his analyses, and communicated with clients via telephone regarding business information
17	necessary to disclose in Respondents' Brief. (Ex. A; Ex C.)
8	11. During the oral argument phase, I billed at least 36.0 hours. In that time, I spent 1.4
9	hours meeting and e-mailing co-counsel regarding litigation strategy and handling of oral
20	argument; and 34.6 hours reviewing and analyzing both the appellate record and briefing to create
21	questions, highlighting issues, and suggesting tips to help prepare co-counsel for oral argument.
22	(Ex. A; Ex. C.)
23	12. During the post-hearing phase, I billed just 0.1 hour.
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I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct. Dated: March 27, 2017. Declarant

1 PROOF OF SERVICE 2 STATE OF CALIFORNIA COUNTY OF FRESNO 3 I, Laura Palmerin, am employed in Long Beach, Los Angeles County, California. I am over 4 the age of eighteen (18) years and am not a party to the within action. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, CA 90802. 5 On March 27, 2017, I served the foregoing document(s) described as: 6 DECLARATION OF SEAN A. BRADY IN SUPPORT OF PLAINTIFFS' 7 MOTION FOR ATTORNEYS' FEES ON APPEAL 8 on the interested parties in this action by placing [] the original 9 [x] a true and correct copy thereof enclosed in a sealed envelope(s) addressed as follows: 10 George Waters P. Patty Li 11 Deputy Attorney General Deputy Attorney General 1300 I Street, Suite 125 455 Golden Gate Ave., Suite 11000 12 San Francisco, CA 94102 P.O. Box 944255 Sacramento, CA 94244-2550 13 (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and 14 processing correspondence for mailing. Under the practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, 15 California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date is more than one day after 16 date of deposit for mailing an affidavit. Executed on March 27, 2017, at Long Beach, California 17 (VIA OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of 18 collection and processing correspondence for overnight delivery by UPS/FED-EX. Under the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for 19 receipt on the same day in the ordinary course of business. Such envelope was sealed and placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for 20 in accordance with ordinary business practices. 21 (STATE) I declare under penalty of perjury under the laws of the State of California that X the foregoing is true and correct. 22 (FEDERAL) I declare that I am employed in the office of the member of the bar of this of 23 this court at whose direction the service was made. 24 25 26 27 28