

1 Burton C. Jacobson, SBN 27529
Franklin S. Adler, SBN 56417
2 ATTORNEYS AT LAW
Beverly Hills Law Building
3 424 South Beverly Drive
Beverly Hills, California 90212-4414
4 Tel: (310)553-8533

5 Attorneys for Plaintiffs/Petitioners

6 C. D. Michel - SBN 144258
Joshua R. Dale - SBN 209942
7 Tamara M. Rider - SBN 267951
MICHEL & ASSOCIATES, P.C.
8 180 East Ocean Blvd., Suite 200
Long Beach, CA 90802
9 Telephone: (562) 216-4444
Fax: (562) 216-4445
10 cmichel@michellawyers.com

11 Attorneys for Plaintiffs/Petitioners

12

13

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

14

FOR THE COUNTY OF LOS ANGELES

15

CENTRAL DISTRICT

16

ANTHONY MARIO ASSENZA, et al.,

) CASE NO. BC 115813

17

) Plaintiffs and Petitioners,

) **DECLARATION OF SCOTT AUSTIN**

18

) vs.

19

) THE CITY OF LOS ANGELES, et al.

20

21

) Defendants and Respondents.

22

23

24

25

26

27

28

1 DECLARATION OF SCOTT AUSTIN

2 I, Scott Austin, declare as follows:

3 1. I reside in the City and County of Los Angeles.

4 2. I am employed by Gett Security and Bodyguard Services, Inc. I work as a
5 executive protection specialist, armed guard, personal security, and also conduct surveillance for
6 personal injury firms. As part of my employment I am obligated to protect celebrities, jewelry
7 stores, large real estates, and high profile clients. I occasionally carry large sums of money while
8 escorting multimillionaires to and from Las Vegas, Nevada. I have been threatened several times
9 while working. In addition, I have received death threats on my voicemail. Threats have
10 informed me that I will be followed home and "taken out." When I am not working, I am
11 concerned for my safety and for the safety of others in my presence.

12 3. In order to protect myself, I received a carry concealed weapons license in the
13 states of Utah and Florida in 2008.

14 4. On October 30, 2009, I went to the Topanga station of the Los Angeles Police
15 Department to apply for a carry concealed weapons license. When I requested a carry concealed
16 weapons license application, the officers went into the back of the station to check with their
17 supervisors. When they returned, I was informed that they did not have one and I should look
18 online for the application.

19 5. Thereafter I went to the West Valley Community Police Station to get a copy of the
20 carry concealed weapons license application. Like my prior experience, the officers at this station
21 told me to look online for a carry concealed weapons license application, and they did not provide
22 me with one.

23 6. Thereafter I went online and located the carry concealed weapons license
24 application on the California Department of Justice website.

25 7. On October 31, 2009, I submitted my completed carry concealed weapons license
26 application along with the requisite documents to the LAPD. Shortly thereafter I was contacted by
27 the LAPD and was told that I needed to come to the station to be interviewed. Approximately a
28 week thereafter, I was interviewed by a police officer regarding my application.

1 8. Approximately two months later I received a denial letter from the LAPD stating
2 that they were denying my application because “[s]atisfactory proof was not submitted with [my]
3 application that [my] work is of such a nature that it requires the carrying of a concealed firearm.”
4 Attached hereto as Exhibit A is a true and accurate copy of the January 11, 2010 denial letter.

5 9. In a letter dated January 29, 2010, I requested that my application be submitted to
6 the Citizens Advisory Board Panel for their review and recommendation. A letter from my
7 employer attesting to my need for the issuance of a carry concealed weapons license was attached
8 to my letter. Attached hereto as Exhibit B is a true and accurate copy of my January 29, 2010
9 letter with its corresponding attachments.

10 10. The Advisory Board Panel reviewed my submitted materials on March 16, 2010.
11 The Advisory Board Panel informed me that I needed to submit my California firearms training
12 certificate to prove I had completed the necessary training. The panel said that upon my
13 submission of my firearms training certificate to them, the Panel would recommend that I receive
14 a carry concealed weapons license to the LAPD. I sent a cover letter and my 16 hour firearms
15 training completion certificate to the Advisory Board Panel on March 18, 2010. Attached hereto
16 as Exhibit C is a true and accurate copy of my March 18, 2010 letter with its corresponding
17 attachments.

18 11. Following my submission of the requested certificate to the panel, I had not heard
19 any further determination from the LAPD on my application. I made several phone calls to the
20 LAPD to inquire as to the application’s status and was told I needed to speak with an Officer Bun.
21 I left several voicemails with Officer Bun inquiring into the status of my pending application. On
22 one occasion, an Officer Wong informed me that Officer Bun was away on training and that
23 Officer Bun would respond as soon as he returned. To this day I have never received a return
24 phone call from Officer Bun or anyone else at the LAPD.

25 12. In a letter to the Gun Unit of the LAPD dated May 10, 2010, I advised the LAPD
26 that I attended the Advisory Board Hearing and had not heard back from the LAPD as to the
27 disposition of my application. I reiterated that I had left several voicemails with Officer Bun and
28 only received information from Officer Wong that Officer Bun was away for training. Attached

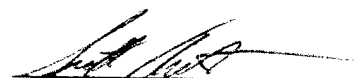
1 hereto as Exhibit D is a true and accurate copy of my May 10, 2010 letter. The letter was received
2 by the LAPD on June 14, 2010.

3 13. The LAPD has failed to respond in any way to my certified letter or my other
4 inquiries regarding the status of my carry concealed weapons license application. It has been
5 approximately one year since I originally applied for a carry concealed weapons license
6 application.

7 14. At no time was I ever provided by the LAPD or City of Los Angeles a copy of the
8 written policies of the LAPD regarding the handling of an application for a carry concealed
9 weapons license.

10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct. If called to testify, I would testify to the above facts.

12 Dated: April 13, 2011

13 
14 Scott Austin

15
16
17
18
19
20
21
22
23
24
25
26
27
28