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21 Attorneys for Plaintiffs

22 **UNITED STATES DISTRICT COURT**

23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

24 JANICE ALTMAN, an individual, et al.

25 Plaintiffs,

26 vs.

27 COUNTY OF SANTA CLARA,
28 CALIFORNIA, et al.

Defendants.

Case No. 4:20-cv-02180-JST

**SUPPLEMENTAL DECLARATION OF GEORGE
M. LEE RE STATUS OF SERVICE OF
PLAINTIFFS' APPLICATION FOR TEMPORARY
RESTRAINING ORDER, AND/OR IN THE
ALTERNATIVE, MOTION FOR ISSUANCE OF A
PRELIMINARY INJUNCTION [ECF 20]**

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1 **SUPPLEMENTAL DECLARATION OF GEORGE M. LEE**

2 I, George M. Lee, declare as follows:

3 1. I am an attorney at law, duly licensed to practice law in this state and appear
4 before its courts. I am admitted to the Northern District of California. I am counsel of record for
5 plaintiffs Janice Altman, et al. in the above-captioned matter. I have personal knowledge of the
6 facts stated herein and, if called as a witness, could and would competently testify thereto.

7 2. This supplemental declaration is made to advise the Court of the status of service
8 of plaintiffs' Application for a Temporary Restraining Order, or in the alternative, Motion for
9 Preliminary Injunction filed on April 10, 2020. [ECF No. 20].

10 3. On April 10, 2020, the Court denied plaintiffs' TRO application, and scheduled a
11 hearing on the application as a motion for preliminary injunction on May 13, 2020. [ECF No.
12 22]. Nevertheless, because I advised the Court that I would inform the Court today of the status
13 of the service of defendants, this declaration is made and submitted to fulfill that representation.

14 4. On April 10, 2020, I sent emails to respective County and City attorneys in the
15 service list attached hereto as **Exhibit A**. In those emails, I advised County Counsel/City
16 Attorneys that plaintiffs were seeking temporary injunctive relief. In each of those emails, I
17 linked to a Dropbox folder containing the First Amended Complaint [ECF 19], summons [ECF
18 8], Order Reassigning Case [ECF 15], Clerk's Notice Setting Case Management Conference
19 [ECF 16], and the Temporary Restraining Order Application/Motion and supporting papers [ECF
20 20 through 20-16]. I also advised counsel that these documents could be found on the Northern
21 District's website, linking the ECF/PACER login.

22 5. In light of the current health conditions affecting our state and nation, mandating
23 minimization of personal interaction and requiring social distancing measures, I asked each
24 respective County Counsel/City Attorney whether their offices would agree to accept service of
25 these documents in this manner. I also offered to email the documents separately. I asked each
26 respective County Counsel/City Attorney further to advise whether their offices would oppose
27 plaintiffs' TRO Application so I may advise the Court accordingly.

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1 6. Counsel representing the City of San Jose Defendants (City of San Jose,
2 California, Mayor Sam Liccardo, and Chief Edgardo Garcia), the City of Mountain View
3 Defendants (City of Mountain View, California, and Chief Max Bosel), the City of Pacifica
4 Defendants (City of Pacifica, California and Chief Dan Steidle), the County of Contra Costa
5 Defendants (County of Contra Costa, California, Sheriff David Livingston, and Chris Farnitano),
6 and the City of Pleasant Hill Defendants (City of Pleasant Hill, California, and Chief Bryan Hill)
7 all responded and agreed to accept service through electronic means. Counsel representing these
8 defendants all indicated that they would oppose plaintiffs' TRO Application/Motion.

9 7. Counsel for the County of Santa Clara Defendants (County of Santa Clara,
10 California, Sheriff Laurie Smith, District Attorney Jeffrey Rosen, and Sara Cody), the County of
11 Alameda Defendants (County of Alameda, California, Sheriff Gregory Ahern, and Erica Pan),
12 and the County of San Mateo Defendants (County of San Mateo, California, Sheriff Carlos
13 Bolanos, and Scott Morrow) have not responded to my request as of the date this declaration is
14 made, and accordingly, those defendants will be served through conventional means.

