

EXHIBIT A

Subject: RE: Altman v. County of Santa Clara - Request for Clarification
Date: Friday, June 5, 2020 at 3:53:30 PM Pacific Daylight Time
From: Kiniyalocts, Melissa
To: George Lee, Bussey, Jason, Press, Douglas, Frimann, Nora, Bayer, Lance, Chopra, Krishan, CityAttorney@mountainview.gov, MacKay, Raymond, County Counsel, Daniel McCloskey, Sarah Trela, Siegel, Kevin D., Kenyon, Michelle Marchetta, Thomas Geiger, Patrick Hurley, Gene Tanaka, Dakotah Benjamin, Laskowska, Margo
CC: Raymond DiGuiseppe, Adam Kraut
Attachments: image001.png

George,

We interpret the order as dismissing not only Santa Clara, San Mateo, and Contra Costa Counties, but also the individual defendants associated with those entities and the City Defendants within their jurisdictions. But we are agreeable to seeking clarification of the order by filing a stipulation and proposed order of dismissal as to the following defendants: County of Santa Clara, Laurie Smith, Jeffrey Rosen, Sara Cody, City of San José, Sam Liccardo, Edgardo (“Eddie”) Garcia, City of Mountain View, Max Bosel, County of San Mateo, Carlos Bolanos, Scott Morrow, City of Pacifica, Dan Steidle, County of Contra Costa, David Livingston, Chris Farnitano, City of Pleasant Hill, and Bryan Hill.

We believe an order of dismissal will create a clearer record than an order on an administrative motion. But if you are unwilling to file a stipulation, we will not oppose an administrative motion. We do, however, ask that you send us a draft before filing.

Thanks,

-Melissa



Melissa Kiniyalocts | Lead Deputy County Counsel

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From: George Lee <gml@seilerepstein.com>

Sent: Thursday, June 4, 2020 12:57 PM

To: Kiniyalocts, Melissa <Melissa.Kiniyalocts@cco.sccgov.org>; Bussey, Jason <jason.bussey@cco.sccgov.org>; Press, Douglas <douglas.press@cco.sccgov.org>; Frimann, Nora <nora.frimann@sanjoseca.gov>; Bayer, Lance <Lance.Bayer@MountainView.gov>; Chopra, Krishan <Krishan.Chopra@mountainview.gov>; CityAttorney@mountainview.gov; MacKay, Raymond, County Counsel <raymond.mackay@acgov.org>; Daniel McCloskey <dmccloskey@smcgov.org>; Sarah Trela <strela@smcgov.org>; Siegel, Kevin D. <KSiegel@bwsllaw.com>; Kenyon, Michelle Marchetta <MKenyon@bwsllaw.com>; Thomas Geiger <Thomas.Geiger@cc.cccounty.us>; Patrick Hurley <Patrick.Hurley@cc.cccounty.us>; Gene Tanaka

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Subject: [EXTERNAL] Altman v. County of Santa Clara - Request for Clarification

Dear Counsel:

Plaintiffs intend to bring a motion or application requesting clarification of the Court's Order Denying Preliminary Injunction [ECF No. 62], in particular, where the Court states at p. 8:5-8:

Because Plaintiffs in San Mateo, Santa Clara, and Contra Costa Counties are now clearly able to purchase firearms and ammunition (or will be once the Orders go into effect), the Court holds that the case is moot as to those Defendants. The San Mateo, Santa Clara, and Contra Costa Defendants are hereby dismissed.

The clarification that plaintiffs seek is to have the Court specify what parties are being dismissed, i.e., the counties themselves, or also the cities within those counties [Pacifica, San Jose, Mountain View, and Pleasant Hill]. In the alternative, plaintiffs would simply request that the Court enter judgment, forthwith, as to all defendants that the Court intended to dismiss from the case.

Please let us know as soon as possible if you would be willing to join in this request for clarification, or if you would otherwise oppose the motion/application, and if so, what the basis for the opposition would be.

Thank you for your attention to this matter; we look forward to hearing from you.

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