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6 Attorneys for Defendants
7 CITY OF CHICO and CITY OF CHICO
8 POLICE DEPARTMENT

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION
11

12 BOBBY WARREN; ANDY LAMBACH;) Case No.: 2:21-cv-00640-DAD-DMC
13 JONATHON WILLIAMS; MICHAEL)
SAMUELSON; TRACY MILLER;) DEFENDANTS’ RESPONSES TO
14 TONA PETERSEN; CAROL BETH) PLAINTIFFS’ OBJECTIONS TO
THOMPSON; CHRISTA STEVENS,) DECLARATIONS OF MARK SORENSON,
15) ERIK GUSTAFSON, STEVE
Plaintiffs,) STANDRIDGE, PAUL RATTO, AND
16) AMBER-ABNEY-BASS
17 vs.) (Reply, Request for Judicial Notice, and
18) Defendants’ Objections to Plaintiffs’
Declarations, filed concurrently herewith)
19 CITY OF CHICO; CITY OF CHICO)
POLICE DEPARTMENT,) **Hearing on Motion**
20) Vacated
21 Defendants.) Complaint Filed: April 11, 2021
22) Case Closed: January 14, 2022
23)
24)

25 Defendants City of Chico and Chico Police Department (the “City”) hereby respectfully request
26 that the Court overrule Plaintiffs Bobby Warren, Andy Lambach, Jonathon Williams, Michael
27

1 Samuelson, Tracy Miller, Tona Petersen, Carol Beth Thompson and Christa Stevens’ (“Plaintiffs”)
2 Objections to Declarations of Mark Sorensen, Erik Gustafson, Steve Standridge, Paul Ratto, and Amber
3 Abney-Bass (ECF No. 105) for the reasons set forth below.

4 **I. Responses to Objections to Declaration of Mark Sorensen**

5 **a. Response to Objection No. 1**

6 Plaintiffs object to Sorensen Decl., ¶ 5, 28:2-5, for lack of personal knowledge and hearsay.
7 This objection should be overruled because Mark Sorensen has personal knowledge of these facts that
8 is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to report on his knowledge of
9 public records and business records, and his statements are supported by sufficient guarantees of
10 trustworthiness and are more probative than other evidence that could be obtained through reasonable
11 efforts. FRE 602, 803 & 807.

12 **b. Response to Objection No. 2**

13 Plaintiffs object to Sorensen Decl., ¶ 6, 28:6-7, for lack of personal knowledge and hearsay.
14 This objection should be overruled because Mark Sorensen has personal knowledge of these facts that
15 is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to report on his knowledge of
16 public records and business records, and his statements are supported by sufficient guarantees of
17 trustworthiness and are more probative than other evidence that could be obtained through reasonable
18 efforts. FRE 602, 803 & 807.

19 **c. Response to Objection No. 3**

20 Plaintiffs object to Sorensen Decl., ¶ 14, 30:4-10, for lack of foundation and basis of personal
21 knowledge. This objection should be overruled because Mark Sorensen has personal knowledge of
22 these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to report on his
23 knowledge of public records and business records, and his statements are supported by sufficient
24 guarantees of trustworthiness and are more probative than other evidence that could be obtained
25 through reasonable efforts. FRE 602, 803 & 807.

26 **d. Response to Objection No. 4**

27 Plaintiffs object to Sorensen Decl., ¶ 17, 30:18-20, for lack of foundation and basis of personal
28 knowledge. This objection should be overruled because Mark Sorensen has personal knowledge of

1 these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to report on his
2 knowledge of public records and business records, and his statements are supported by sufficient
3 guarantees of trustworthiness and are more probative than other evidence that could be obtained
4 through reasonable efforts. FRE 602, 803 & 807.

5 **e. Response to Objection No. 5**

6 Plaintiffs object to Sorensen Decl., ¶ 20, 31:4-10, for lack of foundation and basis of personal
7 knowledge. This objection should be overruled because Mark Sorensen has personal knowledge of
8 these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to report on his
9 knowledge of public records and business records, and his statements are supported by sufficient
10 guarantees of trustworthiness and are more probative than other evidence that could be obtained
11 through reasonable efforts. FRE 602, 803 & 807.

12 **f. Response to Objection No. 6**

13 Plaintiffs object to Sorensen Decl., ¶ 21, 31:11-13, for hearsay, lack of foundation and basis of
14 personal knowledge. This objection should be overruled because Mark Sorensen has personal
15 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
16 report on his knowledge of public records and business records, and his statements are supported by
17 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
18 obtained through reasonable efforts. FRE 602, 803 & 807.

19 **g. Response to Objection No. 7**

20 Plaintiffs object to Sorensen Decl., ¶ 22, 31:14-21, for hearsay, lack of foundation and basis of
21 personal knowledge. This objection should be overruled because Mark Sorensen has personal
22 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
23 report on his knowledge of public records and business records, and his statements are supported by
24 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
25 obtained through reasonable efforts. FRE 602, 803 & 807.

