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   Attorney General of California
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   Supervising Deputy Attorney General
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   Deputy Attorney General
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    Los Angeles, CA 90013-1230
5   Telephone: (213) 269-6250
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   Attorneys for Defendant Rob Bonta in his official
7 *capacity as Attorney General of California*

8   IN THE UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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13 **MARK BAIRD and RICHARD**   2:19-cv-00617-KJM-AC
    GALLARDO,

14   **DECLARATION OF LARA HADDAD IN**
                            Plaintiffs, **SUPPORT OF DEFENDANT'S MOTION**
                                         FOR SUMMARY JUDGMENT
15   v.
                                         Date: September 22, 2023
16   Time: 10:00 a.m.
    ROB BONTA, in his official capacity as   Courtroom: 3
17 **Attorney General of the State of California,**   Judge: Hon. Kimberly J. Mueller
    and DOES 1-10,   Trial Date: None set.
18   Action Filed: April 10, 2019
                            Defendants.
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1   I, Lara Haddad, hereby declare and state the following:

2   1.   I am a Deputy Attorney General at the California Department of Justice and serve as

3   counsel to Defendant Rob Bonta, in his official capacity as Attorney General of the State of

4   California ("Defendant"), in the above-titled matter. I make this declaration in support of

5   Defendant's Motion for Summary Judgment. Unless otherwise stated, I have personal knowledge

6   of the facts set forth herein and am competent to testify thereto.

7   2.   Attached as Exhibit 1 is a true and accurate copy of Legal Alert No. OAG-2022-02,

8   issued by the California Attorney General on June 24, 2022. A copy is also available at

9   https://oag.ca.gov/system/files/media/legal-alert-oag-2022-02.pdf.

10   3.   Attached as Exhibit 2 is a true and accurate copy of portions of a sworn deposition of

11   Plaintiff Mark Baird, taken by Deputy Attorney General Matthew Wise on August 31, 2021.

12   4.   Attached as Exhibit 3 is a true and accurate copy of portions of a sworn deposition of

13   Plaintiff Richard Gallardo, taken by Deputy Attorney General Matthew Wise on August 31, 2021.

14   5.   Submitted concurrently with this declaration is an appendix of laws; these laws are

15   also referenced or detailed in the expert declarations and reports submitted in support of

16   Defendant's Motion for Summary Judgment.

17
     I declare under penalty of perjury under the laws of the United States of America that the
18
     foregoing is true and correct.
19
     Executed on August 18, 2023, at Los Angeles, California.
20

21

22
                                           /s/ Lara Haddad_____
23   Lara Haddad
                                           Deputy Attorney General
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EXHIBIT 1

California Department of Justice **OFFICE OF** **THE ATTORNEY GENERAL**		*Legal Alert*
Subject: U.S. Supreme Court's Decision in *New York State Rifle & Pistol Association v. Bruen*, No. 20-843	*No.* OAG-2022-02 *Date:* June 24, 2022	*Contact for information:* CCWinfo@doj.ca.gov

TO: All California District Attorneys, Police Chiefs, Sheriffs, County Counsels, and City Attorneys

On June 23, 2022, the United States Supreme Court issued its decision in *New York State Rifle & Pistol Association v. Bruen*, No. 20-843 (*Bruen*).[1] In that case, the Court concluded that the State of New York's requirement that "proper cause" be demonstrated in order to obtain a permit to carry a concealed weapon in most public places violates the Second and Fourteenth Amendments. Although *Bruen* concerns a New York law, the *Bruen* majority specifically identifies California as one of six States that has an analogue to New York's "proper cause" standard. *Bruen*, slip op. 5-6. Accordingly, it is the Attorney General's view that the Court's decision renders California's "good cause" standard to secure a permit to carry a concealed weapon in most public places unconstitutional. Permitting agencies may no longer require a demonstration of "good cause" in order to obtain a concealed carry permit. However, local officials can and should continue to apply and enforce all other aspects of California law with respect to issuing public-carry licenses. In particular, the requirement that a public-carry license applicant provide proof of "good moral character" remains constitutional. Law enforcement agencies that issue licenses to carry firearms in public should consult with their own counsel, carefully review the decision in *Bruen*, take the following guidance into account, and continue protecting public safety while complying with state law and the federal Constitution.

California law authorizes local law enforcement officials—sheriffs and chiefs of police—to issue licenses allowing license holders to "carry concealed a pistol, revolver, or other firearm capable of being concealed upon the person." Cal. Pen. Code §§ 26150, 26155. In counties where the population is less than 200,000, local officials are also authorized to issue licenses permitting open carry in only that jurisdiction. *Id*. §§ 26150(b)(2); 26155(b)(2). These licenses, whether for concealed carry or open carry, exempt the holder from many generally applicable restrictions on the carrying of firearms in public. Local officials are only authorized to issue such licenses, however, upon proof that (1) "the applicant is of good moral character," (2) "[g]ood cause exists for issuance of the license," (3) the applicant is a resident of the relevant county or city (or has their principal place of business or employment in that county or city), and (4) the applicant has completed a course of training. *Id*. §§ 26150(a), 26155(a).

Although California law was not directly at issue in the *Bruen* decision, the decision makes clear that "good cause" requirements such as those in California Penal Code sections 26150(a)(2) and 26155(a)(2) are inconsistent with the Second and Fourteenth Amendments. Under the Supremacy

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[1] The decision is available at https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf.

Page 1 of 3

Clause of the United States Constitution, state and local officials must comply with clearly established federal law.

In accordance with *Bruen*, the Attorney General now considers the "good cause" requirements set forth in California Penal Code sections 26150(a)(2) and 26155(a)(2) to be unconstitutional and unenforceable. The immediate implications for law enforcement agencies that issue public-carry licenses ("issuing authorities") are as follows:

First, effective immediately, issuing authorities should no longer require proof of good cause for the issuance of a public-carry license. Issuing authorities may still inquire into an applicant's reasons for desiring a license to the extent those reasons are relevant to other lawful considerations, but denial of a license for lack of "good cause" now violates the Second and Fourteenth Amendments under the Supreme Court's decision in *Bruen*.

Second, issuing authorities should continue to apply and enforce all other aspects of California law with respect to public-carry licenses and the carrying of firearms in public. Issuing authorities are still required to take an applicant's fingerprints and to wait for the results of the background check that is run by the California Department of Justice (DOJ). Licenses "shall not be issued if the [DOJ] determines that the person is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm." Cal. Pen. Code § 26195(a). Moreover, because the Court's decision in *Bruen* does not affect the other statutory requirements governing public-carry licenses, issuing authorities must still require proof that (1) "the applicant is of good moral character," (2) the applicant is a resident of the relevant county or city (or has their principal place of business or employment in that county or city), and (3) the applicant has completed a course of training. *Id.* §§ 26150(a), 26155(a). Issuing authorities may also still require psychological testing. *Id.* § 26190(f).

Bruen recognizes that States may ensure that those carrying firearms in their jurisdiction are "'law-abiding, responsible citizens.'" *Bruen*, slip op. p. 30 n.9; *see also id.* slip op. p. 2 (Kavanaugh, J., concurring) (States may "require a license applicant to undergo a background check, a mental health records check, and training in firearms handling and in laws regarding the use of force, among other possible requirements"). Accordingly, in assessing whether an applicant has established "good moral character," issuing authorities should recognize that *Bruen* does not eliminate the duty or authority of local officials to protect the communities that they know best by ensuring that licenses are only issued to individuals who—by virtue of their character and temperament—can be trusted to abide by the law and otherwise ensure the safety of themselves and others. The investigation into whether an applicant satisfies the "good moral character" requirement should go beyond the determination of whether any "firearms prohibiting categories" apply, such as a mental health prohibition or prior felony conviction. Those categories, which may be found to apply during the DOJ-conducted background check (including the many categories pertaining to an applicant's criminal history), simply determine whether the applicant is even eligible to own or possess firearms under state and federal law. When it comes to evaluating an applicant's moral character, however, the issue is not whether the applicant meets the minimum qualifications to own or possess firearms under other statutory criteria. "Good moral character" is a distinct question that requires an independent determination.

Existing public-carry policies of local law enforcement agencies across the state provide helpful examples of how to apply the "good moral character" requirement. The Sacramento County Sheriff's Office, for example, currently identifies several potential reasons why a public-carry license may be denied (or revoked), which include "[a]ny arrest in the last 5 years, regardless of the disposition" or

"[a]ny conviction in the last 7 years."[2] It is reasonable to consider such factors in evaluating an applicant's proof of the requisite moral character to safely carry firearms in public. *See, e.g., Bruen*, slip op. p. 63 (referencing "law-abiding citizens"). Other jurisdictions list the personal characteristics one reasonably expects of candidates for a public-carry license who do not pose a danger to themselves or others. The Riverside County Sheriff's Department's policy, for example, currently provides as follows: "Legal judgments of good moral character can include consideration of honesty, trustworthiness, diligence, reliability, respect for the law, integrity, candor, discretion, observance of fiduciary duty, respect for the rights of others, absence of hatred and racism, fiscal stability, profession-specific criteria such as pledging to honor the constitution and uphold the law, and the absence of criminal conviction."[3]

As a starting point for purposes of investigating an applicant's moral character, many issuing authorities require personal references and/or reference letters. Investigators may personally interview applicants and use the opportunity to gain further insight into the applicant's character. And they may search publicly-available information, including social media accounts, in assessing the applicant's character. Finally, we note that it remains reasonable—and constitutional—to ask applicants why they are interested in carrying their firearms in public. Although applicants do not need to demonstrate good cause for the issuance of a license, an applicant's reasons for seeking a license may alert authorities to a need for psychological testing, be considered as part of the "good moral character" requirement, or provide information relevant to other statutory requirements.

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[2] Sacramento County Sheriff's Office, *CCW Application/Permit Denials/Revocations*, <https://www.sacsheriff.com/documents/ccw/REVO-DENIAL-REASONS.pdf> [last visited June 23, 2022].)

[3] Riverside County Sheriff's Department, *Riverside County Sheriff's Department Standards Manual (DSM)*, <https://www.riversidesheriff.org/DocumentCenter/View/6791/Department-Standars-Manual-5222> [last visited June 23, 2022].

EXHIBIT 2

1   IN THE UNITED STATES DISTRICT COURT

2   FOR THE EASTERN DISTRICT OF CALIFORNIA

3   --o0o--

4   MARK BAIRD and RICHARD

    GALLARDO,

5

         Plaintiffs,

6

    vs.   No. 2:19-cv-00617-KJM-AC

7

    ROB BONTA, in his official

8   capacity as Attorney General

    of the State of California,

9   and DOES 1-10,

10   Defendants.

                              /

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14   VIDEOCONFERENCE DEPOSITION OF MARK BAIRD

15   August 31, 2021

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22   Stenographically Reported by:

23   Janice L. Belcher, CSR No. 12342

24   Job No. 4782562

25   Pages 1 - 41

                                              Page 1

1   I N D E X

2   PAGE

3   EXAMINATION BY MR. WISE   4

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9

10   E X H I B I T S

11   PAGE

12   EXHIBIT 1   2/21/19 Letter   10

13   EXHIBIT 2   6/20/21 Email   22

14   EXHIBIT 3   9/3/18 Letter   23

15   EXHIBIT 4   9/3/18 Letter   25

16   EXHIBIT 5   8/31/21 Email   28

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 1              VIDEOCONFERENCE DEPOSITION OF MARK BAIRD

 2

 3       BE IT REMEMBERED, that pursuant to Notice, and on

 4   the 31st day of August, 2021, commencing at the hour of

 5   9:02 a.m., Pacific Standard Time, via videoconference

 6   before me, JANICE L. BELCHER, a Certified Shorthand

 7   Reporter, appeared MARK BAIRD, produced as a witness in

 8   said action, and being by me first duly sworn, was

 9   thereupon examined as a witness in said cause.

