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CARLOS A. GARCIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KEVIN M. HALL, an individual,)	No.: C 10-3799 EMC
)	
Plaintiff,)	DECLARATION OF ROBIN B. JOHANSEN
)	IN SUPPORT OF MOTION FOR
vs.)	EXTENSION OF TIME
)	
CARLOS A. GARCIA, in his official capacity as)	
Superintendent of the San Francisco Unified)	
School District,)	
)	
Defendant.)	

DECLARATION OF ROBIN B. JOHANSEN IN
SUPPORT OF MOTION FOR EXTENSION OF
TIME – NO.: C 10-3799 EMC

DECLARATION OF ROBIN B. JOHANSEN

I, Robin B. Johansen, declare under penalty of perjury that:

1. I am the lead counsel for defendant Carlos A. Garcia, Superintendent of the San Francisco Unified School District, in this case. The action involves Mr. Garcia's decision not to grant plaintiff an exemption from the California Gun Free School Zone Act, Penal Code section 626.9.

Plaintiff claims that Mr. Garcia's decision violated his rights under the Second and Fourteenth Amendments to the federal Constitution. He has sued Mr. Garcia in his official capacity.

2. Defendant was served on September 9, 2010, and on September 13, 2010, the District's General Counsel, Maribel Medina, retained our firm to represent defendant. Under Rule 12 of the Federal Rules of Civil Procedure, defendant must answer or otherwise respond to the complaint on or before September 30, 2010. Because the complaint in this matter appears to present only pure questions of law regarding plaintiff's rights under the Second and Fourteenth Amendments, I believe that a motion to dismiss is the most efficient and appropriate way to resolve the issues before the Court.

3. I will be in Rome, Italy from September 22-29, 2010 for my niece's wedding. Our firm employs only six lawyers, and due to the press of other business, neither I nor any of the other lawyers will be able to prepare a motion to dismiss for filing on September 30, 2010. I therefore request an extension to and including Friday, October 29, 2010 in which to file a responsive pleading.

4. Plaintiff is not represented by counsel. I spoke with Mr. Hall on Friday, September 17, 2010 and asked for a 30-day extension of time. Mr. Hall told me that he would like to think about it, and we agreed that he would send me an email over the weekend with his answer. I have not heard from him, and I therefore must assume that he will not agree to the extension.

1 I declare under penalty of perjury that the foregoing is true and correct. I have firsthand
2 knowledge of the same, and if called upon to do so, I could and would testify competently thereto.

3 Executed this 20th day of September, 2010 in San Leandro, California.

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5 _____/s/
Robin B. Johansen

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