Case 1:11-cv-02137-AWI-SKO Document 59-2 Filed 03/03/14 Page 1 of 2 KAMALA D. HARRIS, State Bar No. 146672 1 Attorney General of California MARK R. BECKINGTON, State Bar No. 126009 2 Supervising Deputy Attorney General JONATHAN M. EISENBERG, State Bar No. 184162 Deputy Attorney General 300 South Spring Street, Suite 1702 Los Angeles, CA 90013 Telephone: (213) 897-6505 Fax: (213) 897-1071 E-mail: Jonathan Eisenberg@doi.ca.gov 3 4 5 6 E-mail: Jónathan.Eisenberg@doj.ca.gov Attorneys for Defendant Kamala D. Harris, 7 Attornév Generál of California 8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 FRESNO DIVISION 12 13 1:11-cv-02137-AWI-SKO JEFF SILVESTER, MICHAEL POESCHL, BRANDON COMBS, THE CALGUNS FOUNDATION, 14 DECLARATION OF CAROLINE P. INC., a non-profit organization, and HAN REGARDING USE OF 15 THE SECOND AMENDMENT EXPERT WITNESSES IN CHOVAN FOUNDATION, INC., a non-profit LITIGATION 16 organization, 17 Plaintiffs, 18 V. 19 KAMALA HARRIS, Attorney 20 General of California (in her official capacity), and DOES 1 to 20, 21 Defendants. 22 23 24 I, Caroline P. Han, declare as follows: 25 I have personal knowledge of the following facts and, if called as a 26 witness in a relevant proceeding, could and would testify competently to these 27 facts. 28

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- 2. I am an attorney admitted to practice law in the State of California; the U.S. District Court, Southern District of California; and the U.S. Court of Appeals, Ninth Circuit.
- 3. I am an Assistant U.S. Attorney in the U.S. Attorney's Office in the Southern District of California. I am one of the attorneys of record for the United States of America (the "United States") in the case of *United States v. Chovan*, 735 F.3d 1127 (9th Cir. 2013). I was the lead prosecutor in district court and co-wrote the appellate briefing and orally argued the appeal in the Ninth Circuit.
- 4. The United States did not notice or use a testifying expert witness in *Chovan*.
- 5. In litigating the question in *Chovan* of whether 18 U.S.C. § 922(g)(9) violates the Second Amendment, the United States cited to the Ninth Circuit both (A) colonial era statutes, academic texts, and law-journal articles relating to the scope of the Second Amendment right as historically understood, and (B) other case law citing social science studies and at least one published medical-research study relating to the public-safety rationale for 18 U.S.C. § 922(g)(9).

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this declaration on February 27, 2014 at San Diego, California.