15 I declare under penalty of perjury that the foregoing is true and correct.

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17 Dated: April 13, 2020



GEORGE M. LEE

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Exhibit A**Status of Service of First Amended Complaint and TRO Application**

PARTIES	EMAIL REQUEST SENT TO	RESPONSES
<p><i>County of Santa Clara Defendants:</i></p> <p>COUNTY OF SANTA CLARA c/o Clerk of the Board of Supervisors 70 W. Hedding Street, 10th Floor San Jose, CA 95110</p> <p>LAURIE SMITH, in her capacity as Sheriff of the County of Santa Clara c/o Clerk of the Board of Supervisors 70 W. Hedding Street, 10th Floor San Jose, CA 95110</p> <p>JEFFREY ROSEN, in his official capacity as Santa Clara County District Attorney c/o Clerk of the Board of Supervisors 70 W. Hedding Street, 10th Floor San Jose, CA 95110</p> <p>SARA CODY, in her official capacity as Santa Clara County Health Officer c/o Clerk of the Board of Supervisors 70 W. Hedding Street, 10th Floor San Jose, CA 95110</p>	<p>James R. Williams Santa Clara County Counsel 70 West Hedding Street East Wing, 9th Floor San Jose, CA 95110 Email: county.counsel@cco.sccgov.org; james.williams@cco.sccgov.org</p> <p>Sent email request 4/10/20</p>	<p>No response as of 4/13/20</p>
<p><i>City of San Jose Defendants:</i></p> <p>CITY OF SAN JOSE, CALIFORNIA 200 E. Santa Clara St. San Jose, CA 95113</p> <p>SAM LICCARDO, in his official capacity as Mayor of San Jose c/o Office of Mayor Sam Liccardo 200 E. Santa Clara St. San Jose, CA 95113</p> <p>EDGARDO GARCIA, in his official capacity as Chief of Police for the City of San Jose 201 W. Mission Street San Jose, CA 95110</p>	<p>Richard Doyle City Attorney City of San Jose 200 E. Santa Clara St. 16th Floor San Jose, CA 95113 Email: richard.doyle@sanjosega.gov; cao.main@sanjoseca.gov</p> <p>Sent email request 4/10/20</p>	<p>Agreed to accept service by email and Dropbox upload</p> <p>Nora Frimann Assistant City Attorney City of San Jose Office of the City Attorney 200 East Santa Clara Street, T-16 San Jose, CA 95113 Tel. (408) 535-1930 nora.frimann@sanjoseca.gov</p>

