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 9 Attorney for Plaintiff / Petitioner EDWARD PERUTA

10 **IN THE UNITED STATES DISTRICT COURT**
 11 **SOUTHERN DISTRICT OF CALIFORNIA**

13 EDWARD PERUTA,	}	CASE NO: 09-CV-2371 IEG (BLM)
14 Plaintiff,		DECLARATION OF C.D. MICHEL
15 v.		
16 COUNTY OF SAN DIEGO,		
17 WILLIAM D. GORE,		
18 INDIVIDUALLY AND IN HIS CAPACITY AS SHERIFF,		
19 <u>Defendants.</u>		

20 I, C.D. Michel, declare as follows:

21 1. I am over the age of eighteen and not a party to this action. I am an
 22 attorney licensed to practice law before all Courts of the State of California and am
 23 admitted to practice before the U.S. District Court (Eastern, Central, and Southern
 24 Districts of California) and the U.S. Supreme Court. I am Senior Counsel at
 25 Michel & Associates, P.C. (“MA”).

26 2. I am an of attorney of record for Plaintiffs in this matter. I have
 27 personal knowledge of the facts stated in this Declaration and, if called to testify,
 28 could and would testify competently and under oath to these facts.

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3. Plaintiff filed this lawsuit on October 9, 2009. Defendant, Sheriff William D. Gore, filed a motion to dismiss Plaintiff's complaint on November 12, 2009. This Court denied Defendant's motion on January 14, 2010.

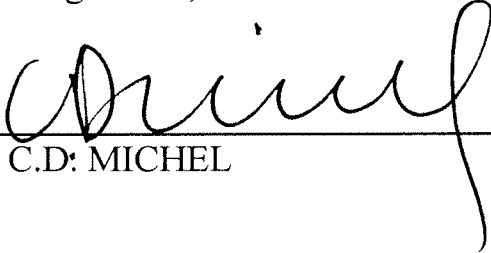
4. Since filing the Complaint in this case, Plaintiff has discovered new information and developed new legal theories regarding Defendants' policies and practices.

5. Plaintiff has learned that Defendants' policies regarding the issuance of concealed carry weapons permits have been applied beyond Plaintiff Peruta's individual case to other residents of San Diego County. These residents now joining as plaintiffs in this suit have determined and allege that Defendant's conduct violates the requirements set forth in Penal Code section 12050, the Privileges and Immunities Clause of the United States Constitution, and the requirements of Due Process. A true and correct copy of Plaintiff's First Amended Complaint is attached to Plaintiff's Notice of Motion as Exhibit "A."

6. On April 21, 2010 I met and conferred with opposing counsel in a good faith effort to seek Defendants' written consent to the filing of Plaintiff's First Amended Complaint pursuant to FRCP 15. Defendants declined to stipulate or consent to the filing of Plaintiff's First Amended Complaint.

7. In accordance with 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated this 22nd day of April, 2010, at Long Beach, California.


C.D: MICHEL

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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EDWARD PERUTA,	} CASE NO. 09-CV-2371 IEG (BLM)	
Plaintiff,		} CERTIFICATE OF SERVICE
v.		
COUNTY OF SAN DIEGO,		}
WILLIAM D. GORE,		
INDIVIDUALLY AND IN HIS CAPACITY AS SHERIFF,		
Defendants.	}	

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of:

DECLARATION OF C.D. MICHEL

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

James M. Chapin County of San Diego Office of County Counsel 1600 Pacific Highway Room 355 San Diego, CA 92101-2469 (619) 531-5244 Fax: (619-531-6005 james.chapin@sdcountry.ca.gov	Paul Neuharth, Jr. (State Bar #147073) PAUL NEUHARTH, JR., APC 1440 Union Street, Suite 102 San Diego, CA 92101 Telephone: (619) 231-0401 Facsimile: (619) 231-8759 pneuharth@sbcglobal.net
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I declare under penalty of perjury that the foregoing is true and correct.
Executed on April 22, 2010

/s/ C.D. Michel
C. D. Michel
Attorney for Plaintiffs