| 1 2 3 4 5 6 7 8 9 10 | RICHARD DOYLE, City Attorney (88625) NORA FRIMANN, Assistant City Attorney (93249) CLIFFORD GREENBERG, Sr. Deputy City Attorney (122612) MARK J. VANNI, Deputy City Attorney (267892) Office of the City Attorney 200 East Santa Clara Street, 16 th Floor San José, California 95113-1905 Telephone Number: (408) 535-1900 Facsimile Number: (408) 998-3131 E-Mail Address: cao.main@sanjoseca.gov Attorneys for CITY OF SAN JOSE, CITY OF SAN JOSE POLICE DEPARTMENT and OFFICER STEVEN VALENTINE UNITED STATES DISTRICT COURT | | | |
|---|---|--------------------------------|--|--|
| 11 | NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION | | | |
| 12 | JAN JOSE DIVISION | | | |
| 13 14 | LORI RODRIGUEZ, THE SECOND | Case Number: 5:15-CV-03698 EJD | | |
| 15 | AMENDMENT FOUNDATION, INC., THE CAL GUNS FOUNDATION, INC. | DEFENDANTS' FRCP RULE 26(A)(1) | | |
| 16 | Plaintiffs, | INITIAL DISCLOSURES | | |
| 17 | V. | | | |
| 18 | CITY OF SAN JOSE, CITY OF SAN JOSE POLICE DEPARTMENT, OFFICER STEVEN | | | |
| 19 | VALENTINE, and DOES 1-20, | | | |
| 20 | Defendants. | | | |
| 21 | | | | |
| 22 | Pursuant to Federal Rules of Civil Procedure 26(a)(1), Defendant hereby sets forth | | | |
| 23 | the following disclosures: | | | |
| 24 | A. Persons Likely to Have Discoverable In | formation | | |
| 25 | The persons likely to have discoverable information that Defendant may use to | | | |
| 26 | support the claims or defenses, unless the use would be solely for impeachment, are as | | | |
| 27 | follows: | | | |
| 28 | 1. Lori Rodriguez | | | |
| | DEFENDANTS' FRCP RULE 26(A)(1) INITIAL DISCLOSURES Case No. 5:15-CV-03698 EJD | | | |

Case No. 5:15-CV-03698 EJD

1278737

Edward V. Rodriguez

| 2 | 3. | 3. Officer Steven Valentine, Badge No. 3985, c/o San Jose City Attorney's Office. | | |
|----|--|---|--|--|
| 3 | 4. All persons named or referred to in the various documents identified in this | | | |
| 4 | disclosure. | | | |
| 5 | 5. | Various persons most knowledgeable about Police Department policies, practices, | | |
| 6 | training, personnel matters, and/or other topics relevant to this litigation. | | | |
| 7 | В. | 3. Documents and/or Materials that Defendant May Use to Support | | |
| 8 | | Claims or Defenses | | |
| 9 | 1. | All materials collected and generated by San Jose Police Department related to the | | |
| 10 | subject incident, including but not limited to, witness statements, Patrol officer records, | | | |
| 11 | 9-1-1 and police communications recordings, electronic dispatch information, and | | | |
| 12 | communication with Plaintiffs' attorney. | | | |
| 13 | C. | Computation of Damages | | |
| 14 | | This disclosure requirement does not apply to Defendant in this lawsuit. | | |
| 15 | D. | Insurance Agreements | | |
| 16 | | Defendants have no such insurance agreements. | | |
| 17 | E. | E. Copies of Documents, Video Recordings and Audio Recordings Included with | | |
| 18 | | this Disclosure | | |
| 19 | 1. | San Jose Police Department Report, January 24, 2013. | | |
| 20 | 2. | San Jose Police Department Report, January 24, 2013. | | |
| 21 | 3. Declaration of Officer Steven Valentine In Support of Petition Re: Disposition of | | | |
| 22 | | Weapons, filed March 1, 2013. | | |
| 23 | 4. | State of California, Department of Justice, Bureau of Firearms Personal Firarms | | |
| 24 | | Eligibility Check (PFEC) Notification for Lori A. Rodriguez, dated May 8, 2013. | | |
| 25 | 5. | Order Re: Disposition of Weapons, filed on September 16, 2013. | | |
| 26 | 6. | 6. State of California Firearm Ownership Record for Winchester Ranger 120 (Serial # | | |
| 27 | L1813538), dated May 23, 2015. | | | |
| 28 | Transmission of the Control of the C | | | |
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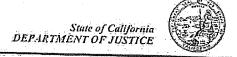
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- 7. State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for Browning Citori (Serial # 3653PP753), dated May 23, 2015.
- 8. State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for Ruger 1022 (Serial # 23260854), dated May 23, 2015.
- 9. State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for Ruger Carbine (Serial # 1401182), dated May 23, 2015.
- State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for Browning Safari Bar (Serial # 107NW32146), dated May 23, 2015.
- State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for Browning Gold Hunter (Serial # F01NP05395), dated May 23, 2015.
- 12. State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for Winchester 290 (Serial # 52189), dated May 23, 2015.
- State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for Remington Speedmaster (Serial # A1657555), dated May 23, 2015.
- State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for Smith and Wesson 629 6 Classic (Serial # CFJ8200), dated May 23, 2015.
- 15. State of California Receipt Confirmation for Firearm as Either Operation of Law or Intrafamilial Transfer for WEO 744 VH (Serial # SB013398), dated May 23, 2015.
- 16. State of California Firearm Ownership Record for MAR Glenfield 60 (Serial # 20626618), dated May 23, 2015.
- 17. State of California Law Enforcement Gun Release Firearm(s) Eligibility Clearance for Smith and Wesson 586 3 (Serial # BFR2403), dated June 1, 2015.

