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(EXEMPT FROM FILING FEES [Gov. Code, § 6103].)

6 Attorneys for Respondents County of Ventura,  
Ventura County Sheriff's Department and  
7 Bob Brooks, in his individual and official capacities

8  
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 FOR THE COUNTY OF VENTURA

11 CALGUNS FOUNDATION, INC., ) No. 56-2010-00383664-CU-WM-VTA  
12 Plaintiff/Petitioner, )  
13 vs. ) ANSWER AND AFFIRMATIVE  
14 COUNTY OF VENTURA; VENTURA ) DEFENSES OF RESPONDENTS COUNTY  
COUNTY SHERIFF'S DEPARTMENT, ) OF VENTURA, VENTURA COUNTY  
15 BOB BROOKS, in his individual ) SHERIFF'S DEPARTMENT AND BOB  
capacity as Ventura County Sheriff, and ) BROOKS TO PETITIONER CALGUNS  
16 DOES 1 through 10, inclusive, ) FOUNDATION, INC.'S PETITION FOR  
WRIT OF MANDATE AND REQUEST  
17 Defendants/Respondents. ) FOR DECLARATORY RELIEF  
18 )  
Petition filed: October 15, 2010

19 Respondents County of Ventura ("County"), Ventura County Sheriff's Department  
20 ("Sheriff's Department") and Bob Brooks ("Brooks") (collectively "Respondents")  
21 answer the allegations of the verified Petition for Writ of Mandate ("Petition") filed by  
22 Petitioner Calguns Foundation, Inc. ("Petitioner") and interpose affirmative defenses as  
23 follows:

- 24 1. Answering paragraph 1 of the Petition, Respondents lack sufficient knowledge  
25 or information to form a belief as to the truth of the allegations and, on that basis, deny  
26 the allegations contained in paragraph 1.
- 27 2. Answering paragraph 2 of the Petition, Respondents admit each and every  
28 allegation therein.

1           3. Answering paragraph 3 of the Petition, Respondents admit that according to  
2 electronic records made available through the California Secretary of State's office, the  
3 Calguns Foundation is a California nonprofit public benefit corporation; Respondents  
4 otherwise lack sufficient knowledge or information to form a belief as to the truth of the  
5 remaining allegations in paragraph 3 and, on that basis, deny the remaining allegations  
6 contained in paragraph 3.

7           4. Answering paragraph 4 of the Petition, Respondents admit each and every  
8 allegation therein.

9           5. Answering paragraph 5 of the Petition, Respondents deny that the Sheriff's  
10 Department is a branch or agency within the County and admit that the Sheriff's  
11 Department is a County department.

12           6. Answering paragraph 6 of the Petition, Respondents admit that Brooks is the  
13 Sheriff for the County of Ventura, and that Petitioner has sued Brooks in his individual  
14 and official capacity, and that Brooks is responsible for administering some of the laws  
15 and policies alleged in the Petition; Respondents otherwise lack sufficient knowledge or  
16 information to form a belief as to the truth of the remaining allegations in paragraph 6  
17 and, on that basis, deny the remaining allegations contained in paragraph 6.

18           7. Answering paragraph 7 of the Petition, Respondents admit that beginning on  
19 July 9, 2010, Brandon Combs began seeking records related to the County's and Sheriff's  
20 issuance of concealed carry weapons permits; Respondents otherwise lack sufficient  
21 knowledge or information to form a belief as to the truth of the remaining allegations in  
22 paragraph 7 and, on that basis, deny the remaining allegations contained in paragraph 7.

23           8. Answering paragraph 8 of the Petition, Respondents admit that on July 9, 2010,  
24 Brandon Combs submitted a request under the Public Records Act via e-mail to the  
25 address of Bob.Brooks@ventura.org, and that a true and correct copy of this request is  
26 attached as Exhibit 1 to the Petition.