10

11                             --o0o--

12

13   APPEARANCES VIA VIDEOCONFERENCE:

14   For Plaintiffs:

15             AMY BELLANTONI

               Bellantoni Law Firm

16             2 Overhill Road, Suite 400

               Scarsdale, New York  10583

17             (914)367-0090

               info@bellantoni-law.com

18

19   For Defendant Attorney General Rob Bonta:

20             R. MATTHEW WISE

               Deputy Attorney General

21             1300 I Street, Suite 125

               P.O. Box 944255

22             Sacramento, California  94244

               (916)210-6046

23             matthew.wise@doj.ca.gov

24   Also Present:

25             RICHARD GALLARDO
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 1                        MARK BAIRD,

 2                     sworn as a witness,

 3                    testified as follows:

 4

 5                      EXAMINATION

 6    BY MR. WISE:

 7       Q    Good morning.  My name is Matthew Wise.  And I

 8    represent the California Attorney General in this case,

 9    with which is Baird vs. Bonta.

10            Would you state your full name and spell your

11    last name for the record.

12       A    Mark Allen Baird, B-A-I-R-D.

13       Q    Do you understand that you're testifying here

14    today under the same oath that you would as if you were

15    testifying in a courtroom?

16       A    I do.

17       Q    Have you ever had your deposition taken?

18       A    Yes.

19       Q    And how many times?

20       A    I don't know.

21       Q    Approximately?

22       A    I don't know.

23       Q    So you're familiar with the deposition rules?

24       A    Well, I don't know that I'm familiar with them.

25    I've been on one side of the table before.
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Page 4

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 1   BY MR. WISE:

 2       Q    How many times approximately have you applied

 3   for a concealed firearm?

 4       A    I don't know.  Three, maybe.

 5       Q    Do you know approximately when you did so most

 6   recently?

 7       A    It was 2021.  I believe it was January.

 8       Q    What was the result of that application?

 9       A    It was successful.

10       Q    Why did you apply?

11       A    Why did I apply?  Because you can be arrested

12   for carrying a firearm if you don't have government

13   permission here.

14       Q    And why did you want government permission to

15   carry a firearm?

16       A    I don't want government permission.  I want to

17   exercise my Second Amendment right, but if you don't ask

18   government permission you can be arrested for carrying

19   your firearm.

20       Q    When you applied, did you need to give a reason

21   for wanting to carry a firearm?

22       A    Of course you do.

23       Q    What was the reason that you gave?

24       A    You know, I don't have that form in front of

25   me, but I believe it was that we haul animals, we have a
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Page 14

1 | business, we carry large amounts of cash. We have

2 | received threats based upon our business and my

3 | political activities, something like that.

4 | Q   Are there any other reasons that you want to

5 | carry a firearm?

6 | A   I have the right to do so. And I have the

7 | absolute right to defend myself and my family.

8 | Q   Have you ever applied in another county for a

9 | permit to carry a concealed firearm?

10 | A   No.

11 | Q   Not sharing private conversations with your

12 | attorney, would you tell me how you became a plaintiff

13 | in this case?

14 | A   I initiated the case.

15 | Q   What motivated you to initiate the case?

16 | A   The fact that the California Department of

17 | Justice and the California legislature have

18 | legislatively and statutorily banned the exercise of

19 | Second Amendment guarantees through Penal Code 261 -- or

20 | 25850, 26400 and 26350. And they refuse to issue open

21 | carry permits as allowed by Penal Code 26150 (b)(2) and

22 | 155 (b)(2). So in effect, there is no Second Amendment

23 | in California. That's unconstitutional, and that's why

24 | I initiated the case.

25 | Q   When you say they refuse to issue these

Page 15

1   licenses, who are you referring to by "they"?

2   A   Every sheriff in every jurisdiction in

3   California.

4   Q   What are you hoping to achieve through this

5   lawsuit?

6   A   I am hoping to achieve the unpermitted and

7   unrestricted open carry of a loaded firearm in the state

8   of California as guaranteed to me by the Second

9   Amendment of the United States Constitution and

10 Article 3, Section 1 of the California Constitution.

11   Q   Are you seeking the right to carry a firearm

12 openly in public without limitation?

13   A   I didn't say that, without limitation.

14   MS. BELLANTONI: Objection.

15   You can answer.

16   THE WITNESS: No, I'm not.

17   (Technical difficulties.)

18   THE WITNESS: Are you talking to me or my

19 attorney?

20   I think I was finished.

21   MS. BELLANTONI: I simply stated, objection.

22   You can answer.

23   THE WITNESS: Okay. I'll continue then.

24   We're not asking to carry the firearm in

25 sensitive buildings or sensitive places. The court, the

Page 16

 1   required of me to follow up with anyone, hopefully.

 2   Q   So in the meantime, you do not plan to follow

 3   up with Sheriff LaRue to try to get an open carry

 4   license?

 5   A   I find it unprofitable to beat a dead horse,

 6   so, no, I do not plan to follow up.

 7   MR. WISE: Thank you.   I don't have any further

 8   questions.

 9   MS. BELLANTONI: I don't of any follow-up

10   questions, so I think we're done with Mr. Baird.

11   MR. WISE: Thank you.

12   MS. BELLANTONI: I would like counsel to

13   provide me with a copy that so my client can review the

14   transcript and make any necessary corrections under the

15   federal rules.

16   MR. WISE: Ms. Belcher, I provided all the

17   exhibits to you, but obviously I have not been able to

18   provide you this last one, so I will forward this last

19   exhibit to Richard, and he can get it to you, I'm

20   assuming.

21   (Off the record at 9:56 a.m.)

22   --o0o--

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1   REPORTER'S CERTIFICATE

2

3   I, JANICE L. BELCHER, do hereby certify:

4   That MARK BAIRD, in the foregoing deposition named,

5   was present and by me sworn as a witness in the

6   above-entitled action at the time therein specified;

7   That said deposition was taken before me at said

8   time, and was taken down in shorthand by me, a

9   Certified Shorthand Reporter of the State of California,

10 and was thereafter transcribed into typewriting, and

11 that the foregoing transcript constitutes a full, true

12 and correct report of said deposition and of the

13 proceedings that took place;

14   That before completion of the proceedings, review

15 of the transcript was requested.

16   IN WITNESS WHEREOF, I have hereunder subscribed my

17 hand this 22nd day of September, 2021.

18

19

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22   JANICE L. BELCHER, CSR No. 12342

             State of California

23

24

25

[& - article]

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&   39:23 40:9

0
00617   1:6

1
1   1:25 2:12 10:6,7 16:10 40:1
1-10   1:9
10   2:12
10583   3:16
12163   38:21
12342   1:23 38:22
125   3:21
1300   3:21
155   15:22
18   23:13

2
2   2:13 3:16 15:21 15:22 19:22 21:8 21:25 22:1 23:22 27:6 29:14 30:4 30:10,24 31:8
2/21/19   2:12
200,000   11:10 30:12
2012   10:19
2018   22:8 26:13 28:5 29:4
2021   1:15 3:4 8:17 14:7 38:17 39:3,5
2025.520   39:9,12
210-6046   3:22
22   2:13 39:3
22nd   38:17
23   2:14
25   2:15
25850   15:20
261   15:19
26150   15:21 21:8 23:22 27:6 29:14

30:4,10,24 31:8
| **26350**   15:20 |
| **26400**   15:20 |
| **28**   2:16 |
| **2:19**   1:6 |

3
3   2:14 16:10 23:5 23:6,13 26:13
30   8:24 9:1 40:1
31   1:15 39:5
31st   3:4
367-0090   3:17

4
4   2:3,15 25:13,14
400   3:16
41   1:25
46   19:21
4782562   1:24 39:5 41:2
4th   22:16

5
5   2:16 28:20,21
58   27:19,21 28:1,4
5th   22:8

6
6   29:4
6/20/21   2:13

8
8/31/21   2:16

9
9/3/18   2:14,15
914   3:17
916   3:22
94244   3:22
944255   3:21
9:02   3:5
9:56   36:21

a
a.m.   3:5 36:21
ability   31:22 33:14
able   6:5,7 17:10 17:18 19:24,25 20:2 21:17 34:24 36:17
absolute   15:7 19:12
absolutely   10:3 18:12,19
ac   1:6
accurate   37:5
achieve   16:4,6
act   12:17
action   3:8 38:6
actions   24:1,3 28:8 28:14
activities   15:3
actor   19:14
additional   28:19
administrator   29:23 30:6
advantage   19:25 35:23
advice   11:23
advised   11:8
affiliation   32:8
agencies   11:9
agency   11:15 12:3 19:14 20:16 21:15
agent   19:14
ago   8:24 9:1 13:15 27:2
agrees   29:11
ahead   17:20
allen   4:12
allow   34:9
allowed   15:21 18:21

allows   32:22
amendment   14:17 15:19,22 16:9 19:22 28:13 31:10
amounts   15:1
amy   3:15 39:1
analyzed   29:9
animals   14:25
answer   5:6,8,12 5:16,18,20 11:1 16:15,22 17:21 18:4 25:11 27:19 31:3 35:17
answered   27:3
answers   5:25
anybody   6:22
anymore   20:13
apologize   25:18
appeal   19:14 20:9
appearances   3:13
appeared   3:7
appearing   39:18 40:7
application   14:8 26:7 28:1,3
applied   7:19 13:19 14:2,20 15:8 21:2 25:7
apply   14:10,11 21:5,6,7,10,12,17 21:20 26:6 27:6
appreciate   24:19 24:21
approximately   4:21 8:15,23 14:2 14:5 33:22
area   20:23
areas   17:7
arrested   14:11,18
article   16:10

[asked - concerns]

asked 12:11,15,19 12:25 13:1 19:19 21:7,19 26:9 27:10 33:16 34:1	**belcher** 1:23 3:6 36:16 38:3,22	**call** 20:11 28:20	**change** 37:7 41:4,7 41:10,13,16,19

asked 12:11,15,19
  12:25 13:1 19:19
  21:7,19 26:9
  27:10 33:16 34:1
asking 5:7 6:20
  12:15 16:24 17:7
  31:11
assume 23:18
assuming 22:13
  30:7 36:20
attempts 31:5
attorney 1:8 3:19
  3:20 4:8 5:16,17
  6:21 15:12 16:19
august 1:15 3:4
  39:5
authority 18:20
  29:14,24 30:6,11
  32:1
avail 28:12
aware 8:2

b

b 2:10 4:12 15:21
  15:22 21:8 23:22
  27:6 29:14 30:4
  30:10,24 31:8
  40:1
back 23:3 28:18
badge 31:21,25
baird 1:4,14 3:1,7
  4:1,9,12 25:25
  28:24 36:10 37:3
  37:25 38:4 39:4,5
  41:1,2
banned 15:18
based 15:2 29:12
bates 24:17
bay 20:23
bear 27:11
beat 36:5

belcher 1:23 3:6
  36:16 38:3,22
believe 8:17 9:4
  14:7,25 17:9
  20:22 23:11,24
  29:11 30:23,25
believed 29:17
bellantoni 3:15,15
  3:17 16:14,21
  17:13,19,21 18:3
  24:13,15,22,24
  25:3,17,22 36:9,12
  39:1,2
best 29:17
better 32:20
bit 29:8
black 12:2
board 29:18
bonta 1:7 3:19 4:9
  39:4 41:1
bound 21:14 27:22
box 3:21
boy 33:18
break 5:10,13
  24:24
buildings 16:25
  17:3,4,15
business 15:1,2
busy 33:25 35:2

c

ca 39:9,12,20
california 1:2,8
  3:22 4:8 7:4,5,5
  7:14,17 8:13 9:22
  10:4,17,19,25
  11:12,14,20 15:16
  15:17,23 16:3,8,10
  19:16,18 20:18,19
  20:21 27:11,14
  28:11 31:9 35:10
  38:9,22

call 20:11 28:20
calls 10:1 29:12
capacity 1:8
carry 7:19 8:14
  9:8,11,16,19,22
  10:4,18 11:13,16
  11:19 12:3,10,12
  12:16 13:4,20
  14:15,21 15:1,5,9
  15:21 16:7,11,24
  17:7,10,18,24
  18:10,16,17,22,22
  18:23 19:2,5,21,24
  20:2,5,7,17,19,20
  20:24 21:3,17,20
  21:22,23,24 22:19
  23:10 24:2 25:7
  26:3,7,9 27:6,9,12
  27:17,20 28:1,2,9
  29:13,24 30:7,11
  31:14,20,25 32:17
  33:8,14 34:1,5,7
  34:10,20,24 35:7,9
  35:23 36:3
carrying 9:3 14:12
  14:18
case 4:8 7:6 15:13
  15:14,15,24
cases 5:25
cash 15:1
catch 8:25
cause 3:9 18:16,20
ccp 39:9,12
certain 20:23
certainly 29:20
certificate 38:1
certified 3:6 38:9
certify 37:3 38:3
chain 32:25 33:2
chambers 29:13

change 37:7 41:4,7
  41:10,13,16,19
changed 31:4
  32:23
character 18:2,9
  18:14 20:12
check 24:20
cities 20:23
city 19:1,3
civil 39:19,20
clarify 34:23
clear 5:24 10:22
  12:14 27:4,15
  35:17
clearly 6:11 30:13
  30:20
client 36:13
code 7:5,6 11:14
  11:20,21,22,24
  12:2 15:19,21
  25:9 29:22 30:9
  30:10,16,23 31:7,8
  32:21 39:9,12,19
  39:20
codes 28:12
command 33:1
commencing 3:4
comment 6:8 33:1
committed 8:3
complete 28:7
completed 39:7,17
  40:6
completion 38:14
  40:10
concealed 8:14
  9:11 13:20 14:3
  15:9 19:25 20:3,7
  20:18,21 21:22,23
  27:25
concerns 32:7