26 **h. Response to Objection No. 8**

27 Plaintiffs object to Sorensen Decl., ¶ 23, 31:22-28, for hearsay, lack of foundation and basis of
28 personal knowledge. This objection should be overruled because Mark Sorensen has personal
knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to

1 report on his knowledge of public records and business records, and his statements are supported by
2 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
3 obtained through reasonable efforts. Additionally, Mr. Sorensen's statements regarding the cost of the
4 resting site at the municipal airport are relevant because that effort was undertaken in response to
5 Plaintiffs' requests for a temporary restraining order and preliminary injunction, both of which formed
6 the basis for entering into the Settlement agreement. FRE 401, 402, 602, 803 & 807.

6 **i. Response to Objection No. 9**

7 Plaintiffs object to Sorensen Decl., ¶ 24, 32:1-6, for hearsay, lack of foundation and basis of
8 personal knowledge. This objection should be overruled because Mark Sorensen has personal
9 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
10 report on his knowledge of public records and business records, and his statements are supported by
11 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
12 obtained through reasonable efforts. FRE 602, 803 & 807.

13 **j. Response to Objection No. 10**

14 Plaintiffs object to Sorensen Decl., ¶ 25, 32:7-10, for hearsay, lack of foundation and basis of
15 personal knowledge. This objection should be overruled because Mark Sorensen has personal
16 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
17 report on his knowledge of public records and business records, and his statements are supported by
18 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
19 obtained through reasonable efforts. FRE 602, 803 & 807.

19 **k. Response to Objection No. 11**

20 Plaintiffs object to Sorensen Decl., ¶ 26, 32:11-15, for hearsay, lack of foundation and basis of
21 personal knowledge. This objection should be overruled because Mark Sorensen has personal
22 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
23 report on his knowledge of public records and business records, and his statements are supported by
24 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
25 obtained through reasonable efforts. FRE 602, 803 & 807.

1 **l. Response to Objection No. 12**

2 Plaintiffs object to Sorensen Decl., ¶ 27, 32:16-18, for hearsay, lack of foundation and basis of
3 personal knowledge. This objection should be overruled because Mark Sorensen has personal
4 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
5 report on his knowledge of public records and business records, and his statements are supported by
6 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
7 obtained through reasonable efforts. FRE 602, 803 & 807.

8 **m. Response to Objection No. 13**

9 Plaintiffs object to Sorensen Decl., ¶ 28, 32:25-33:2, for lack of foundation and basis of
10 personal knowledge. This objection should be overruled because Mark Sorensen has personal
11 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
12 report on his knowledge of public records and business records, and his statements are supported by
13 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
14 obtained through reasonable efforts. FRE 602, 803 & 807.

15 **n. Response to Objection No. 14**

16 Plaintiffs object to Sorensen Decl., ¶ 28, 33:2-3, for lack of relevance. This objection should be
17 overruled because where the City would like to allocate funding is a matter that has been cited as
18 relevant by case law. FRE 401 & 402; *Horne v. Flores*, 557 U.S. 433, 447-450 (2009) (“Federalism
19 concerns are heightened when, as in these cases, a federal court decree has the effect of dictating state
20 or local budget priorities. States and local governments have limited funds. When a federal court
21 orders that money be appropriated for one program, the effect is often to take funds away from other
22 important programs.”).

23 **o. Response to Objection No. 15**

24 Plaintiffs object to Sorensen Decl., ¶ 28, 33:3-5, for relevance, expert opinion, lack of
25 foundation and basis of personal knowledge. This objection should be overruled because Mark
26 Sorensen has personal knowledge of these facts that is supported by his own testimony (Sorensen Decl.,
27 ¶ 1, 27:3-5), is able to report on his knowledge of public records and business records, and his
28 statements are supported by sufficient guarantees of trustworthiness and are more probative than other
evidence that could be obtained through reasonable efforts, where the City would like to allocate

1 funding is a matter that has been cited as relevant by case law, the simple cost of road repairs does not
2 constitute expert opinion, and, even if the plain cost of road repairs were a matter of expert opinion, Mr.
3 Sorensen’s background qualifies him to report on the same. FRE 401, 402, 602, 701, 702, 703, 803 &
4 807; *Horne v. Flores*, 557 U.S. 433, 447-450 (2009) (“Federalism concerns are heightened when, as in
5 these cases, a federal court decree has the effect of dictating state or local budget priorities. States and
6 local governments have limited funds. When a federal court orders that money be appropriated for one
7 program, the effect is often to take funds away from other important programs.”).

7 **p. Response to Objection No. 16**

8 Plaintiffs object to Sorensen Decl., ¶ 29, 33:14-17, for hearsay, expert opinion, lack of
9 foundation and basis of personal knowledge. This objection should be overruled because Mark
10 Sorensen has personal knowledge of these facts that is supported by his own testimony (Sorensen Decl.,
11 ¶ 1, 27:3-5), is able to report on his knowledge of public records and business records, his statements
12 are supported by sufficient guarantees of trustworthiness and are more probative than other evidence
13 that could be obtained through reasonable efforts, and Mr. Sorensen’s background qualifies him to
14 report on police department staffing. FRE 602, 701, 702, 703, 803 & 807.