27           9. Answering paragraph 9 of the Petition, Respondents admit that on July 16,  
28 2010, Brandon Combs sent a letter modifying his earlier July 9, 2010, request, and that a

1 true and correct copy of Mr. Combs's July 16, 2010, letter is attached as Exhibit 2 to the  
2 Petition.

3 10. Answering paragraph 10 of the Petition, Respondents deny that Brooks had  
4 been "allegedly" on vacation, admit that Brooks had been on vacation, and otherwise  
5 admit each and every remaining allegation therein.

6 11. Answering paragraph 11 of the Petition, Respondents admit each and every  
7 allegation therein, and that Dave Robertson sent Brandon Combs the e-mail attached as  
8 Exhibit 3 to the Petition.

9 12. Answering paragraph 12 of the Petition, Respondents admit each and every  
10 allegation therein, and that Brandon Combs sent Dave Robertson the e-mail attached as  
11 Exhibit 4 to the Petition.

12 13. Answering paragraph 13 of the Petition, Respondents admit that on August 4,  
13 2010, the Sheriff's Department responded to Brandon Combs' request with the  
14 documents attached in Exhibit 5, and that Respondents did not agree to produce pages 11  
15 and 13 of CCW applications, denial letters and CCW licenses; Respondents otherwise  
16 deny each and every allegation contained in paragraph 13.

17 14. Answering paragraph 14 of the Petition, Respondents admit that Brandon  
18 Combs replied to the Sheriff's Department's letter dated August 4, 2010, with an e-mail  
19 dated August 5, 2010, that is attached as Exhibit 6 to the Petition, and Respondents admit  
20 each and every allegation contained in paragraph 14.

21 15. Answering paragraph 15 of the Petition, Respondents admit that Assistant  
22 County Counsel Tom Temple sent Brandon Combs a letter dated August 27, 2010, a true  
23 and correct copy of which is attached as Exhibit 7 to the Petition; Respondents otherwise  
24 deny each and every allegation contained in paragraph 15.

25 16. Answering paragraph 16 of the Petition, Respondents admit that 51 days after  
26 Tom Temple sent his August 27, 2010, letter to Brandon Combs, Brandon Combs sent  
27 Tom Temple a letter dated October 7, 2010, requesting an immediate response within five

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1 business days, and that a true and correct copy of Brandon Combs' letter and its  
2 attachments are attached as Exhibit 8 to the Petition; Respondents deny the remaining  
3 allegations in paragraph 16.

4 17. Answering paragraph 17 of the Petition, Respondents admit that Assistant  
5 County Counsel Marina Porche promptly replied to Brandon Combs within six business  
6 days and sent Brandon Combs a letter dated October 15, 2010, a true and correct copy of  
7 which is attached as Exhibit A hereto, explaining the various privacy, personal security,  
8 burden and cost considerations that militated against any further disclosure under the  
9 Public Records Act.

10 18. Answering paragraph 18 of the Petition, Respondents lack sufficient  
11 knowledge or information to form a belief as to the truth of the allegations and, on that  
12 basis, deny the allegations contained in paragraph 18.

13 19. Answering paragraph 19 of the Petition, Respondents admit each and every  
14 allegation therein.

15 20. Answering paragraph 20 of the Petition, Respondents admit each and every  
16 allegation therein, and that paragraph 20 contains an exact partial quotation of article I,  
17 section 3, subdivision (b)(1) of the California Constitution.

18 21. Answering paragraph 21 of the Petition, Respondents admit each and every  
19 allegation therein, and that paragraph 21 contains an exact partial quotation of  
20 Government Code section 6252, subdivision (e).

21 22. Answering paragraph 22 of the Petition, Respondents admit each and every  
22 allegation therein, and that paragraph 21 contains an exact partial quotation of  
23 Government Code section 6253.

24 23. Answering paragraph 23 of the Petition, Respondents admit that as stated in  
25 letters dated August 27, 2010, and October 15, 2010, Respondents indicated that they  
26 were unable to further comply with the requests made by Brandon Combs; the remaining  
27 allegations in paragraph 23 consist of conclusions of law and are denied on that basis.