[conclude - existed]

conclude   35:15
concluded   25:1
   35:14,22,25
consider   22:22
constitutes   38:11
constitution   7:4,5
   16:9,10 19:22
   20:14
constitutional
   35:12
contact   11:8,11
   12:8 39:9
continue   16:23
conversation
   13:13 32:19 33:19
   33:22 35:2,3
conversations
   6:21 15:11 32:15
   33:7,11,20
convicted   7:22,24
convince   31:6
copy   24:11,12,14
   36:13
correct   10:21 20:5
   26:16 38:12
corrections   6:5,7,8
   36:14 37:6 39:14
   39:15 40:3,4
correctly   34:17
correspondence
   13:9
counsel   36:12
   39:18,21 40:7
counties   11:9,11
   25:8,10 27:6
   30:12
county   8:21 9:7
   12:8,9,11,16 13:20
   15:8 17:25 18:8
   18:12,15,19,24
   20:22 21:2,16

22:9 23:14 24:2,8
25:8,12 26:2,3,7,8
26:8,8,15,18,24
28:9,10 31:6 33:3
county's   9:2
course   7:1 13:22
   14:22
court   1:1 5:3
   16:25 17:1,6,16
   25:19
courthouses   17:5
courtroom   4:15
covers   25:12
creating   29:16
crime   19:10
csr   1:23 38:22
current   7:9
cv   1:6

d

d   2:1 4:12
date   13:8,16 22:7
   23:12 26:5,12,14
   29:3 37:25 39:16
   40:5 41:24
day   3:4 38:17
dead   36:5
decide   20:10
decided   19:17
decision   17:6
decisions   17:16
declares   27:25
defend   15:7 19:12
defendant   3:19
defendants   1:10
definitely   24:17
demanding   20:13
demonstrate   26:2
   27:5
denied   7:20 24:4
department   10:2
   10:16,18,22,25

11:17,18 12:4
15:16 19:17 21:13
27:11,16,23,24
31:6 32:8
dependent   19:13
   20:15
deponent   37:1
deposition   1:14
   3:1 4:17,23 6:4,15
   6:22,25 25:1,3
   37:4 38:4,7,12
   39:19,22,24 40:8
   40:10
deputy   3:20 31:18
   32:25
describe   8:10
determine   11:12
   12:9 18:1,9,13,16
   20:12 26:23 27:16
   32:13
determined   39:18
   39:22 40:7
developed   29:10
difficulties   16:17
directly   31:3
disagree   30:15
district   1:1,2
document   10:12
   25:25
documents   6:24
   7:2,7 24:17
doing   24:6 33:17
doj.ca.gov   3:23
double   24:20
drop   32:24
duly   3:8
duty   19:10 31:20

e

e   2:1,10 39:9,12
   40:1 41:3,3,3

eastern   1:2
effect   15:22
either   27:23
elaborate   22:21
eligible   7:13,17
email   2:13,16 13:7
   13:17 21:9 22:7,9
   22:12,14,15 23:24
   24:8,11
emailed   24:10
ended   35:2
enforcement   8:12
   11:9,15 29:23
   30:5 31:22 32:8
enforcing   29:15
entitled   38:6
errata   39:14,16
   40:3,5
error   31:8
essentially   32:22
exact   13:8,16
examination   2:3
   4:5
examined   3:9
example   12:17
   19:1
exception   20:22
excuse   29:5
exercise   14:17
   15:18 35:12
exercising   32:1
exhibit   2:12,13,14
   2:15,16 10:6,7
   21:25 22:1 23:5,6
   25:13,14 28:19,20
   28:21,24 36:19
exhibits   25:18
   36:17
exist   34:20,22
existed   34:13

[exists - january]

exists 21:13	**form** 14:24 21:13 21:17,20,21,21,22 21:23 27:24,25 34:13,20,22	25:11 31:20	**indicating** 34:4
f		**grant** 26:9	**indicative** 13:17 35:4
facility 8:4	**formal** 23:10	**grappling** 32:2	**individual** 27:16
fact 15:16 19:16	**formally** 21:6 25:19 26:6	**great** 24:19 25:2	**info** 3:17 39:2
familiar 4:23,24 9:2 10:12	**format** 12:20,24	**greatest** 32:7	**information** 10:1 10:2,16 11:10 27:10
family 15:7 19:12	**forms** 19:18 21:15 27:20,22 34:9,17	**grounds** 8:2	**informed** 7:16
far 9:10,14,18	**forth** 29:16 32:3	**guarantee** 35:12	**initiate** 15:15
federal 36:15 40:1 40:8,9	**forward** 36:18	**guaranteed** 16:8 20:14	**initiated** 15:14,24
federalist 19:21	**found** 27:20	**guarantees** 15:19 28:13 31:10	**intellectually** 6:17
feels 30:8	**frame** 28:5	**gun** 31:23	**interdiction** 31:19
fees 12:5	**francisco** 20:22	**h**	**interpretation** 11:24 12:1,6 29:22 30:16,17,21
felony 7:22	**frcp** 40:1	**h** 2:10 41:3	**interrupt** 25:17 29:19
fill 21:17	**friend** 22:17,20,23	**hand** 38:17	**involuntarily** 8:3
find 28:2 36:5 37:4	**front** 14:24	**handled** 39:8	**issuance** 10:24 11:17 12:6
finish 5:5,7 35:16	**full** 4:10 38:11	**happy** 22:16 25:4	**issue** 9:11,15,19 12:12 13:1,3,4 15:20,25 21:8,19 23:22 29:11,15,24 30:6,11 31:14,17 32:16,22 33:8,14 34:5,7,10,14,14,18 34:20,21,21
finished 16:20	**further** 32:15 36:7	**haul** 14:25	
fire 7:10	**g**	**hawaii** 29:11	
firearm 7:13,17,20 7:25 8:5,8,19 9:8 9:11,16 13:21 14:3,12,15,19,21 15:5,9 16:7,11,24 17:10,18,24 18:10 18:17,18,22,22,23 19:3,5,24 20:2,5,7 20:17,20,24 21:3	**gallardo** 1:4 3:25	**health** 8:4	
	general 1:8 3:19 3:20 4:8	**hereunder** 38:16	
	generally 13:2 22:18	**hopefully** 24:13 36:1	
	gist 31:12	**hoping** 16:4,6	
	give 5:8,25 10:6 14:20 29:14 30:5	**horse** 36:5	
firearms 9:3	**given** 19:24 20:2	**hour** 3:4	**issued** 10:19 11:12 11:20 12:10,16 26:3 27:13,17
fired 8:18	**gives** 30:10	**hours** 19:9	
firm 3:15	**go** 5:1 17:20 19:21 28:16,18	**i**	**issues** 9:22 11:16 12:3 32:3
first 3:8	**goes** 32:2	**identification** 10:7 22:1 23:6 25:14 28:21	**issuing** 10:3 12:2 32:16 33:8
foia 9:25	**going** 13:24 19:23 20:3 25:18 33:1	**immediately** 11:16	**j**
follow 26:23 27:8 30:22 35:6,8,11,22 36:1,2,6,9	**good** 4:7 18:1,9,13 18:16 20:12	**inclined** 35:4	**janice** 1:23 3:6 38:3,22
following 29:10 37:6	**government** 7:6 9:8 14:12,14,16,18 19:9,20 20:6,15	**included** 39:14 40:3	**january** 8:17 14:7
follows 4:3 39:8		**indicate** 30:23 34:6,8	
foregoing 37:4 38:4,11		**indicated** 29:21	
		indicates 5:17 34:9	

[jeremiah - occur]

jeremiah 33:6
job 1:24 7:9,11
  39:5 41:2
jon 13:3
july 22:8,17
jurisdiction 16:2
  18:13,20 27:13
jurisdictions
  27:21,21 28:2
  35:10
justice 10:2,16,18
  10:25 11:18,18
  12:5 15:17 19:17
  21:14 27:11,23,24
justice's 10:23

k

keep 19:23
kind 8:10
kjm 1:6
know 4:20,22,24
  5:11,21 6:6 9:18
  9:21,24 11:3
  12:19 13:7,15
  14:4,5,24 22:11,13
  23:17 26:20,21,25
  27:18 30:19,19
  31:16 33:15 35:18
knowing 23:18
known 22:22

l

l 1:23 3:6 38:3,22
language 30:8,18
  30:21
large 15:1
larue 33:6,8,20
  34:1,25 35:6,11,23
  36:3
law 3:15 7:6 8:12
  9:15,17 11:8,15
  29:16,16,23 30:5

31:21
law.com 3:17 39:2
lawsuit 16:5 33:17
  34:15 35:3,9,13,15
  35:21,25
laying 20:1
legal 20:17,20 39:7
legally 7:25 8:4
legislatively 15:18
legislature 15:17
  19:18,19
letter 2:12,14,15
  11:6 22:6,7 23:14
  23:20 26:1,5,12,14
  26:17,24 27:4,8
  29:25 31:11,13,18
  32:11
license 7:19 10:4
  11:13 12:10,12,16
  20:5 21:18,20
  24:2 25:7 27:9,17
  28:9 31:14,17
  32:22 34:2,5,7,18
  34:24 35:7 36:4
licenses 9:11,15,19
  9:23 10:19 16:1
  25:10 32:17 33:9
  34:10
light 19:16
limitation 16:12
  16:13
line 37:7 39:15
  40:4 41:4,7,10,13
  41:16,19
link 27:24
little 29:8
live 8:21 26:10
loaded 16:7
local 11:8,15
locked 39:12 40:1

long 7:11 28:6
look 10:5 11:6
  21:25 23:5 24:25
  25:13 28:23 33:15
looks 22:8
lopey 13:3,6,13
  22:6,11,20,24 29:2
  29:5 30:22 32:16
lopey's 30:16
  31:13 33:13
lot 19:8
lots 32:3
luck 33:18 34:14
  35:3

m

mail 23:14 26:17
  26:22
making 10:17
marijuana 31:19
mark 1:4,14 3:1,7
  4:1,12 37:3,25
  38:4 39:4,5 41:1,2
marked 10:7 22:1
  23:6 25:14,18,19
  28:21
matter 19:11
matthew 3:20 4:7
  24:15
matthew.wise
  3:23
mean 18:6 35:1
mental 8:3
mentally 6:16
method 6:19
military 8:12
mine 22:17
misdemeanor 7:24
misread 30:23
misreading 30:18
missed 24:20

misspoke 21:6
moment 10:6 20:8
  29:19
month 28:7
months 30:25
moral 18:1,9,13
  20:12
morning 4:7
motivated 15:15
motivation 31:16
  32:14
move 8:23
multiple 33:20

n

n 2:1
name 4:7,10,11
named 38:4
necessary 36:14
  39:14 40:3
need 5:4,10 14:20
new 3:16 5:6 33:3
nose 19:17
notating 39:15
  40:4
notice 3:3
number 10:18
  39:15 40:4

o

o0o 1:3 3:11 36:22
oath 4:14
object 19:15
objection 5:16
  16:14,21 17:13,19
  18:3
obtain 24:2 28:9
  35:7
obvious 31:19
obviously 36:17
occur 33:23