1	<i>City of Mountain View Defendants:</i>		
2	CITY OF MOUNTAIN VIEW, CALIFORNIA	Krishan Chopra City Attorney City of Mountain View	The City Attorney's Office agreed to accept service by email
3	500 Castro St. Mountain View, CA 94041	500 Castro St., 3rd Floor Mountain View, CA 94041	Lance Bayer Special Assistant City Attorney City of Mountain View
4	MAX BOSEL, in his official capacity as the Chief of Police for the City of Mountain View	krishan.chopra@mountainview.gov cityattorney@mountainview.gov	Tel. (650) 903-6303 lance.bayer@mountainview.gov krishan.chopra@mountainview.gov cityattorney@mountainview.gov
5	1000 Villa Street Mountain View, CA	Sent email request 4/10/20	
6			
7	<i>County of Alameda Defendants:</i>		
8	COUNTY OF ALAMEDA, CALIFORNIA	Donna R. Ziegler County Counsel Office of County Counsel	No response as of 4/13/20
9	Administration Building 1221 Oak Street, Suite 555 Oakland, CA 94612	1221 Oak Street, Suite 450 Oakland, CA 94612-4226 donna.ziegler@acgov.org ,	
10	GREGORY AHERN, in his capacity as Sheriff of the County of Alameda	Sent email request 4/10/20	
11	1401 Lakeside Drive, 12th Floor Oakland, CA 94612-4305		
12	ERICA PAN, in her capacity as Health Officer of the County of Alameda		
13	1000 Broadway, Suite 500 Oakland, CA 94607 510.267.8000		
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17	<i>County of San Mateo Defendants:</i>		
18	COUNTY OF SAN MATEO, CALIFORNIA	Sent email request on 4/10/20 to:	No response as of 4/13/20
19	400 County Center Redwood City, CA 94063	John C. Beiers San Mateo County Counsel 400 County Center, 6 th Floor Redwood City, CA 94063-1662 jbeiers@smcgov.org	
20	CARLOS BOLANOS, in his capacity as Sheriff of the County of San Mateo	Claire A. Cunningham Chief Deputy Office of County Counsel 400 County Center, 6 th Floor Redwood City, CA 94063-1662 ccunningham@smcgov.org	
21	400 County Center, 3rd Floor Redwood City, CA 94063		
22	SCOTT MORROW in his capacity as San Mateo County Health Officer Public Health Department of San Mateo		
23	225 37 th Ave Ste.11 San Mateo 94403		
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<p><i>City of Pacifica Defendants:</i></p> <p>CITY OF PACIFICA, CALIFORNIA City of Pacifica City Hall 170 Santa Maria Avenue Pacifica, CA 94044</p> <p>DAN STEIDLE, in his official capacity as the Chief of Police for the City of Pacifica 2075 Coast Hwy Pacifica, CA 94044</p>	<p>Sent email request on 4/10/20 to:</p> <p>Michelle Marchetta Kenyon Burke, Williams & Sorensen, LLP 1901 Harrison Street Suite 900 Oakland, CA 94612-3501 mkenyon@bwslaw.com</p>	<p>Agreed to accept service by email and Dropbox upload</p> <p>Kevin D. Siegel Burke, Williams & Sorensen, LLP 1901 Harrison Street, Suite 900 Oakland, CA 94612 Tel. (510) 903-8806 ksiegel@bwslaw.com</p>
<p><i>County of Contra Costa Defendants:</i></p> <p>COUNTY OF CONTRA COSTA, CALIFORNIA 651 Pine Street Martinez, CA 94553</p> <p>DAVID LIVINGSTON, in his capacity as Sheriff of the County of Contra Costa c/o Office of the Sheriff 651 Pine Street Martinez, CA 94553</p> <p>CHRIS FARNITANO, in his capacity as Health Officer of Contra Costa County Contra Costa Health Services 1220 Morello Ave, Suite 200 Martinez, CA 94553</p>	<p>Sent email request on 4/10/20 to:</p> <p>Sharon L. Anderson County Counsel County of Contra Costa P.O. Box 69 Martinez, CA 94553-0116 sharon.anderson@cc.cccounty.us</p>	<p>County Counsel agreed to accept service of documents by email</p> <p>Thomas L. Geiger Assistant County Counsel Contra Costa County 651 Pine Street, 9th Floor Martinez, CA 94553-1229 Tel. (925) 335-1813</p> <p>Email Addresses: thomas.geiger@cc.cccounty.us patrick.hurley@cc.cccounty.us</p>
<p><i>City of Pleasant Hill Defendants:</i></p> <p>CITY OF PLEASANT HILL, CALIFORNIA 100 Gregory Lane Pleasant Hill, CA 94523</p> <p>BRYAN HILL in his official capacity as Chief of Police for the City of Pleasant Hill 330 Civic Dr. Pleasant Hill, CA 94523</p>	<p>Sent email request on 4/10/20 to:</p> <p>Janet E. Coleson City Attorney City of Pleasanton 100 Gregory Lane Pleasant Hill, CA 94523 jcoleson@pleasanthillca.org janet.coleson@bbklaw.com</p>	<p>Agreed to accept service by email and Dropbox upload 4/13/20</p> <p>Counsel: Gene Tanaka Best, Best & Krieger 2001 North Main St., Suite 390 Walnut Creek, CA 94596 Tel. (925) 977-3301 gene.tanaka@bbklaw.com dakotah.benjamin@bbklaw.com</p>