28 24. Answering paragraph 24 of the Petition, Respondents admit that paragraph 24

1 contains an exact partial quotation from *CBS, Inc. v. Block* (1986) 42 Cal.3d 646, 655; the  
2 remaining allegations in paragraph 24 consist of conclusions of law, and do not accurately  
3 summarize pertinent portions of the decision, and are denied on that basis.

4 25. Answering paragraph 25 of the Petition, Respondents admit that paragraph 25  
5 contains an exact partial quotation from *CBS, Inc. v. Block, supra*, 42 Cal.3d at p. 655; the  
6 remaining allegations in paragraph 25 consist of conclusions of law, and do not accurately  
7 summarize pertinent portions of the decision, and are denied on that basis.

8 26. Answering paragraph 26 of the Petition, Respondents admit that paragraph 25  
9 contains an exact partial quotation from *CBS, Inc. v. Block, supra*, 42 Cal.3d at p. 654.

10 27. Answering paragraph 27 of the Petition, Respondents deny each and every  
11 allegation therein.

12 28. Answering paragraph 28 of the Petition, Respondents deny each and every  
13 allegation therein.

14 29. Answering paragraph 28 of the Petition, Respondents incorporate their  
15 responses to paragraphs 1 through 28 above.

16 30. Answering paragraph 30 of the Petition, Respondents deny each and every  
17 allegation therein.

18 31. Answering paragraph 31 of the Petition, the allegations consist of conclusions  
19 of law and are denied on that basis.

20 32. Answering paragraph 32 of the Petition, Respondents lack sufficient  
21 knowledge or information to form a belief as to the truth regarding the allegation that  
22 “Calguns is beneficially interested in the outcome of this action” and on that basis deny  
23 this allegation; the remaining allegations in paragraph 32 consist of conclusions of law  
24 and are denied on that basis.

25 33. Answering paragraph 33 of the Petition, Respondents lack sufficient  
26 knowledge or information to form a belief as to the truth of the allegations with respect to  
27 Petitioner having no other plain, speedy or adequate remedy in the normal course of law,  
28 and on that basis deny this allegation; Respondents deny the remaining allegations in

1 paragraph 33.

2 34. Answering paragraph 34 of the Petition, Respondents lack sufficient  
3 knowledge or information to form a belief as to the truth of the allegations and, on that  
4 basis, deny the allegations contained in paragraph 34.

5 35. Answering paragraph 35 of the Petition, Respondents deny each and every  
6 allegation in paragraph 35.

7 36. Answering paragraph 36 of the Petition, Respondents deny each and every  
8 allegation in paragraph 36.

9 37. Answering paragraph 37 of the Petition, the allegations consist of conclusions  
10 of law and are denied on that basis.

11 38. Answering paragraph 38 of the Petition, Respondents incorporate their  
12 responses to paragraphs 1 through 37 above.

13 39. Answering paragraph 39 of the Petition, the allegations consist of conclusions  
14 of law and are denied on that basis.

15 40. Answering paragraph 40 of the Petition, Respondents lack sufficient  
16 knowledge or information to form a belief as to the truth of the allegations with respect to  
17 Petitioner incurring attorney fees, and deny the allegations on that basis; Respondents  
18 deny that Petitioner is entitled to recover attorney fees and costs, and Respondents deny  
19 the remaining allegations in paragraph 40.

20 **AFFIRMATIVE ALLEGATIONS**

21 **Identity of Parties**

22 41. Respondent County of Ventura is a political subdivision of the State of  
23 California.

24 42. The Ventura County Sheriff's Department is a Department of the County.