[occurred - reach]

occurred 33:12
office 32:1 33:24
  39:11
officer 31:22,24
official 1:7 20:16
okay 5:1,2,8,9,14
  5:19 6:9,14,20
  10:5 11:7,7,23
  12:22 13:19 16:23
  17:10,18 21:25
  23:4,7 25:5,13,22
  28:16 29:21 30:2
  35:19
once 35:25
open 9:19,22 10:4
  10:18 11:13 12:10
  12:12,16 13:4
  15:20 16:7 21:17
  21:19,24 22:19
  23:10 24:2 25:7
  26:3,7,9 27:6,9,12
  27:17,20 28:2,9
  29:13,24 30:7,11
  30:11,20 31:14,25
  32:16 33:8,14
  34:1,5,7,10,20,24
  35:7,23 36:3
opened 35:2
opening 17:18
openly 9:16 16:12
  17:11,25 18:11,18
  18:24 19:3,5,20
  20:19,24 21:3
  31:23 35:9
opportunity 6:3
  32:23
order 26:2
original 39:10,21
outline 19:9
outlined 17:6

outside 18:24 33:1
overhill 3:16
owning 7:25 8:5

p

p.o. 3:21
pacific 3:5
packet 24:16
page 2:2,11 10:11
  29:8 37:7 39:15
  40:4 41:4,7,10,13
  41:16,19
pages 1:25 39:14
  39:17,17 40:3,6,6
paper 11:3,3
partial 10:10
particular 6:19,19
parts 20:22
pc 30:4
pdf 39:12 40:1
penal 7:5 11:14,20
  11:21,22,24 12:1
  15:19,21 25:9
  28:12 29:22 30:9
  30:10,16,23 31:7,8
  32:21
penalty 39:16 40:5
pending 5:12
people 30:12
period 28:6 33:13
  39:18 40:7
perjury 39:17
  40:6
permission 9:8
  14:13,14,16,18
  19:20 20:6,7
  25:11 31:20
permit 11:16,19
  12:3,6 13:20 15:9
  21:3,7,10,12 22:19
  26:2,3,10 27:12
  28:1,3 29:15,24

  30:6 34:20
permits 13:4
  15:21 27:20 30:8
  30:12 33:14
permitted 9:15,17
person 5:5 19:20
phone 20:11
physically 6:16
pilot 7:10
place 38:13
places 16:25 17:3
  17:4,5,8,9,16,17
plain 30:8,17,21
plaintiff 15:12
plaintiffs 1:5 3:14
plan 35:6,8,13,15
  35:21 36:2,6
please 5:12,21
  18:5
pleasure 32:24
point 25:19
pointed 32:21
policies 32:9
policy 9:2,6,7
political 15:3
politics 32:4,4,6
  32:10
populations 11:9
possess 7:13,17
possible 5:15 12:4
preferable 5:25
preparation 6:24
prepare 6:14
present 3:24 38:5
pretty 33:24 35:1
prevail 35:8
prevent 6:11 8:4
prior 13:12,17
private 6:20 15:11
probable 18:20

procedure 39:19
  39:20
procedures 32:9
proceedings 20:11
  38:13,14
process 21:7,11,13
  26:7 30:19
processes 19:15
produce 19:18,19
produced 3:7
  21:14,15 27:23
prohibit 7:25
prohibited 25:9
protect 19:10
provide 36:13,18
provided 28:20
  36:16 39:19 40:8
provision 31:7
public 12:17 16:12
  17:25 18:11,18,24
purpose 22:15
pursuant 3:3
pursue 29:17

q

question 5:6,8,12
  5:12,15,17,18,20
  5:21,22 10:23
  11:1 12:13,20
  29:12 31:3 35:16
questions 12:25
  36:8,10
quickly 12:3
quite 28:6
quote 30:6
quoting 32:11

r

r 3:20 4:12 41:3,3
r&s 40:1,9
reach 27:15

Page 6

[read - similar]

read 11:2 12:1 29:7 37:4	23:2 26:25	**reviewing** 7:3	20:19,24
reading 31:7 39:23 40:9	**remembered** 3:3	**revocable** 20:8	**sense** 6:16
really 27:1	**remind** 33:5	**richard** 1:4 3:25 36:19	**senses** 6:18
reason 14:20,23 34:18 41:6,9,12,15 41:18,21	**reminded** 33:13	**right** 5:23 10:20 14:17 15:6,7 16:11 17:24 18:10 18:17,23 19:2,6,12 19:13,14 20:8,13 20:19 21:1	**sensitive** 16:25,25 17:3,15
reasonable 18:21	**rephrase** 5:22 18:5	**rights** 20:1 35:24	**sentence** 11:6
reasons 15:4 19:7 19:8	**report** 27:14 38:12	**road** 3:16	**september** 23:13 26:13 28:5 29:4 38:17 39:3
recall 12:21 13:16 27:1	**reported** 1:22	**rob** 1:7 3:19 39:4 41:1	**serve** 32:24
receive 9:8 12:5 22:24 23:23	**reporter** 3:7 5:3 25:19 38:9	**ruled** 17:1	**serving** 33:13
received 8:7,11,16 10:1,15 11:23 15:2 22:11,13,14 23:17 26:20,24	**reporter's** 38:1	**rules** 4:23 36:15 40:8	**sharing** 13:24 15:11
receives 26:21	**represent** 4:8	**s**	**sheriff** 9:11,15,18 9:21,22 10:3 12:9 12:11,16,20 13:3,6 13:13,20 16:2 17:25 18:8,12,15 18:19 20:11 21:3 21:8,16,22 22:6,9 22:11,20,24 23:15 24:8 26:2,9,15,18 26:24 27:20 29:2 29:5,14,22 30:5,15 30:22 31:6,13 32:16,25 33:3,8,12 33:13,20 34:1,25 35:6,11,23 36:3
recess 28:17	**request** 9:25 10:1 10:16,17 12:18 23:10,12 24:4,4 27:9 29:9	**s** 2:10 41:3	
recognize 32:25	**requested** 38:15 40:1,9,10	**sacrament** 26:8	
recollection 11:5	**requesting** 25:9	**sacramento** 3:22 19:2 26:1,17,24	
record 4:11 5:24 6:6 10:3 27:12 28:16,18 36:21	**required** 8:13 11:15 35:11 36:1	**san** 20:22	
recording 5:3	**reread** 31:11	**saying** 13:10 24:9 30:13 34:17	
records 10:24 11:17,19 12:4,17 13:22	**reserve** 31:18,24 32:25	**says** 11:3 12:7 23:11 29:8 30:4 30:14,20 33:17	
reference 25:20	**reside** 25:10,12 26:4 27:7	**scarsdale** 3:16	**sheriff's** 27:13,16
referenced 17:16 39:6	**respond** 31:2	**schedule** 39:10	**sheriffs** 21:14 27:19,21 30:11
referring 16:1 29:12 30:7	**response** 10:15,23 13:1,12 21:9 22:24 23:1,21,23 23:24 24:7,8 29:2 29:3,6	**search** 28:4	**short** 33:21
refresh 11:5	**responsibility** 19:10	**second** 14:17 15:19,22 16:8 28:13 31:10	**shorthand** 3:6 38:8,9
refuse 15:20,25	**rest** 31:12	**section** 16:10 30:23 31:8	**side** 4:25
regarding 10:16	**restore** 31:10	**see** 10:9,10 22:3 28:24 31:12 32:7	**sign** 39:16 40:5
released 39:21	**result** 14:8	**seeking** 10:18 16:11 17:24 18:10 18:17,23 19:2	**signature** 37:1 38:21 39:21,23,23 40:9
remember 11:2,4 12:19,23 13:8	**return** 39:17 40:6		**similar** 12:17
	review 6:4,24 36:13 38:14 39:8 39:10,13 40:2		

[simply - use]

simply   16:21 26:9
single   19:13 20:21
   28:2 33:19,21
siskiyou   8:22 9:2,7
   9:10,14,18 12:8,9
   12:11,15 13:19
   17:25 18:8,12,15
   18:19,24 21:2,16
   22:9 23:14 24:2,8
   25:8 26:8,15
   28:10 31:6 33:3
situation   29:9
six   7:12
slip   25:12
solutions   39:7
sorry   8:25 21:6
   25:17 35:18
sort   12:17
sounds   32:15
speak   5:5 6:21
speaking   13:2
   32:12
specific   17:12
specifically   27:9
   30:4,10 31:25
   34:17,19
specified   38:6
spell   4:10
stamped   24:17
standard   3:5 8:13
start   5:6,8
state   1:8 4:10 9:15
   9:17 10:1,4,19
   11:11,17,18 12:4
   16:7 19:13 24:5
   27:11,13,22 28:11
   29:5 31:9 35:9
   38:9,22 39:9,12
stated   16:21
states   1:1 7:4 16:9
   19:22 31:19

stating   30:3
statutorily   15:18
stenographically
   1:22
step   33:1
stepping   35:18
stipulation   39:20
stop   13:24
street   3:21
stricken   28:12
subject   31:4 32:23
subscribed   38:16
successful   14:9
sue   24:5
sued   31:9
suggest   11:1 12:21
suggests   13:4
suing   28:11
suite   3:16,21
supervisors   29:18
supposed   24:5
supreme   17:1,6,16
sure   6:18 17:15
   18:6,8 20:3 24:12
   34:16 35:16
surround   32:7
suspicion   18:21
swear   35:5
sworn   3:8 4:2 38:5

t

t   2:10 41:3,3
table   4:25
take   5:10,13 10:5
   11:5 19:9,25
   24:24 28:23 32:19
   35:23
taken   4:17 24:1,3
   28:7,8 38:7,8
talk   22:17,18
talking   16:18

tanker   7:10
tasked   29:15
team   31:19
technical   16:17
tell   9:5 13:6 15:12
   33:11
testified   4:3
testifying   4:13,15
   6:11
testimony   37:5
thank   24:23 25:22
   25:23 36:7,11
thing   5:11 29:7
things   5:1
think   16:20 17:17
   24:10 27:1 28:15
   29:13 36:10
thinking   6:11
   31:13
thirds   10:10
thought   30:19
thoughts   29:10
threats   15:2
three   14:4
thumb   19:17
thursday   29:4
time   3:5 5:5,10
   8:15,18 11:15
   20:8 28:5,6 31:18
   31:25 33:13,25
   38:6,8 39:10,18,24
   40:7
times   4:19 8:9
   12:12 14:2
today   4:14 6:5,10
   20:6,10 24:18
today's   6:14
told   33:12,17 34:3
tomorrow   20:9
top   10:10

totality   29:9
training   8:7,10,12
   8:12,13,16
transcribed   38:10
transcript   6:4,6
   36:14 38:11,15
   39:6,8,10,13,13,21
   40:2,2
transcription   37:5
tricky   35:19
true   37:5 38:11
truthfully   6:12
try   5:5,7,21 24:1
   28:8 31:5 34:23
   35:7 36:3
turn   11:16 12:4
turned   24:16
two   10:10
typewriting   38:10

u

u.s.   29:13
unconstitutional
   15:23
undersigned   37:3
understand   4:13
   5:21 6:1,2 9:5,10
   9:14 11:25 17:5
   18:6 20:3 31:13
   32:5,20
understanding
   9:12 11:21 29:25
   30:2 34:16
united   1:1 7:4 16:9
   19:22
unpermitted   16:6
unprofitable   36:5
unrestricted   16:7
use   8:7 21:15
   27:22

[v - young]

v	
v 29:11 39:4 41:1	
verbally 13:11	
30:25	
veritext 39:7,9,11	
video 35:19	
videoconference	
1:14 3:1,5,13	
violence 19:11	
visited 19:1	
vs 1:6 4:9 29:13	

w	
wait 35:13,21	
waived 39:23,23	
waiving 39:20	
want 11:25 14:14	
14:16,16 15:4	
19:5 24:24,25	
34:16	
wanted 22:16,18	
23:21 27:5	
wanting 14:21	
way 19:15 21:12	
23:18 26:21 29:17	
32:13	
weapons 28:1	
wear 31:22,24	
wearing 31:21	
website 27:19	
websites 27:22	
28:4	
went 27:19	
whereof 38:16	
whim 19:13	
white 12:2	
wife 22:16	
willing 34:5,6	
wise 2:3 3:20 4:6,7	
10:5,8 13:24 14:1	
17:2,14,23 18:7	

