

1 RICHARD DOYLE, City Attorney (88625)
2 NORA FRIMANN, Assistant City Attorney (93249)
3 CLIFFORD GREENBERG, Sr. Deputy City Attorney (122612)
4 MARK J. VANNI, Deputy City Attorney (267892)
5 Office of the City Attorney
6 200 East Santa Clara Street, 16th Floor
7 San José, California 95113-1905
8 Telephone Number: (408) 535-1900
9 Facsimile Number: (408) 998-3131
10 E-Mail Address: cao.main@sanjoseca.gov

11 Attorneys for CITY OF SAN JOSE, CITY OF SAN
12 JOSE POLICE DEPARTMENT and OFFICER
13 STEVEN VALENTINE

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 LORI RODRIGUEZ, THE SECOND
18 AMENDMENT FOUNDATION, INC., THE
19 CAL GUNS FOUNDATION, INC.

20 Plaintiffs,

21 v.

22 CITY OF SAN JOSE, CITY OF SAN JOSE
23 POLICE DEPARTMENT, OFFICER STEVEN
24 VALENTINE, and DOES 1-20,

25 Defendants.

Case Number: 5:15-CV-03698 EJD

**DEFENDANTS' FRCP RULE 26(A)(1)
INITIAL DISCLOSURES**

26 Pursuant to Federal Rules of Civil Procedure 26(a)(1), Defendant hereby sets forth
27 the following disclosures:

28 **A. Persons Likely to Have Discoverable Information**

The persons likely to have discoverable information that Defendant may use to
support the claims or defenses, unless the use would be solely for impeachment, are as
follows:

- 1. Lori Rodriguez

1 2. Edward V. Rodriguez

2 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 **B. 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. 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 Firearms
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. State of California Firearm Ownership Record for Winchester Ranger 120 (Serial #
27 L1813538), dated May 23, 2015.

28

- 1 7. State of California Receipt Confirmation for Firearm as Either Operation of Law or
2 Intrafamilial Transfer for Browning Citori (Serial # 3653PP753), dated May 23,
3 2015.
- 4 8. State of California Receipt Confirmation for Firearm as Either Operation of Law or
5 Intrafamilial Transfer for Ruger 1022 (Serial # 23260854), dated May 23, 2015.
- 6 9. State of California Receipt Confirmation for Firearm as Either Operation of Law or
7 Intrafamilial Transfer for Ruger Carbine (Serial # 1401182), dated May 23, 2015.
- 8 10. State of California Receipt Confirmation for Firearm as Either Operation of Law or
9 Intrafamilial Transfer for Browning Safari Bar (Serial # 107NW32146), dated May
10 23, 2015.
- 11 11. State of California Receipt Confirmation for Firearm as Either Operation of Law or
12 Intrafamilial Transfer for Browning Gold Hunter (Serial # F01NP05395), dated May
13 23, 2015.
- 14 12. State of California Receipt Confirmation for Firearm as Either Operation of Law or
15 Intrafamilial Transfer for Winchester 290 (Serial # 52189), dated May 23, 2015.
- 16 13. State of California Receipt Confirmation for Firearm as Either Operation of Law or
17 Intrafamilial Transfer for Remington Speedmaster (Serial # A1657555), dated May
18 23, 2015.
- 19 14. State of California Receipt Confirmation for Firearm as Either Operation of Law or
20 Intrafamilial Transfer for Smith and Wesson 629 6 Classic (Serial # CFJ8200),
21 dated May 23, 2015.
- 22 15. State of California Receipt Confirmation for Firearm as Either Operation of Law or
23 Intrafamilial Transfer for WEO 744 VH (Serial # SB013398), dated May 23, 2015.
- 24 16. State of California Firearm Ownership Record for MAR Glenfield 60 (Serial #
25 20626618), dated May 23, 2015.
- 26 17. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
27 for Smith and Wesson 586 3 (Serial # BFR2403), dated June 1, 2015.
- 28

- 1 18. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
- 2 for Browning Gold Hunter (Serial # F01NPO5395), dated June 1, 2015.
- 3 19. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
- 4 for Browning Citori (Serial # 3653PP753), dated June 1, 2015.
- 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
- 8 for Browning Safari Bar II (Serial # 107NW32146), dated June 1, 2015.
- 9 22. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
- 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.
- 13 24. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
- 14 for Remington Speedmaster (Serial # A1657555), dated June 1, 2015.
- 15 25. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
- 16 for Winchester 290 (Serial #52189), dated June 1, 2015.
- 17 26. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
- 18 for Winchester Ranger 120 (Serial # L1813538), dated June 1, 2015.
- 19 27. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
- 20 for WEO 744 VH (Serial # SB013398), dated June 1, 2015.
- 21 28. State of California Law Enforcement Gun Release – Firearm(s) Eligibility Clearance
- 22 for Smith and Wesson 629 6 Classic (Serial # CFJ8200) , dated June 1, 2015.
- 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, information 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 made.

6
7 Respectfully submitted,

8 Dated: November 6, 2015

RICHARD DOYLE, City Attorney

9
10 By: Mark Vanni
11 Mark Vanni
12 Deputy City Attorney

13 Attorneys for Defendants
14 CITY OF SNA JOSE, CITY OF SAN JOSE
15 POLICE DEPARTMENT and OFFICER
16 STEVEN VALENTINE;
17
18
19
20
21
22
23
24
25
26
27
28

KAMALA D. HARRIS
Attorney General

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
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.

<u>Serial Number</u>	<u>Make</u>	<u>Model</u>	<u>Caliber</u>
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-LFOR001

For KAMALA D. HARRIS
Attorney General

SJ000044

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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: 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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
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

For KAMALA D. HARRIS
Attorney General

SJ000045

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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: 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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
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

For KAMALA D. HARRIS
Attorney General

SJ000046

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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: 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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
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

For KAMALA D. HARRIS
Attorney General

SJ000047

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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: 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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
107NW32146	BRO	SAFARI BAR II	7

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

Sincerely,

LISA O'DONNELL, MANAGER
Bureau Of Firearms

For KAMALA D. HARRIS
Attorney General

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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: 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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
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

For KAMALA D. HARRIS
Attorney General

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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: 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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
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

For KAMALA D. HARRIS
Attorney General

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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: 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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
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

For KAMALA D. HARRIS
Attorney General

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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

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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
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

For KAMALA D. HARRIS
Attorney General

SJ000052

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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

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.

<u>SERIAL NUMBER</u>	<u>MAKE</u>	<u>MODEL</u>	<u>CALIBER</u>
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

For KAMALA D. HARRIS
Attorney General

SJ000053

KAMALA D. HARRIS
Attorney General

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
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.

<u>Serial Number</u>	<u>Make</u>	<u>Model</u>	<u>Caliber</u>
20626618	MAR	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

For KAMALA D. HARRIS
Attorney General

SJ000054