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7 Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO,
8 THE MAYOR OF SAN FRANCISCO and
THE CHIEF OF THE SAN FRANCISCO POLICE DEPARTMENT
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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
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14 ESPANOLA JACKSON, PAUL COLVIN,
THOMAS BOYER, LARRY BARSETTI,
15 DAVID GOLDEN, NOEMI MARGARET
ROBINSON, NATIONAL RIFLE
16 ASSOCIATION OF AMERICA, INC., and
SAN FRANCISCO VETERAN POLICE
17 OFFICERS ASSOCIATION,

18 Plaintiffs,

19 vs.

20 CITY AND COUNTY OF SAN
FRANCISCO, THE MAYOR OF SAN
21 FRANCISCO, and THE CHIEF OF THE SAN
FRANCISCO POLICE DEPARTMENT, in
22 their official capacities,

23 Defendants.
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Case No. C09-2143 RS

**DECLARATION OF CHRISTINE VAN AKEN
IN SUPPORT OF STIPULATION AND
[PROPOSED] ORDER EXTENDING
PRETRIAL AND TRIAL DEADLINES AND
ADVANCING FURTHER CASE
MANAGEMENT CONFERENCE**

[Local Rule 6-2]

1 I, Christine Van Aken, declare as follows:

2 1. I am a Deputy City Attorney for the City and County of San Francisco and an attorney of
3 record for defendants City and County of San Francisco, the Mayor of San Francisco, and the Chief of
4 the San Francisco Police Department. The matters within this declaration are true of my personal
5 knowledge or, where stated otherwise, upon information and belief.

6 2. The parties to this case are submitting a stipulated request for an order modifying the
7 pretrial and trial schedule in this case.

8 3. This request is made for good cause. Specifically, the parties presently dispute whether
9 there are any factual matters relevant to the disposition of this case and whether party depositions
10 should occur. The parties have met and conferred about this dispute and believe that the Court's
11 resolution of Plaintiffs' Motion for Partial Judgment on the Pleadings, set to be heard by the Court on
12 July 12, 2012, is likely to provide the parties with guidance concerning whether there are factual issues
13 that must be resolved for this case to be resolved on its merits. The parties therefore jointly seek an
14 order postponing discovery cut-offs and related dates, and the trial date and related dates, by eight
15 weeks.

16 4. I was assigned to this case in February 2012. Based on my review of the electronic files
17 that the City maintains for this case, the previous modifications of time in this case are as follows:

18 a. On August 27, 2009, the Court stayed this case pending a determination by
19 appellate courts concerning whether the Second Amendment is incorporated against the States.

20 b. On September 13, 2010, the Court lifted the stay of proceedings. Doc. 37.

21 c. On September 27, 2010, the Court extended the time for the City to respond to
22 the amended complaint, upon the parties' stipulation. Doc. 53.

23 d. On November 29, 2010, the Court extended the time for the City to respond to
24 the amended complaint, upon the City's motion. Doc. 42.

25 e. On December 16, 2010, the Court set a deadline of January 27, 2011 for
26 Defendants to respond to Plaintiffs' First Amended Complaint. Doc. 56.

27 f. On January 28, 2011, the Court endorsed the parties' stipulation extending the
28 time for Defendants to respond to Plaintiffs' First Amended Complaint. Doc. 60.

1 g. On April 8, 2011, the Court continued a hearing on Defendants' motion to
2 dismiss the First Amended Complaint to April 28, 2011. Doc. 69.

3 h. On October 26, 2011, upon the parties' stipulated request, the Court continued a
4 case management conference from November 3, 2011 to November 17, 2011. Docs. 93, 94.

5 i. On May 5, 2012, upon the parties' stipulated request, the Court modified the
6 briefing schedule for Plaintiffs' Motion for Partial Judgment on the Pleadings without
7 modifying the motion's hearing date.

8 5. This proposed modification of time will delay the trial of any of Plaintiffs' claims that are
9 not decided in Plaintiffs' favor in the Motion for Partial Judgment on the Pleadings. However, the
10 parties believe that this proposed modification of time will conserve the parties' and judicial resources
11 by tabling discovery disputes until the parties have the benefit of the Court's ruling on this motion.
12 This, in turn, may obviate the need for motion practice to resolve the parties' discovery disputes.

13 I declare under penalty of perjury under the laws of the State of California that the foregoing is
14 true and correct. Executed this 6th day of June, 2012, at San Francisco, California.

15
16 s/Christine Van Aken
Christine Van Aken