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 12 **UNITED STATES DISTRICT COURT**  
 13 **SOUTHERN DISTRICT OF CALIFORNIA**  
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<p>15 EDWARD PERUTA, MICHELLE )          LAXSON, JAMES DODD, DR. )          16 LESLIE BUNCHER, MARK )          CLEARY, and CALIFORNIA RIFLE )          17 AND PISTOL ASSOCIATION )          FOUNDATION )          18          Plaintiffs, )          19          v. )          20          COUNTY OF SAN DIEGO, )          21 WILLIAM D. GORE, )          INDIVIDUALLY AND IN HIS )          22 CAPACITY AS SHERIFF, )          23          Defendants. )</p>	<p><b>CASE NO: 09-CV-2371 IEG (BGS)</b>  <b>DECLARATION OF SEAN BRADY</b>  <b>IN SUPPORT OF PLAINTIFFS'</b>  <b>CONSOLIDATED OPPOSITION TO</b>  <b>DEFENDANT'S MOTION FOR</b>  <b>SUMMARY JUDGMENT AND;</b>  <b>REPLY TO DEFENDANT'S</b>  <b>OPPOSITION TO PLAINTIFFS'</b>  <b>MOTION FOR PARTIAL SUMMARY</b>  <b>JUDGMENT</b>          Hon. Irma E. Gonzalez          Date Action Filed: October 23, 2009</p>
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**DECLARATION OF SEAN BRADY**

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I, Sean Brady, am competent to state, and testify to the following based on my personal knowledge:

1. I am over the age of eighteen and not a party to this action. I am an attorney licensed to practice law before the courts of the State of California and am admitted to practice before the United States District Court for the Southern District of California. I am an associate of the law firm Michel & Associates, P.C., attorneys of record for Plaintiffs in this action.

2. I have personal knowledge of the facts stated in this Declaration and, if called to testify, could and would testify competently and under oath to these facts.

3. On or about August 4, 2010, Plaintiffs' counsel, including myself, spoke with Defendants' counsel regarding stipulating to facts in this matter. During this conversation, it came to light that the County claims it considers Mr. Peruta a resident of San Diego. We also discussed the basis of Plaintiffs' Due Process claim, and came to the understanding, or so Plaintiffs' counsel believed, that the issues relating to Mr. Peruta's residency and possible Due Process violation could possibly be resolved informally without litigation.

4. On or about August 25, 2010, based on that understanding by Plaintiffs' counsel, I agreed to temporarily relieve Defendants of the duty to respond to the majority of our discovery requests so that Defendants could focus on responding to the discovery involving the claims at issue in Plaintiffs' Motion for Partial Summary Judgment, for which there is no chance of informal resolution.

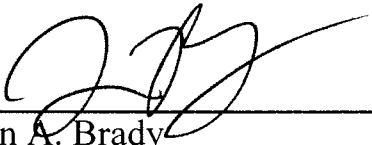
5. On or about October 15, 2010, I sent an electronic mail to Counsel for Defendants, James Chapin, requesting that he withdraw the claims relating to residency and Due Process in the Defendants' Cross Motion for Summary Judgment, explaining Plaintiffs' understanding of the status of those claims and that Plaintiffs were unable to finish discovery on the matter, believing all parties to be in negotiations to informally resolve those claims.

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6. Mr. Chapin refused my request to withdraw Defendants' claims regarding those claims.

I declare under penalty of perjury, under the laws of the state of California, that the foregoing is true and correct.

Executed in the United States on October 18, 2010.

  
Sean A. Brady  
Attorney for Plaintiffs

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

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EDWARD PERUTA,  
MICHELLE LAXSON, JAMES  
DODD, DR. LESLIE  
BUNCHER, MARK CLEARY,  
and CALIFORNIA RIFLE  
AND PISTOL ASSOCIATION  
FOUNDATION  
  
Plaintiff,  
  
v.  
  
COUNTY OF SAN DIEGO,  
WILLIAM D. GORE,  
INDIVIDUALLY AND IN HIS  
CAPACITY AS SHERIFF,  
  
Defendants.

) **CASE NO. 09-CV-2371 IEG (BGS)**  
) **CERTIFICATE OF SERVICE**

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 SEAN BRADY IN SUPPORT OF PLAINTIFFS' CONSOLIDATED OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND;**

**REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

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

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Facsimile: (619) 231-8759  
pneuharth@sbcglobal.net

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on October 18, 2010

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