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9 CITY OF GLENDALE, GLENDALE CHIEF OF
10 POLICE CARL POVILAITIS; and GLENDALE
11 CITY CLERK SUZIE ABAJIAN
12

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15

16 CALIFORNIA RIFLE & PISTOL)
17 ASSOCIATION, INCORPORATED;)
18 SECOND AMENDMENT)
19 FOUNDATION; GUN OWNERS OF)
20 CALIFORNIA, INC.,)

21 Plaintiffs,)

22 vs.)

23 CITY OF GLENDALE; GLENDALE)
24 CHIEF OF POLICE CARL)
25 POVILAITIS, in his official capacity;)
26 GLENDALE CITY CLERK SUZIE)
27 ABAJIAN, in her official capacity; and)
28 DOES 1-10,)

Defendants.)

Case No.: 2:22-cv-07346-SB-JC

**DECLARATION OF MARK BERRY IN
SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

Date: December 2, 2022

Time: 8:30 a.m.

Courtroom: 6C

Judge: Hon. Stanley Blumenfeld Jr.

DECLARATION OF MARK BERRY


I, Mark Berry, declare as follows:

1. I am currently a Deputy Director of Community Development/Economic Development for the City of Glendale ("City") and have been in that position for approximately 1 year and 4 months. Prior to that, I was a Principal Economic Development Officer for the City. I have personal knowledge of the facts stated herein and if called to testify as to any of those matters, I could and would competently do so.

2. The Community Development Department is tasked with managing community development within the City which necessarily requires that employees within the Department are familiar with City owned properties and developments. Accordingly, in my role as Deputy Director, I am familiar with City owned property, including properties currently in the possession of a public or private entity, corporation, or person under contract with the city to perform a public purpose. Currently, there are four such properties located within the City. The first is the open space at the Americana which consists of the open green area (i.e., park) located within the center of the Americana. The second are two parking garages located at the Glendale Galleria. The third is the parking lot located at the Glendale Fashion Center. The fourth is a small strip of open space located at the corner of Broadway and W. Glenoaks Blvd. Other than the four aforementioned properties, there are no other properties within the City that are currently in the possession of a public or private entity, corporation, or person under contract with the city to perform a public purpose.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed this 1 day of November, 2022 at Glendale, California.


Mark Berry, Declarant