25 **Respondents' Public Records Act Response**

26 43. As set forth in David H. Robertson's letter and attachments of August 4, 2010,  
27 to Brandon Combs, for the period January 1, 2005, through July 6, 2010, the Sheriff's  
28 Department has already disclosed a data matrix containing the total number of new

1 applications and renewal applications submitted to the Sheriff's Department, as well as  
2 the number of approved applications, the number of denied applications, and the number  
3 of revoked applications, arranged by calendar year for those years that the Sheriff's  
4 Department has collected such data. In addition, the Sheriff's Department has already  
5 disclosed a list of the names, ZIP codes and occupations of all individuals issued a current  
6 CCW permit by the Sheriff's Department for the requested time period of January 1,  
7 2007, through July 15, 2010, as well as a list of the names, ZIP codes and occupations of  
8 all individuals denied a CCW permit for the same period.

9 44. *CBS, Inc. v. Block, supra*, 42 Cal.3d at 653, specifically notes "any  
10 information on the applications and licenses that indicate times or places when the  
11 licensee is vulnerable to attack may be deleted." Page 11 of the standard CCW  
12 application is replete with information directly related to the time or place in which  
13 applicants are specifically vulnerable to attack, including, but not limited to, applicant  
14 residential and business address information, applicant business name or employer name,  
15 spouse name and address information, and home, personal and business telephone  
16 information (permitting a would-be attacker to locate the applicant's precise  
17 whereabouts). Similarly, page 13 of the standard CCW application requests applicants to  
18 explain and provide good cause for issuance of a license. By its very terms, page 13  
19 expressly describes the times, places or circumstances under which an applicant would be  
20 vulnerable to attack. For example, business owner applicants are likely to reveal such  
21 information as the times and places that they transport large sums of money or other  
22 valuables from their business to a bank, or other location, or the times that they may be  
23 traveling alone in remote locations. Victims of threats, including those subject to previous  
24 stalking or domestic violence incidents, could describe information providing would-be  
25 attackers with a veritable blue-print as to their times and places of maximum  
26 vulnerability.

27 45. The *CBS Inc.* court noted that the general reason for issuance offered in the  
28 majority of Los Angeles County applications at issue in that case was the sparse formulaic

1 recitation “For protection of life and property.” (*CBS, Inc. v. Block, supra*, 42 Cal.3d at  
2 p. 649.) This is not the case with Ventura County’s applications, which provide specific  
3 details as to the times or places where an applicant may be individually vulnerable to  
4 attack.

5 46. In addition, the personal information Petitioner seeks could also make  
6 applicants and licensees vulnerable to illegal activity such as identity theft upon public  
7 disclosure.

8 47. The application, the licenses and related documentation Petitioner seeks  
9 provide detail as to the times or places where a licensee may be vulnerable to attack. For  
10 example, the licenses and amendments list the licensee’s residential address and business  
11 address, as well as a description of the weapon(s) authorized.

12 **FIRST AFFIRMATIVE DEFENSE**

13 **Failure to State a Claim upon which Relief May Be Granted**

14 48. As a separate and affirmative defense to the Petition, Respondents allege that  
15 the Petition fails to state a claim upon which relief may be granted.

16 **SECOND AFFIRMATIVE DEFENSE**

17 **Presumption Official Duty Regularly Performed**

18 49. As a separate and affirmative defense to the Petition, Respondents allege that  
19 under Evidence Code section 664, there is a presumption that the Respondents regularly  
20 performed their official duties.

21 **THIRD AFFIRMATIVE DEFENSE**

22 **Government Code Section 6255**

23 50. As a separate and affirmative defense to the Petition, Respondents allege that  
24 under Government Code section 6255, the public interest in Respondents protecting the  
25 privacy and personal security of applicants and licensees clearly outweighs the public  
26 interest in any further disclosure of information.

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**FOURTH AFFIRMATIVE DEFENSE**

**Government Code Section 6254, Subdivision (u)**

51. As a separate and affirmative defense to the Petition, Respondents allege that under Government Code section 6254, subdivision (u), Respondents are exempt from producing information contained in applications for licenses to carry firearms issued by Brooks that indicates when or where the applicant is vulnerable to attack or that concerns the applicant’s medical or psychological history or that of members of the applicant’s family, as well as all other information exempt under Government Code section 6254, subdivision (u), and as well as any exempt information carried over from CCW applications into CCW licenses and denial letters.

