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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**IVAN PEÑA, ROY VARGAS, DOÑA  
CROSTON, BRETT THOMAS, SECOND  
AMENDMENT FOUNDATION, INC. and  
THE CALGUNS FOUNDATION, INC.,**  
  
Plaintiffs,  
  
v.  
  
**STEPHEN LINDLEY,**  
  
Defendant.

2:09-CV-01185-KJM-CKD

**DECLARATION OF JOEL  
TOCHTERMAN IN SUPPORT OF  
DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT, OR IN THE  
ALTERNATIVE SUMMARY  
ADJUDICATION**

Date: November 22, 2013  
Time: 10:00 a.m.  
Dept.: Courtroom 3, 15th floor  
Judge: The Honorable Kimberly J.  
Mueller  
Trial Date: None at this time  
Action Filed: May 1, 2009



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I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct of my own personal knowledge, and that this declaration is executed in Sacramento, California, this 24<sup>th</sup> day of October, 2013.

  
\_\_\_\_\_  
Joel Tochtermann