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8			
9		•	
10	IN THE UNITED STATES DISTRICT COURT		
11	FOR THE EASTERN DISTRICT OF CALIFORNIA		
12	·		
13	IVAN PEÑA, ROY VARGAS, DOÑA	2:09-CV-0118	5-KJM-CKD
14	CROSTON, BRETT THOMAS, SECOND AMENDMENT FOUNDATION, INC. and	DECLARAT	ION OF JOEL IAN IN SUPPORT OF
15	THE CALGUNS FOUNDATION, INC.,  Plaintiffs,	<b>DEFENDAN</b>	T'S MOTION FOR JUDGMENT, OR IN THE
16		ALTERNATI ADJUDICAT	IVE SUMMARY
17	<b>V.</b> /	Date:	November 22, 2013
18	STEPHEN LINDLEY,	Time: Dept.:	10:00 a.m. Courtroom 3, 15th floor
19	Defendant.	Judge:	The Honorable Kimberly J. Mueller
20		Trial Date:	None at this time
21	l ·	Action Filed	May 1, 2009
		Action Filed:	May 1, 2009
22		Action Filed:	May 1, 2009
		Action Filed:	May 1, 2009
22		Action Filed:	May 1, 2009
22		Action Filed:	May 1, 2009
<ul><li>22</li><li>23</li><li>24</li></ul>		Action Filed:	May 1, 2009
<ul><li>22</li><li>23</li><li>24</li><li>25</li></ul>		Action Filed:	May 1, 2009
<ul><li>22</li><li>23</li><li>24</li><li>25</li><li>26</li></ul>			
<ul><li>22</li><li>23</li><li>24</li><li>25</li><li>26</li><li>27</li></ul>	Declaratio Sum	on of Joel Tochtern	nan in Support of Defendant's Motion for in the Alternative Summary Adjudication (2:09-CV-01185-KJM-CKD)

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## **DECLARATION OF JOEL TOCHTERMAN**

I, Joel Tochterman, declare as follows:

- 1. I am a Librarian for the Office of the Attorney General in the California Department of Justice, located in Sacramento, California. I have been trained and am familiar with our office's methods for researching and compiling legislative histories. My job duties regularly include collecting legislative history materials for attorneys in this office. I am also custodian of the records retained in the library's files, including legislative histories compiled by our office's trained librarians. I make this declaration in support of defendant's motion for summary judgment, or in the alternative summary adjudication. I have personal knowledge of the facts stated in this declaration, and if called as a witness, I could and would competently testify to them.
- 2. Trained librarians in our office regularly compile legislative histories when requested to do so by attorneys in the Attorney General's Office. These librarians compile legislative histories of California statutes from the entire history pertaining to the statute as presented, chaptered, and archived as public records by the California Secretary of State, California Legislative Counsel, and other sources of legislative history. After a legislative history has been complied, we add it to our collection of legislative histories, and retain it in the library's files.
- 3. On or about October 24, 2013, I located in our collection a legislative history for 2003 Senate Bill 489 compiled by a librarian of the Office of the Attorney General. Attached hereto are true and correct copies of selected documents that were part of that legislative history:

Exhibit A is a true and correct copy of Assem. Com. on Appropriations, Analysis of Senate Bill No. 489 (2003-2004 Reg. Sess.) August 20, 2003.

Exhibit B is a true and correct copy of the Assem. Com. on Public Safety, Analysis of Senate Bill No. 489 (2003-2004 Reg. Sess.) July 1, 2003.

4. The legislative history documents contained in Exhibits A and B are true and correct copies of the original public records obtained by the designated official from public sources in California, except that for readability purposes, pages may have been enlarged.

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 of my own personal knowledge, and that this declaration is executed in Sacramento, California, this 24/4 th day of October, 2013.

Joel Tochterman