21:25 22:2 23:5,8
24:19,23 25:2,5,6
25:13,15,21,23,24
28:16,18,22 36:7
36:11,16

wish   22:16 33:18
wished   34:14
wishes   9:13
wishing   35:3
witness   3:7,9 4:2
   16:16,18,23 17:20
   17:22 18:5 23:7
   38:5,16 39:13,16
   40:2,5 41:24
words   30:15
work   24:13
worried   32:3,4,5
   32:10
wow   33:16
write   23:20 27:4
writing   23:21,23
written   13:9,12
wrote   26:1,15

x	
x 2:1,10 40:1	

y	
yeah 23:24 24:10	
24:15	
year 13:15	
years 7:12 8:24	
9:1 22:22 27:2	
yesterday 8:20	
york 3:16	
young 29:11	

EXHIBIT 3

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 1                  IN THE UNITED STATES DISTRICT COURT

 2               FOR THE EASTERN DISTRICT OF CALIFORNIA

 3                              --o0o--

 4     MARK BAIRD and RICHARD

       GALLARDO,

 5

           Plaintiffs,

 6

       vs.                              No. 2:19-cv-00617-KJM-AC

 7

       ROB BONTA, in his official

 8     capacity as Attorney General

       of the State of California,

 9     and DOES 1-10,

10          Defendants.

                                   /

11

12

13

14          VIDEOCONFERENCE DEPOSITION OF RICHARD GALLARDO

15                       August 31, 2021

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21

22     Stenographically Reported by:

23     Janice L. Belcher, CSR No. 12342

24     Job No. 4782562

25     Pages 1 - 45
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Page 1

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 1                          I N D E X

 2                                                   PAGE

 3    EXAMINATION BY MR. WISE                          4

 4

 5

 6

 7

 8

 9

10                        E X H I B I T S

11                                                   PAGE

12    EXHIBIT 1    9/17/19 Letter                     16

13    EXHIBIT 2    12/20/17 Special Alert Bulletin    18

14    EXHIBIT 3    9/2/19 Letter                      20

15    EXHIBIT 4    11/19/19 Letter                    25

16    EXHIBIT 5    12/11/18 Letter                    32

17    EXHIBIT 6    2/3/19 Email                       34

18    EXHIBIT 7    3/13/19 Email                      35

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Page 2

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 1            VIDEOCONFERENCE DEPOSITION OF RICHARD GALLARDO
 2
 3        BE IT REMEMBERED, that pursuant to Notice, and on
 4   the 31st day of August, 2021, commencing at the hour of
 5   10:04 a.m., Pacific Standard Time, via videoconference
 6   before me, JANICE L. BELCHER, a Certified Shorthand
 7   Reporter, appeared RICHARD GALLARDO, produced as a
 8   witness in said action, and being by me first duly
 9   sworn, was thereupon examined as a witness in said
10   cause.
11                            --o0o--
12
13   APPEARANCES VIA VIDEOCONFERENCE:
14   For Plaintiffs:
15            AMY BELLANTONI
              Bellantoni Law Firm
16            2 Overhill Road, Suite 400
              Scarsdale, New York  10583
17            (914)367-0090
              info@bellantoni-law.com
18
19   For Defendant Attorney General Rob Bonta:
20            R. MATTHEW WISE
              Deputy Attorney General
21            1300 I Street, Suite 125
              P.O. Box 944255
22            Sacramento, California  94244
              (916)210-6046
23            matthew.wise@doj.ca.gov
24   Also Present:
25            MARK BAIRD
```

Page 3

```
 1                      RICHARD GALLARDO,

 2                     sworn as a witness,

 3                    testified as follows:

 4

 5                       EXAMINATION

 6   BY MR. WISE:

 7       Q   Good morning.  My name is Matthew Wise, and I

 8   represent the California Attorney General in this case,

 9   which is Baird vs. Bonta.

10          Would you state your full name and spell your

11   last name for the record.

12       A   Richard Jason Gallardo; last name

13   G-A-L-L-A-R-D-O.

14       Q   Do you understand that you're testifying here

15   today under the same oath that you would take if you

16   were testifying in a courtroom?

17       A   Yes.

18       Q   Have you ever had your deposition taken?

19       A   I've had it done a couple of times, yes.

20       Q   Are you familiar with the rules of taking a

21   deposition?

22       A   Vaguely.  It's been a while.

23       Q   When was the last time you were deposed,

24   approximately?