15 **q. Response to Objection No. 17**

16 Plaintiffs object to Sorensen Decl., ¶ 29, 33:17-21, for lack of foundation and basis of personal
17 knowledge. This objection should be overruled because Mark Sorensen has personal knowledge of
18 these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to report on his
19 knowledge of public records and business records, and his statements are supported by sufficient
20 guarantees of trustworthiness and are more probative than other evidence that could be obtained
21 through reasonable efforts. FRE 602, 803 & 807.

22 **r. Response to Objection No. 18**

23 Plaintiffs object to Sorensen Decl., ¶ 29, 33:21-23, for lack of foundation and basis of personal
24 knowledge. This objection should be overruled because Mark Sorensen has personal knowledge of
25 these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to report on his
26 knowledge of public records and business records, and his statements are supported by sufficient
27 guarantees of trustworthiness and are more probative than other evidence that could be obtained
28 through reasonable efforts. FRE 602, 803 & 807.

1 **s. Response to Objection No. 19**

2 Plaintiffs object to Sorensen Decl., ¶ 30, 33:24-25, for expert opinion, lack of foundation and
3 basis of personal knowledge. This objection should be overruled because Mark Sorensen has personal
4 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
5 report on his knowledge of public records and business records, his statements are supported by
6 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
7 obtained through reasonable efforts, and Mr. Sorensen’s background qualifies him to report on threats
8 to public health and safety. FRE 602, 701, 702, 703, 803 & 807.

9 **t. Response to Objection No. 20**

10 Plaintiffs object to Sorensen Decl., ¶ 30, 33:25-34:3, for hearsay, lack of foundation and basis of
11 personal knowledge. This objection should be overruled because Mark Sorensen has personal
12 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
13 report on his knowledge of public records and business records, and his statements are supported by
14 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
15 obtained through reasonable efforts. FRE 602, 803 & 807.

16 **u. Response to Objection No. 21**

17 Plaintiffs object to Sorensen Decl., ¶ 31, 34:4, for expert opinion and lack of foundation. This
18 objection should be overruled because Mark Sorensen has personal knowledge of these facts that is
19 supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to report on his knowledge of
20 public records and business records, his statements are supported by sufficient guarantees of
21 trustworthiness and are more probative than other evidence that could be obtained through reasonable
22 efforts, and Mr. Sorensen’s background qualifies him to report on threats to public health and safety.
23 FRE 602, 701, 702, 703, 803 & 807.

24 **v. Response to Objection No. 22**

25 Plaintiffs object to Sorensen Decl., ¶ 31, 34:4-7, for hearsay, lack of foundation and basis of
26 personal knowledge. This objection should be overruled because Mark Sorensen has personal
27 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
28 report on his knowledge of public records and business records, and his statements are supported by

1 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
2 obtained through reasonable efforts. FRE 602, 803 & 807.

3 **w. Response to Objection No. 23**

4 Plaintiffs object to Sorensen Decl., ¶ 31, 34:7-8, for hearsay, lack of foundation and basis of
5 personal knowledge. This objection should be overruled because Mark Sorensen has personal
6 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
7 report on his knowledge of public records and business records, and his statements are supported by
8 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
9 obtained through reasonable efforts. FRE 602, 803 & 807.

10 **x. Response to Objection No. 24**

11 Plaintiffs object to Sorensen Decl., ¶ 31, 34:8-10, for hearsay, lack of foundation and basis of
12 personal knowledge. This objection should be overruled because Mark Sorensen has personal
13 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
14 report on his knowledge of public records and business records, and his statements are supported by
15 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
16 obtained through reasonable efforts. FRE 602, 803 & 807.

17 **y. Response to Objection No. 25**

18 Plaintiffs object to Sorensen Decl., ¶ 31, 34:10-11, for hearsay, lack of foundation and basis of
19 personal knowledge. This objection should be overruled because Mark Sorensen has personal
20 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
21 report on his knowledge of public records and business records, and his statements are supported by
22 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
23 obtained through reasonable efforts. FRE 602, 803 & 807.

24 **z. Response to Objection No. 26**

25 Plaintiffs object to Sorensen Decl., ¶ 31, 34:11-13, for hearsay, lack of foundation and basis of
26 personal knowledge. This objection should be overruled because Mark Sorensen has personal
27 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
28 report on his knowledge of public records and business records, and his statements are supported by

1 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
2 obtained through reasonable efforts. FRE 602, 803 & 807.

3 **aa. Response to Objection No. 27**

4 Plaintiffs object to Sorensen Decl., ¶ 31, 34:13-15, for hearsay, lack of foundation and basis of
5 personal knowledge. This objection should be overruled because Mark Sorensen has personal
6 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
7 report on his knowledge of public records and business records, and his statements are supported by
8 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
9 obtained through reasonable efforts. FRE 602, 803 & 807.

10 **bb. Response to Objection No. 28**

11 Plaintiffs object to Sorensen Decl., ¶ 31, 34:15-17, for hearsay, lack of foundation and basis of
12 personal knowledge. This objection should be overruled because Mark Sorensen has personal
13 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
14 report on his knowledge of public records and business records, and his statements are supported by
15 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
16 obtained through reasonable efforts. FRE 602, 803 & 807.

