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12 **UNITED STATES DISTRICT COURT**
13 **SOUTHERN DISTRICT OF CALIFORNIA**
14

15 EDWARD PERUTA, MICHELLE)
LAXSON, JAMES DODD, DR.)
16 LESLIE BUNCHER, MARK)
CLEARY, and CALIFORNIA RIFLE)
17 AND PISTOL ASSOCIATION)
FOUNDATION)

18 Plaintiffs,
19

20 v.

21 COUNTY OF SAN DIEGO,
WILLIAM D. GORE,
22 INDIVIDUALLY AND IN HIS
CAPACITY AS SHERIFF,

23 Defendants.
24

CASE NO: 09-CV-2371 IEG (BGS)

**DECLARATION OF EDWARD
PERUTA 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**

Date: November 15, 2010
Time: 10:30 a.m.
Location: Courtroom 1
Judge: Hon. Irma E. Gonzalez
Date Action Filed: October 23, 2009

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DECLARATION OF EDWARD PERUTA

I, Edward Peruta, declare as follows:

1. On or about November 17, 2008, I attended the initial interview portion of the San Diego County Sheriff's application process for a permit to carry a concealed handgun with the Licensing Department. I attended the interview with the intention of obtaining a permit to carry a concealed handgun.

2. At one point during the November 17, 2008 interview, two interviewers, Ms. Donna Burns and Ms. Millie Faiai, both told me I was not a resident of San Diego. Ms. Faiai told me she could not accept my application and Ms. Burns told me that I was a resident of Los Angeles, not San Diego.

3. On December 5, 2008, I sent a request to Sheriff's Department for clarification on the County's definition of residency. A true and accurate copy of this letter is attached as Exhibit "F."

4. I then received a letter from the Sheriff's Department in response to my December 5, 2008 request, stating that I would receive a response within two weeks. A true and accurate copy of this letter is attached as Exhibit "G."

5. On February 2, 2009, I submitted a second request for clarification regarding the County's definition of residency. A true and accurate copy of this letter is attached as Exhibit "H."

6. I then received a letter dated February 3, 2009 from Mr. Sanford A. Toyen, Legal Advisor to the Sheriff's Department, declining to answer my questions regarding residency. A true and accurate copy of this letter is attached as Exhibit "I."

7. I sent another letter, dated February 6, 2009 to Mr. Toyen further explaining the clarification I was seeking regarding the County's definition of residency. A true and accurate copy of this letter is attached as Exhibit "J."

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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.



Edward Peruta

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

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 EDWARD PERUTA 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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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