18. 1 State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance for Browning Gold Hunter (Serial # F01NPO5395), dated June 1, 2015. 2 19. 3 State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance for Browning Citori (Serial # 3653PP753), dated June 1, 2015. 4 5 20. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance 6 for Ruger 10 22 (serial # 23260854), dated June 1, 2015. 7 21. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance for Browning Safari Bar II (Serial # 107NW32146), dated June 1, 2015. 8 22. State of California Law Enforcement Gun Release - Firearm(s) Eligibility Clearance 9 10 for MAR Glenfield 60 (Serial # 20626618), dated June 1, 2015. 11 23. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance 12 for Ruger Carbine (Serial # 1401182(, dated June 1, 2015. 24. State of California Law Enforcement Gun Release - Firearm(s) Eligibility Clearance 13 for Remington Speedmaster (Serial # A1657555), dated June 1, 2015. 14 25. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance 15 for Winchester 290 (Serial #52189), dated June 1, 2015. 16 26. 17 State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance for Winchester Ranger 120 (Serial # L1813538), dated June 1, 2015. 18 27. State of California Law Enforcement Gun Release - Firearm(s) Eligibility Clearance 19 for WEO 744 VH (Serial # SB013398), dated June 1, 2015. 20 21 28. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance for Smith and Wesson 629 6 Classic (Serial # CFJ8200), dated June 1, 2015. 22 23 $/\!/$ 24 //25 // 26 // 27 //28

| 1 | 29. California Sixth Appellate District Court Opinion Filed on April 2, 2015. | | |
|------------|--|------------------------------|--|
| 2 | | | |
| 3 | | To the best of my knowledge, | nformation and belief formed after an inquiry that is |
| 4 | reasonable under the circumstances, this disclosure is complete and correct as of the time | | |
| 5 | it is n | nade. | |
| 6 | | | Doon officially out how it and |
| 7 | | | Respectfully submitted, |
| 8 | Date | d: November 6, 2015 | RICHARD DOYLE, City Attorney |
| 9 | | | MA: 1 (4 · |
| 10 11 | | | By: Mark Vanni Mark Vanni Deputy City Attorney |
| 12 | | | Attorneys for Defendants |
| 13 | | | Attorneys for Defendants CITY OF SNA JOSE, CITY OF SAN JOSE POLICE DEPARTMENT and OFFICER STEVEN VALENTINE; |
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DIVISION OF LAW ENFORCEMENT BUREAU OF FIREARMS P.O. BOX 820200 SACRAMENTO, CA 94203-0200 Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 23, 2015

Lori Anne Rodriguez 4691 Mia Circle San Jose, CA 95136

RE: FIREARM OWNERSHIP RECORD

Dear Lori Anne Rodriguez:

Pursuant to your request, the firearm(s) listed below has been recorded by the Department of Justice as being owned by you. Please be aware that should you decide in the future to transfer ownership of any firearm(s) listed below, Penal Code sections 27545 and 28050 et seq. require that all private party transfers of firearms be completed by a licensed California firearms dealer, as defined in Penal Code sections 26700 through 26915.