17 **cc. Response to Objection No. 29**

18 Plaintiffs object to Sorensen Decl., ¶ 31, 34:17-18, for hearsay, lack of foundation and basis of
19 personal knowledge. This objection should be overruled because Mark Sorensen has personal
20 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
21 report on his knowledge of public records and business records, and his statements are supported by
22 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
23 obtained through reasonable efforts. FRE 602, 803 & 807.

24 **dd. Response to Objection No. 30**

25 Plaintiffs object to Sorensen Decl., ¶ 31, 34:18-20, for hearsay, lack of foundation and basis of
26 personal knowledge. This objection should be overruled because Mark Sorensen has personal
27 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
28 report on his knowledge of public records and business records, and his statements are supported by

1 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
2 obtained through reasonable efforts. FRE 602, 803 & 807.

3 **ee. Response to Objection No. 31**

4 Plaintiffs object to Sorensen Decl., ¶ 31, 34:20-22, for hearsay, expert opinion lack of
5 foundation and basis of personal knowledge. This objection should be overruled because Mark
6 Sorensen has personal knowledge of these facts that is supported by his own testimony (Sorensen Decl.,
7 ¶ 1, 27:3-5), is able to report on his knowledge of public records and business records, his statements
8 are supported by sufficient guarantees of trustworthiness and are more probative than other evidence
9 that could be obtained through reasonable efforts, the simple reporting of a fire does not constitute
10 expert opinion, and, even if such plain report of a fire were a matter of expert opinion, Mr. Sorensen's
background qualifies him to report on the same. FRE 602, 701, 702, 703, 803 & 807.

11 **ff. Response to Objection No. 32**

12 Plaintiffs object to Sorensen Decl., ¶ 31, 34:22-23, for relevance, hearsay, lack of foundation
13 and basis of personal knowledge. This objection should be overruled because Mark Sorensen has
14 personal knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5),
15 is able to report on his knowledge of public records and business records, his statements are supported
16 by sufficient guarantees of trustworthiness and are more probative than other evidence that could be
17 obtained through reasonable efforts, and this matter is relevant because a death in public is a matter of
18 public health and safety even though the fact of death itself is not criminal behavior. FRE 401, 402,
602, 803 & 807.

19 **gg. Response to Objection No. 33**

20 Plaintiffs object to Sorensen Decl., ¶ 31, 34:23-25, for hearsay, lack of foundation and basis of
21 personal knowledge. This objection should be overruled because Mark Sorensen has personal
22 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
23 report on his knowledge of public records and business records, and his statements are supported by
24 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
25 obtained through reasonable efforts. FRE 602, 803 & 807.

1 **hh. Response to Objection No. 34**

2 Plaintiffs object to Sorensen Decl., ¶ 31, 34:25-26, for hearsay, lack of foundation and basis of
3 personal knowledge. This objection should be overruled because Mark Sorensen has personal
4 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
5 report on his knowledge of public records and business records, and his statements are supported by
6 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
7 obtained through reasonable efforts. FRE 602, 803 & 807.

8 **ii. Response to Objection No. 35**

9 Plaintiffs object to Sorensen Decl., ¶ 32, 34:27-35:3, for hearsay, lack of foundation and basis of
10 personal knowledge. This objection should be overruled because Mark Sorensen has personal
11 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
12 report on his knowledge of public records and business records, and his statements are supported by
13 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
14 obtained through reasonable efforts. FRE 602, 803 & 807.

15 **jj. Response to Objection No. 36**

16 Plaintiffs object to Sorensen Decl., ¶ 33, 35:4-5, for hearsay, expert opinion lack of foundation
17 and basis of personal knowledge. This objection should be overruled because Mark Sorensen has
18 personal knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5),
19 is able to report on his knowledge of public records and business records, his statements are supported
20 by sufficient guarantees of trustworthiness and are more probative than other evidence that could be
21 obtained through reasonable efforts, the simple reporting of a fire does not constitute expert opinion,
22 and, even if such plain report of a fire were a matter of expert opinion, Mr. Sorensen's background
23 qualifies him to report on the same. FRE 602, 701, 702, 703, 803 & 807.

24 **kk. Response to Objection No. 37**

25 Plaintiffs object to Sorensen Decl., ¶ 33, 35:5-7, for hearsay, lack of foundation and basis of
26 personal knowledge. This objection should be overruled because Mark Sorensen has personal
27 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
28 report on his knowledge of public records and business records, and his statements are supported by

1 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
2 obtained through reasonable efforts. FRE 602, 803 & 807.

3 **II. Response to Objection No. 38**

4 Plaintiffs object to Sorensen Decl., ¶ 33, 35:7, for hearsay, lack of foundation and basis of
5 personal knowledge. This objection should be overruled because Mark Sorensen has personal
6 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
7 report on his knowledge of public records and business records, and his statements are supported by
8 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
9 obtained through reasonable efforts. FRE 602, 803 & 807.

10 **mm. Response to Objection No. 39**

11 Plaintiffs object to Sorensen Decl., ¶ 33, 35:7-9, for hearsay, lack of foundation and basis of
12 personal knowledge. This objection should be overruled because Mark Sorensen has personal
13 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
14 report on his knowledge of public records and business records, and his statements are supported by
15 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
16 obtained through reasonable efforts. FRE 602, 803 & 807.

