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8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
11 FRESNO DIVISION

12  
13 **JEFF SILVESTER, MICHAEL POESCHL,**  
14 **BRANDON COMBS, THE CALGUNS**  
15 **FOUNDATION, INC., a non-profit**  
16 **organization, and THE SECOND**  
**AMENDMENT FOUNDATION, INC., a**  
**non-profit organization,**

17 Plaintiffs,

18 v.

19 **KAMALA HARRIS, Attorney General of**  
20 **California (in her official capacity), and**  
**DOES 1 to 20,**

21 Defendants.

1:11-cv-02137-AWI-SKO

**DECLARATION OF JONATHAN M.**  
**EISENBERG IN SUPPORT OF**  
**DEFENDANT CALIFORNIA**  
**ATTORNEY GENERAL KAMALA D.**  
**HARRIS'S MOTION FOR SUMMARY**  
**JUDGMENT (FED. R. CIV. P. 56) (FED.**  
**R. CIV. P. 56)**

Hearing Date: October 28, 2013  
Hearing Time: 1:30 p.m.  
Trial Date: March 25, 2014  
Action Filed: December 23, 2011

22  
23 I, Jonathan M. Eisenberg, declare as follows:

24 1. I have personal knowledge of the following facts, except where I have just  
25 information and belief, as indicated, and, if called as a witness, I could and would testify  
26 competently to the facts.

27 2. I am an attorney admitted to practice law in California and before the present  
28 Court. I am one of the attorneys of record for Kamala D. Harris, Attorney General of the State of

1 California (the “Attorney General”), in the instant case, adverse to Plaintiffs Jeffrey A. Silvester  
2 (“Silvester”), Brandon S. Combs (“Combs”), The Calguns Foundation, Inc., and The Second  
3 Amendment Foundation, Inc. (Together all plaintiffs are “Plaintiffs.”)

4 3. In November 2012, the discovery phase of this case, I propounded a set of  
5 interrogatories on Silvester and another set of interrogatories on Combs. In January 2013, both  
6 Silvester and Combs returned verified interrogatory responses. Attached hereto as Exhibit A is a  
7 true and correct copy of certain pages, including the verification page, from Silvester’s  
8 interrogatory responses. Attached hereto as Exhibit B is a true and correct copy of certain pages,  
9 including the verification page, from Combs’s interrogatory responses.

10 4. In May 2013, I deposed both Silvester and Combs in this case. I had a court  
11 reporter transcribe what was said at each deposition and send me the transcript. Attached hereto  
12 as Exhibit C is a true and correct copy of certain pages of the transcript of the Silvester  
13 deposition. Attached hereto as Exhibit D is a true and correct copy of certain pages of the  
14 transcript of the Combs deposition.

15 I declare under the penalty of perjury that the foregoing is true and correct and that I  
16 signed this declaration on September 25, 2013, at Los Angeles, California.

17  
18 /s/

19 \_\_\_\_\_  
Jonathan M. Eisenberg