Serial Number

Make

Model

Caliber

L1813538

WIN

RANGER 120

12

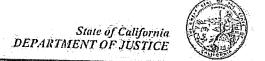
If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, Manager

Bureau Of Firearms

BOF-LFOROOT



BUREAU OF FIREARMS

F.O. BOX 820200 SACRAMENTO, CA 94203-0200 Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 23, 2015

LORI ANNE RODRIGUEZ 4691 MIA CIRCLE SAN JOSE, CA 95136

RE: Receipt Confirmation for Firearm Reported as Either Operation of Law or Intrafamilial Transfer

Dear LORI ANNE RODRIGUEZ:

This letter acknowledges the Department of Justice (DOJ), Bureau of Firearms (BOF) has received your Operation of Law or Intrafamilial Transfer application, processed the application, and a firearm eligibility check has been completed confirming your eligibility to possess firearms. The following firearm has been recorded in your name in the Automated Firearms System.

SERIAL NUMBER

MAKE

MODEL

CALIBER

3653PP753

BRO

CITORI

12

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms





BUREAU OF FIREARMS

P.O. BOX 820200 SACRAMENTO, CA 94203-0200

Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 23, 2015

LORI ANNE RODRIGUEZ 4691 MIA CIRCLE SAN JOSE, CA 95136

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SERIAL NUMBER

MAKE:

MODEL

CALIBER

23260854

SR

1022

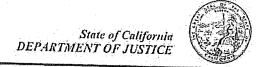
22

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms



BUREAU OF FIREARMS

P.O. BOX 820200 SACRAMENTO, CA 94203-0200

Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 23, 2015

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SERIAL NUMBER

MAKE

MODEL

CALIBER

1401182

SR

CARBINE

30

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms



BUREAU OF FIREARMS

P.O. BOX 820200 SACRAMENTO, CA 94203-0200 Telephone: (916) 227-3752

Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 23, 2015

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SERIAL NUMBER

MAKE

MODEL

CALIBER

107NW32146

BRO

SAFARI BAR II

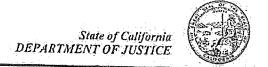
7

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Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms



BUREAU OF FIREARMS

P.O. BOX 820200 SACRAMENTO, CA 94203-0200 Telephone (916) 227-3752 Facsimile (916) 227-3744

May 23, 2015

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SERIAL NUMBER

MAKE

MODEL

CALIBER

F01NP05395

BRO

GOLD HUNTER

12

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms



BUREAU OF FIREARMS

P.O. BOX 820200 SACRAMENTO, CA 94203-0200

Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 23, 2015

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SERIAL NUMBER

MAKE

MODEL

CALIBER

52189

WIN.

290

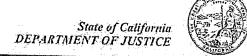
22

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms



BUREAU OF FIREARMS

P.O. BOX 820200 SACRAMENTO, CA 94203-0200 Telephone: (916) 227-3752

Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 23, 2015

LORI ANNE RODRIGUEZ 4691 MIA CIRCLE SAN JOSE, CA 95136

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SERIAL NUMBER

MAKE

MODEL

CALIBER

A1657555

REM

SPEEDMASTER:

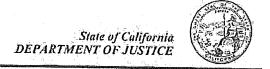
22

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms



BUREAU OF FIREARMS

P.O. BOX 820200 SACRAMENTO, CA 94203-0200 Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 27, 2015

LORI ANNE RODRIGUEZ 4691 MIA CIRCLE SAN JOSE, CA 95136

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SERIAL NUMBER

MAKE

MODEL

CALIBER

CFJ8200

SW

629 6 CLASSIC

44

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms



BUREAU OF FIREARMS

P.O. BOX 820200 SACRAMENTO, CA 94203-0200 Telephone: (916) 227-3752 Facsimile: (916) 227-3744

May 27, 2015

LORI ANNE RODRIGUEZ 4691 MIA CIRCLE SAN JOSE, CA 95136

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SERIAL NUMBER

MAKE

MODEL

CALIBER

SB013398

WEO

744 VH

44

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, MANAGER

Bureau Of Firearms

State of California DEPARTMENT OF JUSTICE



DIVISION OF LAW ENFORCEMENT BUREAU OF FIREARMS P.O. BOX 820200 SACRAMENTO, CA 94203-0200 Telephone; (916) 227-3752 Facsintile: (916) 227-3744

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Serial Number

Make

Model

Caliber

20626618

MÁR

GLENFIELD 60

22

If you have any questions, please contact the Bureau of Firearms at (916) 227-5670.

Sincerely,

LISA O'DONNELL, Manager

Bureau Of Firearms

BOF-LFOR001