

1 **STEPHEN L. JOSEPH (SBN 189234)**  
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7 Attorney for Petitioner  
8 **SAVE THE PLASTIC BAG COALITION**

9  
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF MARIN

12 SAVE THE PLASTIC BAG COALITION, ) Case No. CIV 1100996  
13 an unincorporated association, )  
14 ) Assigned to Judge M. Lynn Duryee  
15 ) Dept. L  
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18 ) **PETITIONER'S REQUESTS FOR**  
19 ) **JUDICIAL NOTICE IN SUPPORT OF**  
20 ) **OPENING BRIEF; DECLARATION OF**  
21 ) **STEPHEN L. JOSEPH**  
22 )  
23 ) [Pub. Res. Code § 21167.8]  
24 ) Hearing date: September 13, 2011  
25 ) Time: 9:00 a.m.  
26 ) Department: L  
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**REQUESTS FOR JUDICIAL NOTICE**

Petitioner hereby requests that this Court take judicial notice of the following:

1. Exhibit D attached hereto, which is the complete legislative history of AB 2449 (Pub. Res. Code §§42250-57. Legislative history is judicially admissible under Evidence Code §452(c).
2. Governor Arnold Schwarzenegger issued a signing statement for AB 2449. The signing statement is AR tab #92 and is the first page of Exhibit D.
3. Exhibit E attached hereto, which is downloaded from the U.S. Census Bureau website and shows the population of Marin County in 2010. U.S. Census Bureau population figures are judicially admissible under Evidence Code §§452(g), (h) and 453.
4. The population of Marin County in 2010 was 252,409 as shown on Exhibit E.
5. Exhibit F attached hereto, which is downloaded from the U.S. Census Bureau website and shows the population of San Francisco in 2010. U.S. Census Bureau population figures are judicially admissible under Evidence Code §§452(g), (h) and 453.
6. The population of Marin County in 2010 was 805,235, as shown on Exhibit F.

DATED: July 26, 2011

**STEPHEN L. JOSEPH**



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Attorney for Petitioner  
SAVE THE PLASTIC BAG COALITION

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**DECLARATION OF STEPHEN L. JOSEPH**

I, Stephen L. Joseph, declare as follows:

1. I know all of the facts herein of my own personal knowledge, and if called upon as a witness to this proceeding, I would and could competently testify thereto under oath.
2. I am an attorney admitted to practice in the State of California.
3. At all times mentioned herein, I was and am counsel for Petitioner Save The Plastic Bag Coalition.
4. Exhibit D attached hereto is a true and correct copy of the complete legislative history of AB 2449 (Pub. Res. Code §§42250-57). Except for the first page which is the Governor’s signing statement, I downloaded it on July 26, 2011 from the official California legislative information website at <http://www.leginfo.ca.gov/bilinfo.html>.
5. Governor Arnold Schwarzenegger issued a signing statement for AB 2449. The signing statement is AR tab #92 and is the first page of Exhibit D. I downloaded it from the Governor of California’s website at [http://gov.ca.gov/pdf/press/ab\\_2449\\_sign.pdf](http://gov.ca.gov/pdf/press/ab_2449_sign.pdf). It is now available at <http://www.scribd.com/doc/1814000/5/SIGNING-MESSAGES>.
6. Exhibit E attached hereto a true and correct copy of the page that I downloaded from the U.S. Census Bureau website showing the population of Marin County in 2010. I downloaded it on July 26, 2011 from the U.S. Census Bureau website at <http://quickfacts.census.gov/qfd/states/06/06041.html>
7. Exhibit F attached hereto is a true and correct copy of the page that I downloaded from the U.S. Census Bureau website showing the population of San Francisco in 2010. I downloaded it on July 26, 2011 from the U.S. Census Bureau website at <http://quickfacts.census.gov/qfd/states/06/06075.html>

I declare under penalty of perjury under the laws of the State of California that I have read the forgoing, that the foregoing is true and correct, and that I would be competent to so testify.

Executed on July 26, 2011 at San Francisco, California.



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STEPHEN L. JOSEPH

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**PROOF OF SERVICE BY MAIL**

**STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO**

I am over the age of 18 and not a party to the within action. My business address is 350 Bay Street, Suite 100-328, San Francisco, CA 94133.

On July 26, 2011, I deposited a copy of PETITIONER’S REQUESTS FOR JUDICIAL NOTICE IN SUPPORT OF OPENING BRIEF; DECLARATION OF STEPHEN L. JOSEPH in a sealed envelope with postage fully prepaid in the United States Mail at San Francisco, California. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing stated herein. The envelope was addressed as follows:

Patrick K. Faulkner  
COUNTY COUNSEL  
David L. Zaltsman, Deputy  
3501 Civic Center Drive, #275  
San Rafael, CA 94903

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on July 26, 2011 at San Francisco, California.

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