**FIFTH AFFIRMATIVE DEFENSE**

**Article 1, Section 1 of the California Constitution**

52. As a separate and affirmative defense to the Petition, Respondents allege that any further disclosure of information would violate the privacy rights of applicants and licensees under article I, section 1 of the California Constitution.

**SIXTH AFFIRMATIVE DEFENSE**

**Official Information Under Evidence Code Section 1040**

53. As a separate and affirmative defense to the Petition, Respondents allege that under Evidence Code section 1040, Respondents are exempt from producing official information contained in CCW applications, licenses and denial letters when disclosure of such information is against the public interest because there is a necessity for preserving the confidentiality of information that outweighs the necessity for disclosure in the interest of justice.

**SEVENTH AFFIRMATIVE DEFENSE**

**Statutory Exemption Under Government Code Section 6254, Subdivision (k)**

54. As a separate and affirmative defense to the Petition, Respondents allege that under Government Code section 6254, subdivision (k), Respondents are not required to

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1 produce records, the disclosure of which is exempted or prohibited pursuant to federal or  
2 state law.

3 **EIGHTH AFFIRMATIVE DEFENSE**

4 **Failure to Mitigate Attorney Fees and Costs**

5 55. As a separate and affirmative defense to the Petition, Respondents allege that  
6 Petitioner has failed to reasonably mitigate its attorney fees and costs in that Brandon  
7 Combs waited 51 days to respond to Assistant County Counsel Tom Temple's August 27,  
8 2010, letter, and when Brandon Combs responded on October 7, 2010, to Mr. Temple,  
9 Brandon Combs indicated unless Respondents responded in five working days to Mr.  
10 Combs' letter, a lawsuit would be filed, leaving no reasonable time for the parties to meet  
11 and confer regarding the issues raised in Assistant County Counsel Marina Porche's  
12 October 15, 2010, letter to Brandon Combs, attached hereto as Exhibit A.

13 **NINTH AFFIRMATIVE DEFENSE**

14 **Respondent Brooks Is Not Personally Liable for Any Attorney Fees or Costs**

15 56. As a separate and affirmative defense to the Petition, Respondents allege that,  
16 assuming arguendo the court were to order any additional disclosure and awarded  
17 attorney fees and costs to Petitioner, Respondent Brooks would not be personally liable  
18 for any attorney fees or costs, and any such fees or costs awarded would be the sole  
19 liability of the other Respondents, if anyone.

20 **TENTH AFFIRMATIVE DEFENSE**

21 **Frivolous Action**

22 57. As a separate and affirmative defense to the Petition, Respondents allege that  
23 the Petition brought by Petitioner is a clearly frivolous action which gives rise to an award

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1 of attorney fees and costs to Respondents pursuant to Government Code section 6259,  
2 subdivision (d).

LEROY SMITH  
County Counsel, County of Ventura

3  
4 Dated: November 15, 2010

By Marina Porche  
MARINA PORCHE  
Assistant County Counsel

6 Attorneys for Respondents County of Ventura,  
7 Ventura County Sheriff's Department and Bob  
8 Brooks, in his individual and official capacities  
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**LEROY SMITH**  
COUNTY COUNSEL

**MICHAEL G. WALKER**  
CHIEF ASSISTANT

**ALBERTO BOADA**  
PRINCIPAL ASSISTANT



**COUNTY COUNSEL**

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VENTURA, CALIFORNIA 93009  
PHONE NO. (805) 654-2580  
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**ASSISTANTS**