17 **nn. Response to Objection No. 40**

18 Plaintiffs object to Sorensen Decl., ¶ 33, 35:9-13, for hearsay, lack of foundation and basis of
19 personal knowledge. This objection should be overruled because Mark Sorensen has personal
20 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
21 report on his knowledge of public records and business records, and his statements are supported by
22 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
23 obtained through reasonable efforts. FRE 602, 803 & 807.

24 **oo. Response to Objection No. 41**

25 Plaintiffs object to Sorensen Decl., ¶ 33, 35:22-25, for hearsay, expert opinion lack of
26 foundation and basis of personal knowledge. This objection should be overruled because Mark
27 Sorensen has personal knowledge of these facts that is supported by his own testimony (Sorensen Decl.,
28 ¶ 1, 27:3-5), is able to report on his knowledge of public records and business records, his statements
are supported by sufficient guarantees of trustworthiness and are more probative than other evidence

1 that could be obtained through reasonable efforts, the simple reporting of the impact of the proliferation
2 of homeless encampments does not constitute expert opinion, and, even if such plain report of adverse
3 impacts from the proliferation of homeless encampments were a matter of expert opinion, Mr.
4 Sorensen's background qualifies him to report on the same. FRE 602, 701, 702, 703, 803 & 807.

5 **pp. Response to Objection No. 42**

6 Plaintiffs object to Sorensen Decl., ¶ 36, 36:3-12, for hearsay, lack of foundation and basis of
7 personal knowledge. This objection should be overruled because Mark Sorensen has personal
8 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
9 report on his knowledge of public records and business records, and his statements are supported by
10 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
11 obtained through reasonable efforts. FRE 602, 803 & 807.

12 **qq. Response to Objection No. 43**

13 Plaintiffs object to Sorensen Decl., ¶ 37, 36:19-22, for hearsay, lack of foundation and basis of
14 personal knowledge. This objection should be overruled because Mark Sorensen has personal
15 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
16 report on his knowledge of public records and business records, and his statements are supported by
17 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
18 obtained through reasonable efforts. FRE 602, 803 & 807.

19 **rr. Response to Objection No. 44**

20 Plaintiffs object to Sorensen Decl., ¶ 38, 37:7-9, for speculation, lack of foundation and basis of
21 personal knowledge. This objection should be overruled because Mark Sorensen has personal
22 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
23 report on his knowledge of public records and business records, and his statements are supported by
24 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
25 obtained through reasonable efforts. FRE 602, 803 & 807.

26 **ss. Response to Objection No. 45**

27 Plaintiffs object to Sorensen Decl., ¶ 37, 36:22-26, for speculation, lack of foundation and basis
28 of personal knowledge. This objection should be overruled because Mark Sorensen has personal
knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to

1 report on his knowledge of public records and business records, and his statements are supported by
2 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
3 obtained through reasonable efforts. FRE 602, 803 & 807.

4 **tt. Response to Objection No. 46**

5 Plaintiffs object to Sorensen Decl., ¶ 38, 37:7-9, for speculation, lack of foundation and basis of
6 personal knowledge. This objection should be overruled because Mark Sorensen has personal
7 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
8 report on his knowledge of public records and business records, and his statements are supported by
9 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
10 obtained through reasonable efforts. FRE 602, 803 & 807.

11 **uu. Response to Objection No. 47**

12 Plaintiffs object to Sorensen Decl., ¶ 38, 37:11-12, for conclusory expert opinion. This
13 objection should be overruled because Mark Sorensen has personal knowledge of these facts that is
14 supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), the fact that having campfires next to a
15 propane business is likely dangerous does not constitute expert opinion, and, even if such plain
16 knowledge that having campfires next to a propane business is dangerous were a matter of expert
17 opinion, Mr. Sorensen's background qualifies him to report on the same. FRE 602, 701, 702 & 703.

18 **vv. Response to Objection No. 48**

19 Plaintiffs object to Sorensen Decl., ¶ 44, 38:24-26, for hearsay, lack of foundation and basis of
20 personal knowledge. This objection should be overruled because Mark Sorensen has personal
21 knowledge of these facts that is supported by his own testimony (Sorensen Decl., ¶ 1, 27:3-5), is able to
22 report on his knowledge of public records and business records, and his statements are supported by
23 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
24 obtained through reasonable efforts. FRE 602, 803 & 807.

25 **II. Responses to Objections to Declaration of Erik Gustafson**

26 **a. Response to Objection No. 49**

27 Plaintiffs object to Gustafson Decl., ¶ 8, 42:6-7, for hearsay, lack of foundation and basis of
28 personal knowledge. This objection should be overruled because Erik Gustafson has personal
knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-5), is able

1 to report on his knowledge of public records and business records, and his statements are supported by
2 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
3 obtained through reasonable efforts. FRE 602, 803 & 807.

4 **b. Response to Objection No. 50**

5 Plaintiffs object to Gustafson Decl., ¶ 9, 42:8-9, for hearsay, lack of foundation and basis of
6 personal knowledge. This objection should be overruled because Erik Gustafson has personal
7 knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-5), is able
8 to report on his knowledge of public records and business records, and his statements are supported by
9 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
10 obtained through reasonable efforts. FRE 602, 803 & 807.