25       A   Oh wow.  It's been so long ago, I don't
```

Page 4

1   A   It was approved for the sheriff. I'm assuming

2   we're still talking about Shasta County, it was

3   approved.

4   Q   Yes, that's correct. Why did you apply for

5   that license?

6   A   At the time, the LEOSA credential was still in

7   flux, so I did not have that LEOSA at the time. So I

8   wanted the ability to carry a concealed away from my

9   home for my personal protection and my family

10   protection.

11   Q   And when you say "LEOSA," just to be clear for

12   the record, you're referring to L-E-O-S-A; and what does

13   that mean, just so we're clear?

14   A   Federal law passed in 2003, Law Enforcement

15   Officer Safety Act. It's basically a nationwide

16   concealed carry permit. It's not a permit though, it's

17   called a credential, but that's what LEOSA is.

18   Q   Some when you were applying for a license in

19   Shasta County, did you need to give a reason for wanting

20   to carry a firearm?

21   A   I did.

22   Q   What was that reason?

23   A   Personal protection.

24   Q   Can you elaborate on why you would need a

25   firearm for personal protection?

Page 15

 1   MR. BELLANTONI: Objection.

 2   You can answer.

 3   THE WITNESS: At the time that was the only

 4   reason that Mr. Bosenko was asking for. He was very

 5   liberal in that portion of the application. People

 6   could put Second Amendment down if they wanted to, and

 7   he was granting them at times, so I just put personal

 8   protection. I did not elaborate any further.

 9   BY MR. WISE:

10   Q   What is the reason that you would like to be

11   able to carry a firearm concealed?

12   A   Well, and again, I am carrying concealed under

13   LEOSA, so I carry concealed for personal protection.

14   Protection of my family is utmost.

15   Q   Do you still have a valid concealed carry

16   permit in Shasta County?

17   A   I do not.

18   MR. WISE: Okay. Let's look at Exhibit 1.

19   (Exhibit 1 marked for identification.)

20   BY MR. WISE:

21   Q   Mr. Gallardo, are you able to see Exhibit 1?

22   A   Let me go full screen here.

23   Yes. I can see it.

24   Q   Thank you. Do you recognize this document?

25   A   Yes.

                                              Page 16

1   Q   What is it?

2   A   I'm sorry, your question?

3   Q   What is this document?

4   A   This is a document where Sheriff Bosenko

5   revoked my concealed carry permit. That's what that

6   document is.

7   Q   What is the date of the letter?

8   A   September of 2019.

9   Q   Did Sheriff Bosenko sign this letter?

10   A   It appears so. I don't know what his original

11   signature looks like, but it looks like his signature

12   there.

13   Q   Let's look at the first paragraph of the

14   letter. It states that you were terminated from

15   CAL FIRE for bringing a firearm onto state property. Is

16   it true that you were terminated from CAL FIRE?

17   A   I was, yes.

18   Q   Was bringing a firearm onto state property the

19   reason that CAL FIRE gave for terminating you?

20   A   Yes.

21   Q   Let's look at the second paragraph of the

22   letter. It begins by stating that CAL FIRE issued a

23   special alert bulletin as a result of statements that

24   you made; is that right?

25   A   Yeah, we can read this, this document together,

Page 17

1   A   Well, typically, Sean Pasley is the employee

2   at, or was the employee, I don't know if he's still

3   there, Sean Pasley was the employee at the time that

4   normally took care of all the correspondence for

5   Mr. Bosenko regarding these matters. That's why you see

6   Sean Pasley's name is there.

7   Q   As of today, does your concealed carry permit

8   in Shasta County remain revoked?

9   A   Yes.

10   Q   Are you legally permitted to carry a firearm

11   concealed?

12   A   I am through the LEOSA credential I mentioned

13   earlier.

14   Q   Okay. Without sharing private conversations

15   with your attorney, would you tell me how you became a

16   plaintiff in this case?

17   A   I don't remember how I heard about the case. I

18   do listen to Mark Baird quite a bit, he's on our local

19   radio shows quite a bit regarding a lot of patriotic

20   matters. I may have heard it through him. I may have

21   seen a social media post, so I can't exactly say how I

22   heard about it. But once I heard of the case I thought,

23   you know, this is kind of down my alley. And I

24   discussed it with Mark, and from there, and then I have

25   been at it as a co-plaintiff.

Page 27

1   Q   Do you know or did you know Mr. Baird

2   personally before this lawsuit was filed?

3   A   Yes, I did.

4   Q   And when you're saying that he's on the radio

5   about patriotic matters, could you just describe what

6   you're talking about?

7   A   No. That's something you need to ask Mr. Baird

8   about. I don't want to speak for him or about him. I

9   would rather you ask him about that.

10   Q   I wasn't looking for Mr. Baird's

11   characterization, only what you -- you had used the

12   word, and so I was just trying to understand what you

13   were -- what your understanding is of, of that?

14   A   Well, similar to this lawsuit, sorry to

15   interrupt, similar to this lawsuit, he's fighting for

16   patriotic manners, and that's exactly what this lawsuit

17   is about, and he talks about very similar manners.

18   Q   Can you elaborate on that when you're saying

19   "what this lawsuit is about," what is this lawsuit

20   about?

21   A   I believe it's about the right to carry openly

22   without government permission using the Second Amendment

23   as originally written to keep and bear arms, that's what

24   I believe this lawsuit is about.

25   Q   What are you hoping to achieve through this

1   lawsuit?

2   A   I hope to achieve the ability to open carry

3   without government permission; that's what I hope to

4   achieve.

5   Q   Are you seeking the right to carry a firearm

6   openly in public without any limitations?

7   A   There's always going to be limitations, so the

8   question I think -- so the answer to that is going to be

9   no, because there's always going to be limitations,

10   whether they be legal or societal or civil limitations.

11   Q   Would there be any places where you think it

12   would be okay to you not to be able to openly carry a

13   firearm?

14   A   Possibly. Possibly maybe a courthouse, but

15   there's already armed bailiffs there. There's security

16   measures usually in courthouses. They're fair.

17   Certainly not entirely adequate, but they're fair. So

18   maybe that's an example.

19   Q   Anywhere else that comes to mind?

20   A   Not off the top of my head now, no.

21   Q   Would it be okay to you not to be able to

22   openly carry a firearm when visiting an elementary

23   school?

24   A   So you're asking for my opinion?

25   Q   Yes.

Page 29

1   bulletin that we looked at earlier today, it even says I

2   displayed my weapon in a nonthreatening manner, so

3   that's never been an issue with me and firearms ever.

4   Q   And you understand that phrase that you

5   displayed your handgun in a nonthreatening manner to be

6   the point in time where you were showing your coworker

7   what type of firearm you carry?

8   A   Correct, yes.

9   MR. BELLANTONI: I have nothing further.

10   MR. WISE: I don't have any additional

11   questions.

12   MS. BELLANTONI: And, Mr. Wise, I would ask

13   also for a copy of Mr. Gallardo's deposition under the

14   federal rules so he has an opportunity to take a look at

15   it and make any corrections, if necessary.

16   MR. WISE: Okay. That's all.

17   (Off the record at 10:59 a.m.)

18   --o0o--

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```
 1                        REPORTER'S CERTIFICATE

 2

 3          I, JANICE L. BELCHER, do hereby certify:

 4          That RICHARD GALLARDO, in the foregoing deposition

 5     named, was present and by me sworn as a witness in the

 6     above-entitled action at the time therein specified;

 7          That said deposition was taken before me at said

 8     time, and was taken down in shorthand by me, a

 9     Certified Shorthand Reporter of the State of California,

10     and was thereafter transcribed into typewriting, and

11     that the foregoing transcript constitutes a full, true

12     and correct report of said deposition and of the

13     proceedings that took place;

14          That before completion of the proceedings, review

15     of the transcript was requested.

16          IN WITNESS WHEREOF, I have hereunder subscribed my

17     hand this 22nd day of September, 2021.

18

19

20

21

22          JANICE L. BELCHER, CSR No. 12342

            State of California

23

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Page 42

[& - apply]

&			

&   43:23 44:9

0

00617   1:6

1

1   1:25 2:12 16:18
   16:19,21 20:13
   23:11 26:15 32:25
   44:1
1-10   1:9
10   5:1
10583   3:16
10:04   3:5
10:59   40:17
11   35:9
11/19/19   2:15
11th   32:16
12/11/18   2:16
12/20/17   2:13
12163   42:21
12342   1:23 42:22
125   3:21
13   21:24 22:2
1300   3:21
16   2:12
171   19:18
18   2:13 21:16
   34:20
180,000   11:9
19   8:15 25:25
   26:12 34:13,20
1985   9:15

2

2   2:13 3:16 18:8,9
   18:11
2/3/19   2:17
20   2:14 19:9
200,000   11:1,8
2003   15:14

2017   19:9
2018   32:16
2019   17:8 20:16
   21:1 23:14 24:12
   25:25 35:9
2021   1:15 3:4
   42:17 43:3,5
2025.520   43:9,12
21   8:15
210-6046   3:22
22   43:3
22nd   42:17
25   2:15
25650   33:1
2:19   1:6
2nd   20:15 21:1
   23:14 24:12

3

3   2:14 19:19 20:18
   20:19
3/13/19   2:18
30   44:1
31   1:15 43:5
31st   3:4
32   2:16
34   2:17
35   2:18
367-0090   3:17
3rd   34:13

4

4   2:3,15 25:19,20
400   3:16
45   1:25
4782562   1:24 43:5
   45:2

5

5   2:16 32:3,4

6

6   2:17 34:2,3

7

7   2:18 22:2 34:25
   35:1

9

9/17/19   2:12
9/2/19   2:14
914   3:17
916   3:22
94244   3:22
944255   3:21

a

a.m.   3:5 40:17
ability   15:8 29:2
   30:6
able   6:1 16:11,21
   21:20 29:12,21
   30:2 31:10 33:7
   36:21
absolute   21:22
absolutely   19:14
   20:10 30:23 31:17
   39:25
ac   1:6
accessible   23:3
accessories   38:13
accurate   41:5
accurately   22:20
accused   39:23
achieve   28:25 29:2
   29:4
acq   26:9
act   13:21 15:15
action   3:8 42:6
actions   37:9
acts   13:22
additional   40:10
adequate   29:17

advanced   9:4
advises   5:18
ago   4:25 8:23,24
   12:15 13:24 14:14
ahead   33:21 34:12
alert   2:13 17:23
   18:18,20 19:4,6
allege   39:18
allergies   5:13
alley   27:23
allow   35:24
allowed   6:4 19:19
   26:8 38:20 39:15
allowing   11:11
allows   10:25 33:4
amendment   16:6
   19:11,24,25 28:22
   38:12,15
amy   3:15 43:1
answer   5:6,8,12
   5:16,18 12:7,8
   14:20,21 16:2
   29:8 30:10 31:25
answers   33:20
anybody   6:25 7:5
   23:1 30:1
apparatus   39:3
appearances   3:13
appeared   3:7
appearing   43:18
   44:7
appears   17:10
application   10:10