Linda K. Ash	Ilene F. Mickens
Jeffrey E. Barnes	Lori A. Nemirotff
Winnie Cai	Roberto R. Orellana
Mitchell B. Davis	John E. Polich
Alison L. Harris	Marina Porche
Oliver G. Hess	Joseph J. Randozzo
Mi K. Kim	Matthew A. Smith
Cynthia Krause	Linda L. Stevenson
Robert N. Kwong	Thomas W. Temple
Patricia McCourt	Eric Walts

October 15, 2010

*VIA FAX & U. S. MAIL*

Brandon Combs  
Unit 146  
37200 Paseo Padre Parkway  
Fremont, California 94536

Re: Public Records Act Request (Reference No. 070910-VCSO-CCW)

Dear Mr. Combs:

I am responding to your October 7, 2010, letter to Assistant County Counsel Thomas Temple. Having reviewed the matter with a fresh pair of eyes, I concur with Mr. Temple's assessment. I remain convinced that the Ventura County Sheriff's Department's previous partial production was fully appropriate in response to your Public Records Act request for documentation related to the Sheriff's Department's action on State of California Carry Concealed Weapon ("CCW") Permit Application forms.

To recap, as set forth in David H. Robertson's August 4, 2010, letter to you, for the period January 1, 2005, through July 6, 2010, the Sheriff's Department has already provided you with a data matrix containing the total number of new applications and renewal applications submitted to the Sheriff's Department, as well as the number of approved applications, the number of denied applications, and the number of revoked applications, arranged by calendar year for those years that the Sheriff's Department has collected such data. In addition, the Sheriff's Department has provided you with a list of the names, ZIP codes and occupations of all individuals issued a current CCW permit by the Sheriff's Department for the requested time period of January 1, 2007, through

Exhibit   A    
Page   12

Brandon Combs  
October 15, 2010  
Page 2

July 15, 2010, as well as a list of the names, ZIP codes and occupations of all individuals denied a CCW permit for the same period.

*CBS, Inc. v. Block* (1986) 42 Cal.3d 646, 653 (“*CBS, Inc.*”), on which you rely, specifically notes “any information on the applications and licenses that indicate times or places when the licensee is vulnerable to attack may be deleted.” In fact, page 11 of the standard CCW application, which you persist in seeking, is replete with information directly related to the time or place in which applicants are specifically vulnerable to attack, including, but not limited to, applicant residential and business address information, applicant business name or employer name, spouse name and address information, and home, personal and business telephone information (permitting a would-be attacker to locate the applicant’s precise whereabouts). Similarly, page 13 of the standard CCW application requests applicants to explain and provide good cause for issuance of a license. By its very terms, page 13 expressly describes the times, places or circumstances under which an applicant would be vulnerable to attack. For example, business owner applicants are likely to reveal such information as the times and places that they transport large sums of money or other valuables from their business to a bank, or other location, or the times that they may be traveling alone in remote locations. Victims of threats, including those subject to previous stalking or domestic violence incidents, could describe information providing would-be attackers with a veritable blueprint as to their times and places of maximum vulnerability.

In addition, the personal information you seek to make public could also make these individuals vulnerable to illegal activity such as identity theft. The *CBS, Inc.* case was decided some 24 years ago before the Internet gave rise to the present numerous opportunities for identity theft. In this regard, I also note that *CBS, Inc.* is factually inapposite to the Ventura County applications in another important respect. The *CBS Inc.* court noted that the general reason for issuance offered in the majority of Los Angeles County applications at issue in that case was the sparse formulaic recitation “For protection of life and property.” This is not the case with Ventura County’s applications, which provide specific details as to the times or places where an applicant may be individually vulnerable to attack.

Pursuant to Government Code section 6255, the Sheriff’s Department is withholding pages 11 and 13 of the standard CCW application because the public interest in protecting the privacy and personal security of applicants by withholding such information outweighs the public interest in disclosure of such information.