11 **c. Response to Objection No. 51**

12 Plaintiffs object to Gustafson Decl., ¶ 8, 42:6-7, for hearsay, lack of foundation and basis of
13 personal knowledge. This objection should be overruled because Erik Gustafson has personal
14 knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-5), is able
15 to report on his knowledge of public records and business records, and his statements are supported by
16 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
17 obtained through reasonable efforts. FRE 602, 803 & 807.

18 **d. Response to Objection No. 52**

19 Plaintiffs object to Gustafson Decl., ¶ 12, 42:26-28, for conclusory opinion, lack of foundation
20 and basis of personal knowledge. This objection should be overruled because Erik Gustafson has
21 personal knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-
22 5), is able to report on his knowledge of public records and business records, his statements are
23 supported by sufficient guarantees of trustworthiness and are more probative than other evidence that
24 could be obtained through reasonable efforts, the fact that homeless encampments have observed
25 adverse environmental and health impacts does not constitute expert opinion, and, even if the same
26 were a matter of expert opinion, Mr. Gustafson's background qualifies him to report on the same. FRE
27 602, 701, 702, 703, 803 & 807.
28

1 **e. Response to Objection No. 53**

2 Plaintiffs object to Gustafson Decl., ¶ 12, 42:28-43:1, for conclusory opinion, lack of foundation
3 and basis of personal knowledge. This objection should be overruled because Erik Gustafson has
4 personal knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-
5 5), is able to report on his knowledge of public records and business records, his statements are
6 supported by sufficient guarantees of trustworthiness and are more probative than other evidence that
7 could be obtained through reasonable efforts, the fact that human waste, chemicals, and drug
8 paraphernalia are a threat to public health and safety does not constitute expert opinion, and, even if the
9 same were a matter of expert opinion, Mr. Gustafson’s background qualifies him to report on the same.
FRE 602, 701, 702, 703, 803 & 807.

10 **f. Response to Objection No. 54**

11 Plaintiffs object to Gustafson Decl., ¶ 12, 43:3-4, for conclusory opinion, lack of foundation and
12 basis of personal knowledge. This objection should be overruled because Erik Gustafson has personal
13 knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-5), is able
14 to report on his knowledge of public records and business records, his statements are supported by
15 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
16 obtained through reasonable efforts, the fact that homeless encampments have observed adverse
17 environmental impacts due to the discharge of trash, debris, chemical, and human waste does not
18 constitute expert opinion, and, even if the same were a matter of expert opinion, Mr. Gustafson’s
background qualifies him to report on the same. FRE 602, 701, 702, 703, 803 & 807.

19 **g. Response to Objection No. 55**

20 Plaintiffs object to Gustafson Decl., ¶ 13, 43:5, for hearsay, lack of foundation and basis of
21 personal knowledge. This objection should be overruled because Erik Gustafson has personal
22 knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-5), is able
23 to report on his knowledge of public records and business records, and his statements are supported by
24 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
25 obtained through reasonable efforts. FRE 602, 803 & 807.
26
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28

1 **h. Response to Objection No. 56**

2 Plaintiffs object to Gustafson Decl., ¶ 13, 43:6, for hearsay, lack of foundation and basis of
3 personal knowledge. This objection should be overruled because Erik Gustafson has personal
4 knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-5), is able
5 to report on his knowledge of public records and business records, and his statements are supported by
6 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
7 obtained through reasonable efforts. FRE 602, 803 & 807.

8 **i. Response to Objection No. 57**

9 Plaintiffs object to Gustafson Decl., ¶ 15, 43:18-19, for hearsay, lack of foundation and basis of
10 personal knowledge. This objection should be overruled because Erik Gustafson has personal
11 knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-5), is able
12 to report on his knowledge of public records and business records, and his statements are supported by
13 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
14 obtained through reasonable efforts. FRE 602, 803 & 807.

15 **j. Response to Objection No. 58**

16 Plaintiffs object to Gustafson Decl., ¶ 13, 43:19-21, for hearsay, lack of foundation and basis of
17 personal knowledge. This objection should be overruled because Erik Gustafson has personal
18 knowledge of these facts that is supported by his own testimony (Gustafson Decl., ¶ 1, 41:3-5), is able
19 to report on his knowledge of public records and business records, and his statements are supported by
20 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
21 obtained through reasonable efforts. FRE 602, 803 & 807.

22 **III. Responses to Objections to Declaration of Steve Standridge**

23 **a. Response to Objection No. 59**

24 Plaintiffs object to Standridge Decl., ¶ 6, 49:14-17, for hearsay, lack of foundation and basis of
25 personal knowledge. This objection should be overruled because Steve Standridge has personal
26 knowledge of these facts that is supported by his own testimony (Standridge Decl., ¶ 1, 48:3-5), is able
27 to report on his knowledge of public records and business records, and his statements are supported by
28 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
obtained through reasonable efforts. FRE 602, 803 & 807.

1 not constitute expert opinion, and, even if the same were a matter of expert opinion, Mr. Gustafson's
2 background qualifies him to report on the same. FRE 602, 701, 702, 703, 803 & 807.

