

# SUPREME COURT COPY

Case No. S238309

IN THE SUPREME COURT  
OF THE STATE OF CALIFORNIA

SUPREME COURT  
**FILED**

FEB - 1 2017

RON BRIGGS and JON VAN de KAMP,  
*Petitioners,*

Jorge Navarrete Clerk

Deputy

v.

JERRY BROWN, in his official capacity as the Governor of California;  
KAMALA HARRIS, in her official capacity as the Attorney General of  
California; CALIFORNIA'S JUDICIAL COUNCIL; AND DOES I  
THROUGH XX,  
*Respondents.*

Californians To Mend, Not End, The Death Penalty –  
No On Prop. 62, Yes On Prop. 66  
*Intervenor.*

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**DECLARATION OF CHARLES H. BELL, JR. IN SUPPORT OF  
MOTION TO INTERVENE**

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**RECEIVED**

JAN 09 2017

CLERK SUPREME COURT

*Attorneys for Intervenors*

CALIFORNIANS TO MEND, NOT END, THE DEATH PENALTY-  
NO ON PROP. 62, YES ON PROP. 66

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NO ON PROP. 62, YES ON PROP. 66

**DECLARATION OF CHARLES H. BELL, JR. IN SUPPORT OF MOTION  
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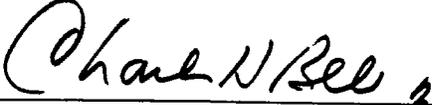
I, CHARLES H. BELL, JR., declare:

1. I am an attorney in good standing licensed to practice law in the State of California and am co-counsel for CALIFORNIANS TO MEND, NOT END, THE DEATH PENALTY - NO ON PROP 62, YES ON PROP 66 ("Yes On Proposition 66 Committee"), a committee in which Proposition 66 Initiative Proponent Kermit Alexander is a member. This declaration is submitted in support of the Yes on Proposition 66 Committee's Application to Intervene and to file a Complaint in Intervention as a Respondent in the above-captioned proceeding, Ron Briggs, et al. v. Jerry Brown, Governor of California, et al., Supreme Court Case No. S238309.

2. On January 3, 2017, at 1:55 p.m., I spoke on the telephone with Douglas Woods, Senior Assistant Attorney General and head of the Attorney General's Government Law Section, and confirmed with him that his clients, Governor Jerry Brown, Attorney General Harris and the Judicial Council, would not oppose the Yes on Proposition 66 Committee's Application to Intervene as a Respondent in the proceeding.

3. On January 3, 2017, at 2:03 p.m., I placed a call to Christina Von der Aye Rayburn, of Orrick, Herrington & Sutcliffe, LLP, at (949) 567-6700. Ms. Rayburn is co-counsel for the Petitioners, Ron Briggs and John Van De Kamp in this proceeding, and left her a message stating that the Yes on Proposition 66 Committee intended to file this Application to Intervene and requested to confirm whether her clients would consent or not oppose my client's Application to Intervene as a respondent in this proceeding. On January 4, 2017, at 11:52 a.m., I spoke with Christina Von der Aye Rayburn, and she advised me that at this point her clients, the Petitioners, had not determined whether they would consent, oppose, or not oppose the Yes on Proposition 66 Committee's Application/Motion to Intervene.

The foregoing is true and correct and of my personal knowledge. If called as a witness I could and would testify competently thereto. Executed under penalty of perjury under the laws of the State of California at Sacramento, California this 6<sup>th</sup> day of January, 2017.

  
\_\_\_\_\_  
CHARLES H. BELL, JR.

**PROOF OF SERVICE**

I, the undersigned, declare under penalty of perjury that:  
I am a citizen of the United States, over the age of 18, and not a party to the within cause of action. My business address is 455 Capitol Mall, Suite 600, Sacramento, CA 95814. On January 6, 2017, I served the following:

**DECLARATION OF CHARLES H. BELL, JR. IN SUPPORT OF  
MOTION TO INTERVENE**

on the following parties:

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Jerry Brown  
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Sacramento, CA 95814

*In his official capacity as the  
Governor of California*

Kamala Harris  
Office of the Attorney General  
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415-703-5500

*In her official capacity as the  
Attorney General of California*

California's Judicial Council  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
415-865-4200

{See Following Page}

X **BY U.S. MAIL:** By placing said document(s) in a sealed envelope and depositing said envelope, with postage thereon fully prepaid, in the United States Postal Service mailbox in Sacramento, California, addressed to said party(ies), in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

X **BY ELECTRONIC MAIL:** By causing true copy(ies) of PDF versions of said document(s) to be sent to the e-mail address of each party listed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 6, 2017. at Sacramento, California.

  
\_\_\_\_\_

Kiersten Merina