   14:8,11,25 16:5
applied   7:22 13:18
   14:3,7,14 31:23,25
   37:1
apply   10:15 11:11
   13:24 14:1,20
   15:4

[applying - class]

applying 15:18	39:6	**bring** 37:22	30:25 31:3,4,5,5,7
appointed 12:16	**basis** 36:12	**bringing** 17:15,18	31:8,9,10,12,14,16
approved 15:1,3	**bear** 28:23	19:12 39:10	31:24 32:11,22
approximately	**begins** 17:22	**broken** 39:18	33:5,7,13,16 34:14
4:24 8:21 9:13	**belcher** 1:23 3:6	**brought** 18:24	34:19,20,24 35:7
11:9 14:1,2,10,14	42:3,22	22:21,24 37:24	35:20,24,25 36:3,9
14:16 21:24 22:1	**belief** 19:13,14,15	**bulletin** 2:13	36:13,20,24 37:2
area 22:3 37:25	20:9	17:23 18:18,20	37:10,12 38:15
armed 29:15	**believe** 6:14 11:17	19:4,7,8,10 20:2	40:7
arms 28:23	13:17 19:6,10,24	40:1	**carrying** 8:16 9:20
asked 5:17 13:13	20:1,25 23:24		10:1,3,6,8 16:12
26:11 38:23	24:7,25 25:18	**c**	30:1
asking 7:3 16:4	26:7 28:21,24	**ca** 43:9,12,20	**case** 4:8 5:2 27:16
29:24 32:1	30:1 36:14	**cal** 17:15,16,19,22	27:17,22 37:6,7
assuming 15:1	**believer** 20:4	18:19 19:11,17,20	**cause** 3:10 30:19
assumption 10:2	**bellantoni** 3:15,15	20:16 21:7,16	**ccp** 43:9,12
attempts 36:23	3:17 16:1 25:12	22:18 23:17 37:23	**cdf** 18:19
attorney 1:8 3:19	37:16,21 40:9,12	38:10,16 39:2,2,5	**certainly** 29:17
3:20 4:8 5:16,17	43:1,2	39:9,11,17,17	**certificate** 42:1
6:22 7:4 12:6	**better** 6:15	**california** 1:2,8	**certification** 8:19
27:15	**bit** 6:15 27:18,19	3:22 4:8 7:13,14	**certified** 3:6 9:6
audio 6:24 11:5	32:23	7:17,20 13:16	24:5 42:9
august 1:15 3:4	**blacklisted** 21:19	19:18 31:15,16	**certify** 41:4 42:3
24:12 43:5	**bonta** 1:7 3:19 4:9	39:7 42:9,22	**cetera** 8:16
aware 8:5 10:24	43:4 45:1	**call** 39:14	**cf** 22:12,15,18
23:14	**bosenko** 12:3,14	**called** 15:17 38:14	**change** 36:21 41:7
	13:6 16:4 17:4,9	38:20	45:4,7,10,13,16,19
b	19:4 20:23 24:10	**capacity** 1:8	**character** 25:6
b 2:10 19:18,19	24:23 25:1,4	**capital** 22:5	30:5,8,15
44:1	26:19,25 27:5	**car** 38:5 39:11,19	**characterization**
back 14:12,18	32:1,13 33:24	**care** 27:4	28:11
20:13 23:11 25:15	34:14,18 38:8	**caries** 23:2	**choice** 31:22
bad 5:14 38:14	**bosenko's** 12:5	**carried** 38:13,24	**chp** 24:11
bailiffs 29:15	18:21 19:5 20:14	**carry** 7:22 10:17	**circumstances**
baird 1:4 3:25 4:9	23:12 25:17 26:15	10:23,25 11:12,16	38:6
27:18 28:1,7 43:4	26:21	11:20 12:5,8,18	**citation** 24:12,21
45:1	**box** 3:21	13:6,12,19,23 14:4	**city** 30:24 31:1
baird's 28:10	**brand** 12:16	14:25 15:8,16,20	**civil** 29:10 43:19
barring 9:18	**break** 5:10,12	16:11,13,15 17:5	43:20
based 11:4	**briefed** 24:11	25:5,7 27:7,10	**class** 8:23 9:1,2,4
basically 13:22		28:21 29:2,5,12,22	
15:15 21:20 34:8		30:2,3,6,12,17,21	

[classes - district]

classes 9:7	**conversations** 27:14	**courtroom** 4:16	39:6
clear 15:11,13	**convey** 23:8,9	**covered** 31:19	**dependent** 22:14
clearly 6:9 7:2	**convicted** 7:25 8:2	33:18	**deponent** 41:1
clock 38:20	**copy** 40:13	**coworker** 40:6	**deposed** 4:23
code 10:24 11:2,10	**correct** 15:4 20:17	**crazed** 22:12	**deposition** 1:14
19:18 39:15 43:9	21:2,13 25:8	**created** 25:23	3:1 4:18,21 5:2,25
43:12,19,20	32:14,20 35:25	**credential** 13:21	6:12,23 7:5,6
comes 29:19	40:8 42:12	13:23 15:6,17	40:13 41:4 42:4,7
commencing 3:4	**corrections** 6:2,4,5	27:12	42:12 43:19,22,24
comment 6:5	40:15 41:6 43:14	**csr** 1:23 42:22	44:8,10
committed 8:6	43:15 44:3,4	**current** 7:8 13:4	**deputy** 3:20
companies 9:5	**correspondence** 27:4	21:6 22:11 36:17	**describe** 8:13
company 7:9	**corruption** 21:16	**currently** 13:20	24:15,17 28:5
completed 43:7,17	21:17,18,23	**cut** 6:24 7:15 11:5	39:1
44:6	**counsel** 43:18,21	12:21	**described** 39:14
completion 42:14	44:7	**cv** 1:6	**detailed** 10:14
44:10	**counties** 37:1 39:7		**determine** 13:8,11
compulsion 21:22	**county** 9:11,12,14	**d**	30:5,14,19
computer 13:2	9:17 10:16,17,21	**d** 2:1 4:13	**determined** 43:18
concealed 6:19 9:4	11:1,3,7,11,12,15	**date** 17:7 19:8	43:22 44:7
10:9,18,19 13:19	11:19 12:12 13:4	21:5,6 25:24	**determining** 30:7
13:23 14:4,25	13:10,11,14,15,18	32:15 34:10 35:8	**deterrence** 31:6,8
15:8,16 16:11,12	13:19 14:3 15:2	38:3 41:25 43:16	31:21 33:23
16:13,15 17:5	15:19 16:16 26:23	44:5 45:24	**different** 11:22
19:20,21 25:5,7	27:8 30:4,13,18,22	**dated** 20:15 21:1	12:18 13:5 32:9
26:22 27:7,11	31:23 33:13 35:15	**dates** 34:15	34:15,15
31:9,12,14 32:10	35:18,19,25 36:2	**day** 3:4 23:4,16	**dig** 32:23
32:21 36:18 38:11	36:24 37:2,10,11	42:17	**disagreed** 24:18
38:23	37:13 38:9	**days** 38:17	36:12
concludes 25:4	**county's** 9:19 10:6	**december** 19:9	**disagreement** 24:19
consent 24:4	**couple** 4:19 9:10	32:16 34:19	**disciplining** 19:12
constitutes 42:11	14:13,19 18:5	**defendant** 3:19	**discretion** 31:13
contact 13:10 24:6	35:23 37:16	**defendants** 1:10	31:13
43:9	**course** 11:7 12:25	**defense** 20:6 22:15	**discussed** 7:4
contacted 23:17	18:15	22:16 23:2	27:24
23:22,23 24:4,8	**court** 1:1 5:4 6:1	**denied** 7:23 11:18	**discussion** 25:13
contents 18:3	**courthouse** 29:14	36:16 37:5	**displayed** 18:24
continues 20:14	**courthouses** 29:16	**deny** 36:9	38:7 40:2,5
contract 39:8		**denying** 36:13	**district** 1:1,2
conversation 6:22		**department** 9:6	
		21:17,18 26:24	
		35:12,13 36:11	

[document - gallardo]

document 6:16
  16:24 17:3,4,6,25
  18:2,3,6,13,15,23
  19:2 20:21 25:22
  25:23 32:6 34:5
  35:3
documents 6:13
  6:17,18 26:4,6,12
  26:17
doj.ca.gov 3:23
doubt 36:21
duly 3:8

      e

e 2:1,10 15:12 43:9
  43:12 44:1 45:3,3
  45:3
earlier 23:6 27:13
  33:19 35:14 37:18
  38:4 39:14 40:1
eastern 1:2
eight 14:15
either 12:17 13:3
elaborate 15:24
  16:8 19:15 20:11
  28:18
elementary 29:22
eligible 7:12,16,20
  36:19
else's 31:13
email 2:17,18 34:8
  34:10,17 35:8
employee 22:12
  27:1,2,3 35:13
employees 20:16
  21:8 35:12 38:10
  38:22
enforcement
  13:21 15:14 23:18
  31:7 32:21 33:5
engineer 39:3

entire 18:3 22:8
  26:22
entirely 29:17
entitled 42:6
entity 23:18
errata 43:14,16
  44:3,5
et 8:16
evening 38:19
eventually 24:3
  34:23
everybody 7:2
exactly 27:21
  28:16
examination 2:3
  4:5 37:20
examined 3:9
example 29:18
exception 33:3
excuse 5:13 32:25
exhibit 2:12,13,14
  2:15,16,17,18
  16:18,19,21 18:8,9
  18:11 20:13,18,19
  23:11 25:19,20
  26:15 32:3,4 34:2
  34:3,25 35:1
explains 36:2
explanations
  35:23
explanatory 20:12
explicitly 19:16,19
  19:22 23:5 39:15
expose 21:22
extend 36:3,5
extended 19:24,25
external 12:20

      f

facility 8:7
fact 26:11 39:25

fair 29:16,17
false 23:20 24:7
familiar 4:20 9:19
family 15:9 16:14
far 10:21,24 11:15
  11:17 12:18 38:14
february 34:11,13
  34:20
federal 13:23
  15:14 32:10,25
  35:7 40:14 44:1,8
  44:9
fellow 38:22
felony 7:25
felt 21:22
fight 20:3
fighting 28:15
file 6:19 26:22
filed 28:2
filled 24:21
find 41:5
fine 10:4 14:24
finish 5:6,11
fire 5:13 17:15,16
  17:19,22 18:19
  19:11,17,20 20:16
  21:7,16 22:13,18
  23:17 37:23 38:10
  38:16 39:2,2,3,5,6
  39:8,9,11,17,18
firearm 7:12,16,20
  7:23 8:3,8,11 9:9
  10:17 13:19 14:4
  14:25 15:20,25
  16:11 17:15,18
  18:24 19:12,17,22
  21:21 22:21,24
  23:2,3 27:10 29:5
  29:13,22 30:3,7,13
  30:17,21 31:1,3,14
  33:13 35:20 37:2

  37:22 39:24 40:7
firearms 8:16 9:20
  10:1,6,7,23 31:24
  35:17 38:12,16
  40:3
fired 9:8
firm 3:15
first 3:8 6:24 7:15
  12:16,21 14:11,14
  17:13 34:19
five 6:24 14:2
  32:10,21 33:1
fixes 12:22
flux 15:7
focus 22:3
focusing 22:4
fodder 25:1
follow 34:17 36:11
  37:17
followed 36:21
following 19:16,22
  23:5 41:6
follows 4:3 43:8
foregoing 41:4
  42:4,11
formal 8:24 38:19
former 22:12
fought 21:18
four 14:2
frcp 44:1
free 33:3
full 4:10 16:22
  42:11
further 16:8 25:1
  36:2,23 40:9

      g

g 4:13
gain 8:18 26:4,4
gallardo 1:4,14
  3:1,7 4:1,12 16:21
  25:16 37:17,22

[gallardo - license]

41:3,25 42:4 43:5
45:2
gallardo's 40:13
gear 38:14,15
general 1:8 3:19
3:20 4:8
generic 8:19 33:23
getting 38:23
give 5:8 9:6 15:19
given 9:5 12:10
20:5
go 10:11 14:12,18
16:22 20:13 22:2
25:10 33:21 34:2
34:25
god 20:5
goes 33:9
going 10:11 24:3
29:7,8,9 36:20
good 4:7 25:6 30:5
30:14 37:7
government 23:18
26:7 28:22 29:3
granted 10:15
25:5
granting 16:7
great 13:3
grounds 8:5 30:2
guess 21:10
guessing 14:12
gun 33:3 38:24
guns 8:16

h

h 2:10 45:3
half 12:21 38:10
39:4
halls 37:25
hand 42:17
handbook 39:21
handgun 38:2,6
39:10,19 40:5

handled 43:8
happen 30:24
happened 24:15
hard 38:20
head 29:20
health 8:7
hear 7:2
heard 7:14 27:17
27:20,22,22
hereunder 42:16
high 9:16
holders 36:4,6
home 10:3,9 15:9
hope 29:2,3
hopefully 12:7
hoping 28:25 37:6
hour 3:4
hours 38:19

i

identification
16:19 18:9 20:19
25:20 32:4 34:3
35:1
incident 21:20
24:12,13,16,24
inclined 36:3
included 43:14
44:3
including 26:10
indicate 36:12
individual 20:5
30:7,9
info 3:17 43:2
information 23:12
informed 7:19
infraction 24:18
inherent 20:5
instructor 8:17,19
interested 7:4
interesting 24:25

interrupt 28:15
interviewed 24:4
investigated 23:13
23:15
investigation
23:19,21,25 24:3,8
involuntarily 8:6
involving 24:12
issuance 10:25
issue 10:17,22
11:12,16,20 12:9
20:3 40:3
issued 13:11 17:22
issues 6:14 18:5
38:12,16

j

janice 1:23 3:6
42:3,22
jason 4:12
job 1:24 7:8,10
37:23 43:5 45:2
johnson 12:15
13:4
justify 25:1

k

keep 28:23
keeping 39:11
kind 8:13 27:23
37:7 38:12,21,24
kitchen 37:25
kjm 1:6
know 5:11,22 6:3
11:15,17,19,21
13:7 14:10,16
17:10 19:7 24:13
27:2,23 28:1,1
38:13,14,18
knowing 36:16

l

l 1:23 3:6 4:13,13
15:12 42:3,22
law 3:15 10:22
11:14 13:20 15:14
15:14 19:17,19,22
23:5,17 31:6
32:21 33:5 39:12
39:13
law.com 3:17 43:2
lawful 20:4
lawfully 30:1
laws 25:6
lawsuit 28:2,14,15
28:16,19,19,24
29:1
left 24:22,22
legal 29:10 31:14
43:7
legally 8:3,7 26:8
27:10
leosa 15:6,7,11,17
16:13 27:12 35:6
letter 2:12,14,15
2:16 17:7,9,14,22
18:21 19:5,18
20:14,15,23 21:1,4
21:7,11,14,23,24
22:3 23:12,14,22
24:5,5,24 25:9,17
25:24 26:1,3,15,18
26:19 32:1,15,18
32:19 33:3,25
34:9,17 38:7
letters 22:6 24:6
34:15
liberal 16:5
license 7:22 13:12
14:17 15:5,18
25:2 33:13,17
35:24 36:13 37:10

[licenses - originally]

licenses 10:17,22 11:12,16,20 12:5 13:6	**manners** 28:16,17	**n**	**officer** 15:15 24:2 24:19,20

licenses 10:17,22
  11:12,16,20 12:5
  13:6
limitations 29:6,7
  29:9,10
line 21:11 41:7
  43:15 44:4 45:4,7
  45:10,13,16,19
listen 27:18
literally 36:5
little 6:15 7:11
  19:18 32:23
live 9:11
lived 9:17
local 7:9 9:5 27:18
locked 38:5 39:11
  43:12 44:1
long 4:25 7:10
  8:16
look 16:18 17:13
  17:21 18:8 20:18
  23:11 25:19 32:3
  40:14
looked 40:1
looking 28:10
looks 17:11,11
  18:18 19:9 25:23
  34:6 35:6,9
lot 21:15,17 27:19
  38:5,11 39:7,19
lunchtime 38:18

m

magrini 12:14
  13:5
main 35:16
maintain 13:24
maniac 22:12
manner 13:22
  18:25 30:7 31:5
  40:2,5

manners 28:16,17
march 35:9
mark 1:4 3:25
  27:18,24 43:4
  45:1
marked 16:19
  18:9 20:19 25:20
  32:4 34:3 35:1
matter 24:5 26:8
matters 26:10
  27:5,20 28:5
matthew 3:20 4:7
matthew.wise
  3:23
mean 6:18 15:13
  18:25 23:7 33:19
measures 29:16
media 27:21
meet 11:13
mental 8:6
mentioned 11:11
  24:23 25:3 27:12
middle 9:15
military 8:15 9:18
  24:2 36:17
mind 13:1 29:19
  36:21
minutes 14:13,19
misdemeanor 8:2
moment 11:25
  14:22 25:11
months 9:10
moral 20:4 25:6
  30:5,8,15
morning 4:7