3 **f. Response to Objection No. 64**

4 Plaintiffs object to Standridge Decl., ¶ 11, 50:10-13, for hearsay, lack of foundation and basis of
5 personal knowledge. This objection should be overruled because Steve Standridge has personal
6 knowledge of these facts that is supported by his own testimony (Standridge Decl., ¶ 1, 48:3-5), is able
7 to report on his knowledge of public records and business records, and his statements are supported by
8 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
9 obtained through reasonable efforts. FRE 602, 803 & 807.

10 **g. Response to Objection No. 65**

11 Plaintiffs object to Standridge Decl., ¶ 12, 50:14-17, for hearsay, lack of foundation and basis of
12 personal knowledge. This objection should be overruled because Steve Standridge has personal
13 knowledge of these facts that is supported by his own testimony (Standridge Decl., ¶ 1, 48:3-5), is able
14 to report on his knowledge of public records and business records, and his statements are supported by
15 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
16 obtained through reasonable efforts. FRE 602, 803 & 807.

17 **h. Response to Objection No. 66**

18 Plaintiffs object to Standridge Decl., ¶ 13, 50:14-17, for hearsay, lack of foundation and basis of
19 personal knowledge. This objection should be overruled because Steve Standridge has personal
20 knowledge of these facts that is supported by his own testimony (Standridge Decl., ¶ 1, 48:3-5), is able
21 to report on his knowledge of public records and business records, and his statements are supported by
22 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
23 obtained through reasonable efforts. FRE 602, 803 & 807.

24 **IV. Responses to Objections to Declaration of Paul Ratto**

25 **a. Response to Objection No. 67**

26 Plaintiffs object to Ratto Decl., ¶ 9, 50:1-3, for hearsay, lack of foundation and basis of personal
27 knowledge. This objection should be overruled because Paul Ratto has personal knowledge of these
28 facts that is supported by his own testimony (Ratto Decl., ¶ 1, 53:3-5), is able to report on his
knowledge of public records and business records, and his statements are supported by sufficient

1 guarantees of trustworthiness and are more probative than other evidence that could be obtained
2 through reasonable efforts. FRE 602, 803 & 807.

3 **b. Response to Objection No. 68**

4 Plaintiffs object to Ratto Decl., ¶ 15, 57:2-4, for hearsay. This objection should be overruled
5 because Paul Ratto has personal knowledge of these facts that is supported by his own testimony (Ratto
6 Decl., ¶ 1, 53:3-5), is able to report on his knowledge of public records and business records, his
7 statements are supported by sufficient guarantees of trustworthiness and are more probative than other
8 evidence that could be obtained through reasonable efforts, and he is able to report on his lay opinion as
9 to whether others are angry and/or frustrated based on observations of body language, verbal statements
and/or written statements. FRE 602, 701, 803 & 807.

10 **c. Response to Objection No. 69**

11 Plaintiffs object to Ratto Decl., ¶ 16, 57:9-11, for hearsay, lack of foundation and basis of
12 personal knowledge. This objection should be overruled because Paul Ratto has personal knowledge of
13 these facts that is supported by his own testimony (Ratto Decl., ¶ 1, 53:3-5), is able to report on his
14 knowledge of public records and business records, and his statements are supported by sufficient
15 guarantees of trustworthiness and are more probative than other evidence that could be obtained
16 through reasonable efforts. FRE 602, 803 & 807.

17 **d. Response to Objection No. 70**

18 Plaintiffs object to Ratto Decl., ¶ 17, 57:12-18, for speculation, opinion, lack of foundation and
19 basis of personal knowledge. This objection should be overruled because Paul Ratto has personal
20 knowledge of these facts that is supported by his own testimony (Ratto Decl., ¶ 1, 53:3-5), is able to
21 report on his knowledge of public records and business records, his statements are supported by
22 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
23 obtained through reasonable efforts, and he is able to report on his lay opinion regarding threats to
24 public health and safety as those are directly relevant to the City's pending motion. FRE 401, 402, 602,
701, 803 & 807.

25 **e. Response to Objection No. 71**

26 Plaintiffs object to Ratto Decl., ¶ 18, 57:19-22, for speculation, opinion, lack of foundation and
27 basis of personal knowledge. This objection should be overruled because Paul Ratto has personal
28

1 knowledge of these facts that is supported by his own testimony (Ratto Decl., ¶ 1, 53:3-5), is able to
2 report on his knowledge of public records and business records, his statements are supported by
3 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
4 obtained through reasonable efforts, and he is able to report on his lay opinion regarding the allocation
5 of public resources as the same is relevant to the City’s pending motion. FRE 401, 402, 602, 701, 803
6 & 807; *Horne v. Flores*, 557 U.S. 433, 447-450 (2009) (“Federalism concerns are heightened when, as
7 in these cases, a federal court decree has the effect of dictating state or local budget priorities. States
8 and local governments have limited funds. When a federal court orders that money be appropriated for
9 one program, the effect is often to take funds away from other important programs.”).

