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12 ARMS AND AMMUNITION MANUFACTUR-
ERS' INSTITUTE, INC.

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF FRESNO

17 NATIONAL SHOOTING SPORTS
18 FOUNDATION, INC., a nonprofit trade
association; and SPORTING ARMS AND
19 AMMUNITION MANUFACTURERS'
INSTITUTE, INC., a nonprofit trade
20 association,
21 Plaintiffs,
22 vs.
23 STATE OF CALIFORNIA, acting by and
through its Attorney General, KAMALA D.
24 HARRIS; and DOES 1 through 100, inclusive,
25 Defendants.

CASE NO. 14CECG00068 DSB
The Honorable Donald S. Black
**DECLARATION OF JACQUELYN
ANN MORTON IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**
Date: May 7, 2014
Time: 3:30 p.m.
Dept: 502
Action Filed: January 9, 2014
Trial Date: None Set

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FRESNO SUPERIOR COURT
By _____ J.W. DEPUTY

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SUPERIOR COURT

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4834-4274-0504.1

DECLARATION OF JACQUELYN ANN MORTON IN SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION

FILED BY FAX

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1 I, JACQUELYN ANN MORTON, declare as follows:

2 1. I submit this declaration in support of the motion for a preliminary injunction filed
3 in this action by the plaintiffs, National Shooting Sports Foundation, Inc. ("NSSF"), and Sporting
4 Arms and Ammunition Manufacturers' Institute, Inc. I have personal knowledge of all of the facts
5 stated in this declaration, and if called upon to testify thereto, I could and would do so
6 competently.

7 2. I am a private citizen residing in Fresno, California. I work as a Commissioned
8 Christian Worker and as an International Field Worker for Evangelism Explosion International,
9 Inc. ("EEI"), which is a Christian evangelical organization. My missionary work for EEI requires
10 me to assist various pastors and churches in promoting the EEI ministry throughout thirteen
11 western states, including California. I often speak at banquets, and on occasion I also preach.
12 Because of the distances I must drive in order to perform my work for EEI, I frequently find
13 myself on the highway very late at night and during the early morning hours. I often feel
14 vulnerable as an older person traveling in that manner.

15 3. I hold a valid California concealed weapons permit, so in order to protect myself if
16 necessary and to assure my peace of mind while I travel, I have been carrying at various times one
17 of two .38 caliber revolvers with four inch barrels that I own. However, I would like to purchase a
18 semi-automatic pistol that would be easier for me to handle than my revolvers, one that would
19 have less recoil than my revolvers, and that would have a shorter barrel than my revolvers. After
20 researching the market for firearms, I decided that my needs would be best satisfied by a Smith &
21 Wesson Model M&P 9c nine millimeter semi-automatic pistol, which has a three and one-half
22 inch barrel. The Smith & Wesson Model M&P 9c is a well-balanced pistol that fits well in my
23 hand.

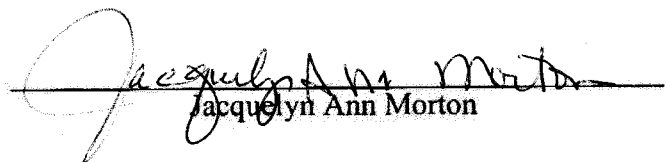
24 4. On August 6, 2013, I went to Herb Bauer Sporting Goods, located at 6264
25 Blackstone Avenue, Fresno, California 93710 ("HBSG"), to make a \$120.00 down payment for a
26 layaway purchase of a Smith & Wesson Model M&P 9c pistol, the full purchase price of which
27 was \$663.47. I made further payments at HBSG toward the purchase of the Smith & Wesson
28 Model M&P 9c pistol in the amounts of \$100.00 each on September 18, 2013, November 3, 2013,

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1 and January 4, 2014. I went to HBSG again on February 4, 2014, and made the final \$243.47
2 payment toward the purchase of the Smith & Wesson Model M&P 9c pistol that I desired to
3 purchase. I made that payment at the cash register, according to HBSG's policy, but when I went
4 to the gun counter to take delivery of the Smith & Wesson Model M&P 9c pistol that I thought I
5 had just purchased, the HBSG salesperson told me that he could no longer sell the Smith &
6 Wesson Model M&P 9c pistol, because it was no longer listed on the roster of approved handguns
7 maintained by the State of California.

8 5. The HBSG salesperson then showed me several other semi-automatic pistols that
9 were still available for sale in the State of California as of that time. None of them fit in my hand
10 nearly as well as the Smith & Wesson Model M&P 9c semi-automatic pistol. I ultimately selected
11 a Heckler & Koch Model P2000 V2 subcompact nine millimeter pistol, the purchase price of
12 which is approximately double the purchase price of the Smith & Wesson Model M&P 9c pistol,
13 even though it was not the pistol I preferred to purchase. I applied the payments I had already
14 made to the purchase of the Heckler & Koch Model P2000 V2, and I am now once again required
15 to make additional, periodic payments for the layaway purchase of a semi-automatic pistol that I
16 have not yet received. Because of my limited income as a commissioned missionary for EEI,
17 those additional payments are causing me to endure financial hardship.

18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct and that this declaration is executed at Fresno, California on March
20 1, 2014.

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23 Jacquelyn Ann Morton
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CALIFORNIA STATE COURT PROOF OF SERVICE

National Shooting Sports Foundation v. State of California - File No. 33875.02

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to the action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, CA 90012.

On March 28, 2014, I served the following document(s): **DECLARATION OF JACQUELYN ANN MORTON IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

Susan K. Smith
Deputy Attorney General
Offices of the Attorney General
300 S. Spring Street, Suite 1702
Los Angeles, CA 90013
Tele: (213) 897-2105
Fax: (213) 897-1071
Susan.smith@doj.ca.gov

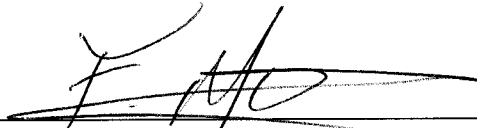
The documents were served by the following means:

(BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and (specify one):

Placed the envelope or package for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, on the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope or package with the postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 28, 2014, at Los Angeles, California.


Farnaz Moradpour