move 9:13
moved 9:15
multiple 34:13

n 2:1
name 4:7,10,11,12
  12:16 27:6
named 42:5
nationwide 15:15
nature 8:25
necessary 40:15
  43:14 44:3
need 5:5,10 6:14
  15:19,24 18:5
  28:7 31:10,11
  33:20
never 23:17,20,21
  24:8 37:24 40:3
new 3:16 12:12,14
  12:16,17 13:3
nonthreatening
  18:25 40:2,5
normally 27:4
notating 43:15
  44:4
notes 14:13,18,23
notice 3:3
november 25:25
nra 8:17
number 43:15
  44:4

o

o 4:13 15:12
o0o 1:3 3:11 40:18
oath 4:15
obeys 25:6
objection 5:16
  16:1
obtain 36:23 37:10
occurred 23:25
offer 35:20
office 36:18 43:11

officer 15:15 24:2
  24:19,20
officers 13:21 31:7
official 1:7
oh 4:25 7:11 34:11
okay 5:9,13,23
  6:21 12:4,23 13:1
  13:10 16:18 20:13
  22:2,4,20 25:15,19
  27:14 29:12,21
  32:3 33:16 34:2
  34:25 37:19 40:16
once 14:7 26:16
  27:22 37:5
ones 6:14
open 10:25 11:12
  11:16,20 12:5,8,18
  13:5,11 29:2 31:5
  32:11,22 33:13,16
  34:14,19,20,23
  35:7,24 36:9,13,24
  37:10,12
openly 10:23
  28:21 29:6,12,22
  30:4,13,18,22 31:1
  31:3,4,7,8,10,13
  31:16,24 35:20,25
  36:3 37:2
opinion 23:19
  29:24
opportunity 5:24
  40:14
opposed 10:6 33:1
option 31:4,12,20
  31:21 33:22 36:3
  36:6
ordinary 26:12
original 17:10
  43:10,21
originally 14:20
  28:23

[outside - read]

outside 10:3,9 30:22	**period** 43:18 44:7	**population** 11:1,4	**provide** 22:15,16
overhill 3:16	**perjury** 43:17 44:6	**portion** 16:5	**provided** 43:19 44:8
owned 38:13	**permission** 28:22 29:3	**position** 39:1,3	**provision** 11:4,10
owning 8:3,8	**permit** 10:10,15	**possess** 7:12,16,20 13:20	**public** 26:4,6,12

p

p.o. 3:21
pacific 3:5
page 2:2,11 22:2
  41:7 43:15 44:4
  45:4,7,10,13,16,19
pages 1:25 21:24
  43:14,17,17 44:3,6
  44:6
paper 23:10
paragraph 17:13
  17:21 20:14 22:4
  22:7,8,20 23:7
  24:9,10
paraphrase 12:9
parentheses 19:18
  19:19
parking 38:5
  39:19
part 7:15
particular 33:4
  38:3
pasley 27:1,3
  35:11,16,19
pasley's 27:6
passed 15:14
patriotic 27:19
  28:5,16
pdf 43:12 44:1
penal 10:24 11:2
  11:10 19:18 39:15
penalty 43:16 44:5
pending 5:12
people 11:8 16:5
  38:12

permit 10:10,15
  10:19,25 13:19,20
  13:22 14:4 15:16
  15:16 16:16 17:5
  19:21,25 25:5,8
  27:7 31:9,23 32:2
  32:11,12,21,22,25
  33:1,1,4 35:20
  36:4,6,18,24 37:2
  38:23
permits 12:9
  32:10,24 35:18
  38:11
permitted 10:22
  27:10
person 5:5 25:6
personal 15:9,23
  15:25 16:7,13
  23:19 33:22
personally 11:18
  21:17 28:2
phrase 40:4
pistol 8:17
place 22:11 42:13
places 29:11
plaintiff 27:16,25
  37:6
plaintiffs 1:5 3:14
plus 5:1
point 36:20 40:6
points 37:18
police 24:2 36:17
policy 9:19,23
  10:6,8 12:5,18
  13:5 22:15 39:20
  39:21

possessing 10:7
possession 26:17
possible 5:15 23:4
possibly 29:14,14
post 27:21
prefer 23:2
prepare 6:12
prepared 6:15
present 3:24 42:5
pretty 20:12
prevent 6:9 8:7
prevents 22:11
prior 34:9
private 6:22 9:5
  27:14
probably 5:1
  14:13,19 38:10
procedure 43:19
  43:20
proceedings 42:13
  42:14
process 10:10,10
  10:14,20 19:25
processors 35:17
produced 3:7
prohibit 8:3
propane 7:9
property 17:15,18
  18:24 19:17,20,23
  21:21 22:22,25
  33:6,8 39:10
protect 33:9
protection 15:9,10
  15:23,25 16:8,13
  16:14 33:22 39:8

  29:6 30:2,4,13,18
  30:22 33:10
pulled 24:17
purpose 32:18
purposes 32:20
  33:23
pursuant 3:3
put 16:6,7 18:6,18
  19:7 23:10

q

qualifications 8:18
qualified 11:5
  36:19
qualify 11:4
quarters 37:25
question 5:7,8,12
  5:15,17,18,21,22
  7:1 9:25 10:2,5
  12:7,21 13:13,15
  14:20 17:2 18:14
  24:25 29:8 30:10
  30:11 31:11 38:1
questions 14:21
  19:2 33:19 37:14
  37:17 40:11
quite 27:18,19
quote 20:2 38:7

r

r 3:20 4:13 45:3,3
r&s 44:1,9
radio 27:19 28:4
read 9:24 10:12
  17:25 18:25 22:7
  22:8 41:4

Page 7

[reader - service]

reader 23:8	**regarding** 12:8	**restricts** 22:16	**save** 18:3 19:1
reading 18:23	18:6 23:18,22	**result** 14:24 17:23	**saw** 21:17
24:10 36:1 43:23	27:5,19	23:13	**saying** 12:1,11
44:9	**regards** 9:25	**results** 37:7	28:4,18 33:12
reads 25:9	**regulation** 39:14	**retired** 24:2 32:10	**says** 18:23 35:24
really 5:14	**related** 26:11	32:20,25 33:5	36:5 40:1
reapplied 37:12	**relating** 10:8	36:17	**scarsdale** 3:16
reason 15:19,22	**released** 43:21	**return** 43:17 44:6	**schedule** 43:10
16:4,10 17:19	**remain** 27:8	**review** 5:25 6:16	**school** 9:16 29:23
21:21,23 22:21,24	**remember** 5:1	42:14 43:8,10,13	30:2 33:3,5,8,10
23:24 24:1,1 36:9	12:15 27:17	44:2	**screen** 16:22
45:6,9,12,15,18,21	**remembered** 3:3	**reviewed** 6:13,17	**sean** 27:1,3,6
reasoning 12:10	**renewals** 14:8,21	6:19 26:15	35:11
reasons 31:8,19	**renewed** 14:17	**revocation** 25:2	**second** 16:6 17:21
33:18,23	**repeat** 11:6 12:24	**revoked** 17:5	19:11,24,25 20:13
recall 5:3 21:25	30:11 33:19 39:4	26:16 27:8	24:9 28:22 32:22
receive 5:25 33:24	**rephrase** 5:22	**revoking** 25:7	34:20 38:12,15
34:1,22	10:4	**richard** 1:4,14 3:1	39:4
received 8:10,14	**report** 42:12	3:7 4:1,12 41:3,25	**section** 10:25
8:22 23:12 24:6	**reported** 1:22	42:4 43:5 45:2	11:14 39:15
recognize 16:24	**reporter** 3:7 5:4	**rid** 21:21	**security** 29:15
18:13,15 20:21	6:1 42:9	**right** 9:24 14:22	**see** 12:21 16:21,23
32:6 34:5 35:3	**reporter's** 42:1	17:24 20:3,5,16	18:1,11 27:5 33:2
record 4:11 6:3	**represent** 4:8	21:12 28:21 29:5	33:11
12:7 15:12 18:6	**request** 11:18 12:8	30:3,12,17,21,25	**seeing** 34:15
25:10,13,15 39:2	26:14 32:9,11,13	31:16 33:14 34:12	**seeking** 29:5 30:3
40:17	34:19,20,24 35:7	35:21,24	30:6,12,16,17,21
recording 5:4	36:9	**rights** 19:11,24	30:25 31:15 33:16
records 26:5,9	**requested** 33:12	20:1	**seen** 27:21
35:15	42:15 44:1,9,10	**road** 3:16 24:20	**self** 20:6,12 22:15
reference 23:19	**requests** 26:9	**rob** 1:7 3:19 43:4	22:16 23:1,2
referenced 18:20	34:13 35:15,15	45:1	**send** 21:7 25:18
21:11 23:5 38:3,7	**required** 26:8	**row** 38:18	26:24
43:6	**residents** 37:24	**rules** 4:20 40:14	**sent** 20:15 21:5
referencing 19:5	**respond** 7:3 25:16	44:8	32:1 34:17 35:10
20:24 35:14	26:19		**sentence** 24:9
referring 12:2	**responded** 26:25	**s**	**september** 17:8
14:22 15:12 24:13	**responds** 35:14		20:15 21:1 23:14
38:1	**response** 25:18	**s** 2:10 15:12 45:3	42:17 43:3
refers 10:2	26:14,21,24 33:24	**sacramento** 3:22	**service** 9:18
	34:1,22,23 35:6,22	30:25	
		safety 13:21 15:15	

[seven - today's]

seven 14:14
severely 22:15
sharing 27:14
shasta 9:12,13,17
  9:19 10:5,16,16,21
  11:3,7,11,15,19
  12:12 13:4,10,11
  13:13,19 14:3
  15:2,19 16:16
  26:23 27:8 30:4
  30:13,18,22 31:23
  33:13 35:15,18,19
  35:25 36:2,24
  37:1,11 38:9
sheriff 10:17,22
  11:16,19,22,23,23
  12:1,1,3,5,12,14
  12:16 13:6 14:4
  15:1 17:4,9 18:21
  19:4,5 20:14,23
  23:11 24:10,23,25
  25:4,16 26:14,19
  26:21,24 30:4,14
  30:18 32:1,13
  33:24 34:14,18
  38:8
sheriff's 9:6,24
  26:23 35:12,13
  36:11
sheriffs 12:13,17
  13:4
short 21:15
shorthand 3:6
  42:8,9
showed 38:24
showing 40:6
shows 27:19
side 24:20
sign 17:9 43:16
  44:5

signature 17:11,11
  41:1 42:21 43:21
  43:23,23 44:9
signed 24:21
similar 28:14,15
  28:17 34:8
situation 26:9
six 6:25 14:14
size 11:4
slaughtering
  22:13
sleeping 37:25
smoke 5:14
social 27:21
societal 29:10
solutions 43:7
somebody 24:2
  33:4
son 33:9
sorry 17:2 18:14
  25:12 28:14 39:17
sound 31:5
speak 5:5 6:23
  28:8
speaker 12:20
speakers 13:2
speaking 6:25
special 2:13 17:23
  18:18,20 19:6
specific 19:2
specifically 10:16
  14:22 31:6
specified 42:6
spell 4:10
spelled 10:11
spoke 7:5
standard 3:5
start 5:8 23:20
starts 22:5,9
state 1:8 4:10 7:13
  7:14 10:22 13:16

  17:15,18 18:24
  19:16,22 21:21
  22:21,25 23:5
  39:7,8 42:9,22
  43:9,12
state's 39:6
stated 24:19
statement 20:7
  23:20 24:7 36:7,8
statements 17:23
states 1:1 17:14
  19:10 20:2 23:12
  24:11 25:7 35:19
stating 17:22
  20:15 25:4
station 22:13
statute 39:12
staunch 20:4
stenographically
  1:22
stipulate 18:2,2
stipulation 43:20
stored 38:2
street 3:21
stuff 38:21
subject 24:2
subscribed 42:16
suite 3:16,21
summarize 22:20
summarizing
  18:22
sure 10:4 18:22
  22:1,10 30:12
  33:21
sworn 3:9 4:2 42:5

t

t 2:10 45:3,3
take 4:15 5:10,12
  14:13,19 40:14
taken 4:18 37:9
  42:7,8

talk 38:20
talked 38:11,15,21
talking 15:2 22:18
  28:6
talks 28:17
tell 9:22 27:15
terminated 17:14
  17:16 39:18
terminating 17:19
testified 4:3
testifying 4:14,16
  6:9
testimony 41:6
thank 16:24
think 5:1 12:11
  18:1 20:12 24:23
  25:2 29:8,11
  32:17 36:19,20
thinking 6:9 38:22
thirds 38:10
thought 27:22
threatening 39:23
threats 20:3
three 7:11 12:15
  38:17,18
time 3:5 4:23 5:6
  5:10 8:21 9:8
  11:22,24 12:1
  13:1 15:6,7 16:3
  18:4,14 19:1,21
  26:10 27:3 32:1
  35:16,18 36:17
  38:9,16,20,22 40:6
  42:6,8 43:10,18,24
  44:7
times 4:19 14:6
  16:7 23:4 31:5
today 4:15 6:1,8
  27:7 40:1
today's 6:12

[told - zones]

told 32:17	**unplugged** 13:2	**weapons** 6:19 9:4	**y**
top 19:9 29:20	**unquote** 20:6	10:10,19 19:21	**yeah** 17:25 19:3
traffic 24:12,18	**use** 8:10 21:20	25:5 26:22 36:18	25:23
training 8:10,13	39:24	38:11,23	**year** 8:23 32:10,21
8:15,18,22,24,25	**usually** 29:16	**website** 9:25 10:11	33:1,2
transcribed 42:10	**utmost** 16:14	**week** 26:10 38:17	**years** 5:1 7:11
transcript 5:25	**v**	**weeks** 12:15 38:18	8:15,24 13:24
6:2 42:11,15 43:6	**v** 43:4 45:1	**went** 34:9	14:2,9,14 21:16,19
43:8,10,13,13,21	**vaguely** 4:22	**whereof** 42:16	23:16,21
44:2,2	**valid** 16:15 31:9	**wise** 2:3 3:20 4:6,7	**yep** 20:1
transcription 41:5	36:9	16:9,18,20 18:8,10	**york** 3:16
transparent 26:8	**vehicle** 19:23	20:18,20 25:10,14	**z**
true 17:16 41:5	**verbally** 24:19	25:19,21 32:3,5	**zero** 24:6
42:11	**veritext** 43:7,9,11	34:2,4,25 35:2	**zones** 33:4
truthfully 6:10	**version** 34:9	37:14 38:4 40:10	
try 5:5,6,22 13:8	**videoconference**	40:12,16	
37:9	1:14 3:1,5,13	**witness** 3:8,9 4:2	
trying 23:8,9	**violated** 19:11	16:3 37:19 42:5	
28:12	20:1	42:16 43:13,16	
two 8:23,24 12:13	**violating** 39:12,13	44:2,5 45:24	
12:17 13:3 14:9	**violation** 24:18	**wondering** 19:3	
32:9,20 33:2	**visit** 30:24	**word** 28:12 31:11	
38:10,17	**visiting** 29:22	**words** 6:25 23:9	
type 22:13 40:7	**vs** 1:6 4:9	**work** 7:9 22:17	
types 32:9	**w**	38:3	
typewriting 42:10	**waiting** 37:8	**worked** 21:16	
typically 27:1	**waived** 43:23,23	**working** 38:16	
u	**waiving** 43:20	**workplace** 19:13	
undersigned 41:3	**want** 6:21 10:1	**works** 14:7	
understand 4:14	18:1 19:1 22:8	**wow** 4:25	
5:19,21 6:6 10:21	26:6 28:8 31:3,12	**write** 21:14 26:3	
11:3 12:18 19:3	32:24 33:7	32:18	
28:12 34:16 36:7	**wanted** 15:8 16:6	**writing** 12:6	
36:8,10 40:4	26:16	**written** 25:18	
understanding	**wanting** 15:19	28:23	
9:22 10:5 11:2,13	**way** 14:7	**wrote** 21:4 26:1,18	
12:4 28:13	**we've** 5:1 24:10	**x**	
union 21:19	**weapon** 19:20	**x** 2:1,10 44:1	
united 1:1	22:13 40:2		
unplug 12:20			

CERTIFICATE OF SERVICE

Case Name: **Baird, Mark v. Rob Bonta**   No.   **2:19-cv-00617-KJM-AC**

I hereby certify that on <u>August 18, 2023</u>, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

DECLARATION OF LARA HADDAD IN SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on <u>August 18, 2023</u>, at Los Angeles, California.

Lara Haddad	*Lara Haddad*
Declarant	Signature

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