9 **f. Response to Objection No. 72**

10 Plaintiffs object to Ratto Decl., ¶ 19, 57:23-27, for speculation, opinion, lack of foundation and
11 basis of personal knowledge. This objection should be overruled because Paul Ratto has personal
12 knowledge of these facts that is supported by his own testimony (Ratto Decl., ¶ 1, 53:3-5), is able to
13 report on his knowledge of public records and business records, his statements are supported by
14 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
15 obtained through reasonable efforts, and he is able to report on his lay opinion regarding the
16 sustainability of allocation of public resources as the same is relevant to the City’s pending motion.
17 FRE 401, 402, 602, 701, 803 & 807; *Horne v. Flores*, 557 U.S. 433, 447-450 (2009) (“Federalism
18 concerns are heightened when, as in these cases, a federal court decree has the effect of dictating state
19 or local budget priorities. States and local governments have limited funds. When a federal court
20 orders that money be appropriated for one program, the effect is often to take funds away from other
21 important programs.”).

20 **g. Response to Objection No. 73**

21 Plaintiffs object to Ratto Decl., ¶ 19, 57:27-58:3, for conclusory opinion. This objection should
22 be overruled because Paul Ratto has personal knowledge of these facts that is supported by his own
23 testimony (Ratto Decl., ¶ 1, 53:3-5), is able to report on his knowledge of public records and business
24 records, his statements are supported by sufficient guarantees of trustworthiness and are more probative
25 than other evidence that could be obtained through reasonable efforts, and he is able to report on his lay
26 opinion regarding the expenditure of public resources and associated impacts to public safety as the
27 same is relevant to the City’s pending motion. FRE 401, 402, 602, 701, 803 & 807; *Horne v. Flores*,

1 557 U.S. 433, 447-450 (2009) (“Federalism concerns are heightened when, as in these cases, a federal
2 court decree has the effect of dictating state or local budget priorities. States and local governments
3 have limited funds. When a federal court orders that money be appropriated for one program, the effect
4 is often to take funds away from other important programs.”).

5 **V. Responses to Objections to Declaration of Amber Abney-Bass**

6 **a. Response to Objection No. 74**

7 Plaintiffs object to Abney-Bass Decl., ¶ 8, 62:15-18, for hearsay, lack of foundation and basis of
8 personal knowledge. This objection should be overruled because Amber Abney-Bass has personal
9 knowledge of these facts that is supported by her own testimony (Ratto Decl., ¶ 1, 53:3-5), is able to
10 report on her knowledge of public records and business records, and her statements are supported by
11 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
12 obtained through reasonable efforts. FRE 602, 803 & 807.

13 **b. Response to Objection No. 75**

14 Plaintiffs object to Abney-Bass Decl., ¶ 15, 64:13-15, for hearsay, lack of foundation and basis
15 of personal knowledge. This objection should be overruled because Amber Abney-Bass has personal
16 knowledge of these facts that is supported by her own testimony (Ratto Decl., ¶ 1, 53:3-5), is able to
17 report on her knowledge of public records and business records, and her statements are supported by
18 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
19 obtained through reasonable efforts. FRE 602, 803 & 807.

20 **c. Response to Objection No. 76**

21 Plaintiffs object to Abney-Bass Decl., ¶ 17, 64:24-65:5, for hearsay, lack of foundation and
22 basis of personal knowledge. This objection should be overruled because Amber Abney-Bass has
23 personal knowledge of these facts that is supported by her own testimony (Ratto Decl., ¶ 1, 53:3-5), is
24 able to report on her knowledge of public records and business records, and her statements are
25 supported by sufficient guarantees of trustworthiness and are more probative than other evidence that
26 could be obtained through reasonable efforts. FRE 602, 803 & 807.

27 **d. Response to Objection No. 77**

28 Plaintiffs object to Abney-Bass Decl., ¶ 15, 64:13-15, for lack of foundation and basis of
personal knowledge. This objection should be overruled because Amber Abney-Bass has personal

1 knowledge of these facts that is supported by her own testimony (Ratto Decl., ¶ 1, 53:3-5), is able to
2 report on her knowledge of public records and business records, her statements are supported by
3 sufficient guarantees of trustworthiness and are more probative than other evidence that could be
4 obtained through reasonable efforts, and she is able to report on her rational lay opinions. FRE 602,
5 701, 803 & 807.

6 **VI. CONCLUSION**

7 The City respectfully requests that the Court overrule Plaintiffs' objections for the reasons set
8 forth above.

9 DATED: October 4, 2024

Respectfully submitted,

10 Stephen T. Owens
11 Eric G. Salbert
12 Christy M. Garcia
13 ALVAREZ-GLASMAN & COLVIN

14 */s/ Eric G. Salbert*
15 Attorneys for Defendants
16 CITY OF CHICO and CITY OF CHICO
17 POLICE DEPARTMENT
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CERTIFICATE OF SERVICE

Bobby Warren, et al. v. City of Chico, et al.
Case No.: 2:21-cv-00640-DAD-DMC

I hereby certify that I electronically filed the foregoing document(s) with the Clerk of the United States District Court, Eastern District of California - by using the CM/ECF system on October 4, 2024.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

Executed on October 4, 2024, at City of Industry, California.

/s/ Juanita Vasquez
Juanita Vasquez