Exhibit     A      
Page   13

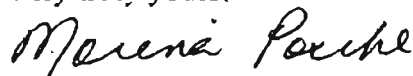
Brandon Combs  
October 15, 2010  
Page 3

Your previous correspondence also requested a copy of all CCW licenses, license amendments and/or Sheriff's Department denial letters for the period of January 1, 2007, through July 15, 2010. As with the application, the licenses and related documentation you seek provide detail as to the times or places where a licensee may be vulnerable to attack. For example, the licenses and amendments list the licensee's residential address, and the business address, as well as a description of the weapon(s) authorized. For these reasons, pursuant to Government Code section 6255, the Sheriff's Department is withholding requested licenses and amendments, because the public interest in protecting the privacy and personal security of licensees by withholding such information outweighs the public interest in disclosure of such information.

With respect to Sheriff's Department's denial letters, although the Sheriff's Department did not find good cause presented in the applications, the applicants perceived themselves vulnerable and paid fees seeking a license to carry a concealed weapon for their own protection. Under these circumstances, cognizant of the applicants' own individual perception of vulnerability, pursuant to Government Code section 6255, the Sheriff's Department is withholding requested denial letters, because the public interest in protecting the privacy and personal security of such applicants, and the public interest in not deterring future interested applicants from applying, outweigh the public interest in disclosure of such information.

I would also like to draw your further attention to the burden of your demands. Prior to Mr. Temple's August 27, 2010, letter to you, the Sheriff's Department conducted a detailed response time study based on pulling a random sample of application files to determine the burden imposed by your request. Based on its study, the Sheriff's Department determined that complying with your demand would require more than 222 hours to fill at a cost of over \$14,620.00 to the Sheriff's Department. For this reason as well, the public interest under Government Code section 6255 weighs in favor of withholding records, rather than redacting and disclosing such records. (*American Civil Liberties Union Foundation v. Deukmejian* (1982) 32 Cal.3d 440, 454.) Accordingly, the Sheriff's Department is unable to further comply with your request.

Very truly yours,



MARINA PORCHE  
Assistant County Counsel

pc: Dave Robertson, Senior Manager,  
Sheriff's Department Records Unit

Exhibit   A    
Page   14

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF VENTURA**

The undersigned declares:

I am a resident of or employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the within action. My business address is County Counsel's Office, 800 South Victoria Avenue, L/C # 1830, Ventura, California 93009-1830.

**NOV 15 2010**

On \_\_\_\_\_, I served the within **ANSWER AND AFFIRMATIVE DEFENSES OF RESPONDENTS COUNTY OF VENTURA, VENTURA COUNTY SHERIFF'S DEPARTMENT, AND BOB BROOKS TO PETITIONER CALGUNS FOUNDATION, INC.'S PETITION FOR WRIT OF MANDATE AND REQUEST FOR DECLARATORY RELIEF** on:

Jason A. Davis  
Davis & Associates  
27281 Las Ramblas, Suite 200  
Mission Viejo, California 92691

**by addressing an envelope** to each of the above-named persons as indicated above, and placing in each envelope a true copy of each of said documents, and by then sealing and depositing said envelope, with postage thereon fully prepaid, in the United States mail at Ventura, California, where is located the office of the attorney for the person(s) by and for whom said service was made.

**by an express service carrier**(a guaranteed next day delivery service), by placing a true copy of the above-stated document(s) in an envelope or package designated by said carrier and addressing it to the person(s) on whom it is to be served.

**by facsimile transmission** of said document(s) from facsimile number (805) 654-2185 to:

Name:  
Fax No.:  
Time of Transmission:

**by personal service** by delivering said document(s) by hand to the above-named person(s) as indicated above in the manner provided in Code of Civil Procedure section 1011 or the Federal Rules of Civil Procedure, rule 5(b).

**(STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on NOV 15 2010 at Ventura, California.

**(FEDERAL)** I declare under penalty of perjury that I am employed in the office of the member of the bar of this court at whose direction the service was made. Executed on \_\_\_\_\_, at Ventura, California.

  
\_\_\_\_\_  
Suzanne Engel