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13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
15 **FRESNO DIVISION**

16 JEFF SILVESTER, MICHAEL POESCHL,
17 BRANDON COMBS, THE CALGUNS
18 FOUNDATION, INC., a non-profit
19 organization, and THE SECOND
20 AMENDMENT FOUNDATION, INC., a
21 non-profit organization,

22 Plaintiffs,

23 vs.

24 KAMALA HARRIS, Attorney General of
25 California (in her official capacity), and
26 DOES 1 to 20,

27 Defendant.

Case No: 1:11-cv-02137-AWI-SKO

**PLAINTIFF JEFF SILVESTER'S
RESPONSE TO DEFENDANT
KAMALA D. HARRIS'S FIRST SET OF
INTERROGATORIES**

28 Exhibit A

1 PROUPOUNDING PARTY: Defendant Kamala D. Harris
2 RESPONDING PARTY: Plaintiff Jeff Silvester
3 SET NUMBER: One (1)
4

5 **RESPONSES TO INTERROGATORIES**

6 **INTERROGATORY NO. 1**

7 State your full name, date of birth, home address, and Social Security number.

8 **RESPONSE TO INTERROGATORY NO. 1**

9 **OBJECTION:** This interrogatory counts as four separate and distinct interrogatories.
10 Moreover, this request is objectionable as it is not calculated to lead to the discovery of
11 admissible evidence. This request seeks privileged information, including Plaintiff's Social
12 Security number and birth date. (*See* Fed. R. Civ. Proc. §5.2.)

13 **RESPONSE:** Without waiving the above stated objections, Plaintiff responds as follows:
14 Jeffery Sherman Silvester; 1979; N. Bordeaux Way, Hanford CA, 93230; the last four digits of
15 my Social Security number are 4487.

16 **INTERROGATORY NO. 2**

17 How many firearms are usually kept at your home?

18 **RESPONSE TO INTERROGATORY NO. 2**

19 **OBJECTION:** This request is not reasonably calculated to seek the discovery of
20 admissible evidence. Moreover, this request seeks information that is irrelevant to the matter at
21 hand. This request seeks privileged information as it relates to the number of firearms kept at
22 Plaintiff's home. (*See* U.S. Const. amends I, IV, V, XIV; Cal. Const. art I, §1; and 18 U.S.C.
23 926(a), which states: "No such rule or regulation prescribed [by the Attorney General] after the
24 date of the enactment of the Firearms Owners Protection Act may require that records required to
25 be maintained under this chapter or any portion of the contents of such records, be recorded at or
26 transferred to a facility owned, managed, or controlled by the United States or any State or any
27 political subdivision thereof, nor that any system of registration of firearms, firearms owners, or
28 firearms transactions or disposition be established. Nothing in this section expands or restricts

1 the Secretary's authority to inquire into the disposition of any firearm in the course of a criminal
2 investigation." Thus, there is a clear intent to secure gun owners' privacy as it relates to their
3 firearm ownership. The civil action at issue herein cannot be used to subvert those privacy
4 rights.

5 **RESPONSE:** Without waiving the above stated objections, Plaintiff responds by stating
6 that, in general, I keep at least one firearm within the home.

7 **INTERROGATORY NO. 3**

8 How many firearms suitable for self-defense are usually kept at your home?

9 **RESPONSE TO INTERROGATORY NO. 3**

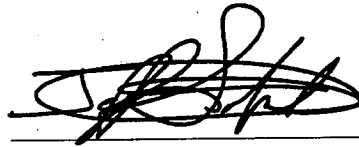
10 **OBJECTION:** This request is not reasonably calculated to seek the discovery of
11 admissible evidence. This request is also so vague or ambiguous as to be burdensome or
12 oppressive as to the meaning of "suitable for self-defense." Moreover, Plaintiff would have to
13 speculate as to the meaning of the phrase "suitable for self-defense." Firearms are tools. While
14 one firearm may be suitable for self-defense in one scenario, it may not be suitable for self-
15 defense in another scenario. As such, the term "suitable for self-defense" is too vague and
16 ambiguous to properly respond to. Moreover, this request seeks information that is irrelevant to
17 the matter at hand. This request seeks privileged information as it relates to the number of
18 firearms kept at Plaintiff's home. (See U.S. Const. amends I, IV, V, XIV; Cal. Const. art I, §1;
19 and 18 U.S.C. 926(a), which states: "No such rule or regulation prescribed [by the Attorney
20 General] after the date of the enactment of the Firearms Owners Protection Act may require that
21 records required to be maintained under this chapter or any portion of the contents of such
22 records, be recorded at or transferred to a facility owned, managed, or controlled by the United
23 States or any State or any political subdivision thereof, nor that any system of registration of
24 firearms, firearms owners, or firearms transactions or disposition be established. Nothing in this
25 section expands or restricts the Secretary's authority to inquire into the disposition of any firearm
26 in the course of a criminal investigation." Thus, there is a clear intent to secure gun owners'
27 privacy as it relates to their firearm ownership. The civil action at issue herein cannot be used to
28 subvert those privacy rights.

1 **VERIFICATION**

2 JEFF SILVESTER declares:

- 3 1. I am a plaintiff in the above-captioned action;
- 4 2. I have read the foregoing "PLAINTIFF JEFF SILVESTER'S RESPONSE TO
5 DEFENDANT KAMALA D. HARRIS'S FIRST SET OF INTERROGATORIES" ("The
6 Response") and know its contents. I am informed and believed that the matters set forth
7 in the Response are true and accurate, and on that ground I allege, to the best of my
8 knowledge and information, that the matters therein stated are true and accurate.

9 I declare under penalty of perjury under the laws of the United States of America that the
10 foregoing is true and correct and that this Verification was executed on January 28, 2013, at
11 Hanford, CA , California.

12 

13
14 JEFF SILVESTER