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6 Attorneys for Plaintiffs

7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF FRESNO

10 KIM BELEMJIAN; JONATHAN
11 FAIRFIELD; T.J. JOHNSTON; MATTHEW
PIMENTEL; STANLEY ROY; FFLGUARD,
12 INC.; CALIFORNIA RIFLE AND PISTOL
ASSOCIATION;

13 Plaintiffs,

14 vs.

15 KAMALA D. HARRIS, in her official
16 capacity as Attorney General for the State of
California; STEPHEN LINDLEY, in his
17 official capacity as CHIEF OF THE
CALIFORNIA DEPARTMENT OF JUSTICE
18 BUREAU OF FIREARMS; CALIFORNIA
DEPARTMENT OF JUSTICE; and DOES 1 -
19 10;

20 Defendants.

CASE NO. 15-CE-CG-00029

**DECLARATION OF MATTHEW D.
CUBEIRO IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES**

Date: December 16, 2015
Time: 3:30 pm
Dept.: 503
Judge: Honorable Alan M. Simpson

Action Filed: January 6, 2015

FILED

AUG 25 2015

FRESNO COUNTY SUPERIOR COURT
By _____ LP - DEPUTY

1 **DECLARATION OF MATTHEW D. CUBEIRO**

2 I, Matthew Cubeiro, declare as follows:

3 1. I am an attorney licensed to practice law before the courts of the state of California.
4 I am currently a law clerk at Michel & Associates, P.C., counsel of record for Plaintiffs. I have
5 personal knowledge of the statements made herein, and if called as a witness, I could and would
6 competently testify under oath to the matters that I have set forth in this declaration.

7 2. In 2009, after graduating with honors on the Dean's List, I earned a Bachelor of
8 Science in Business Administration from Chapman University.

9 3. Following my undergraduate education, I attended Western State University
10 College of Law, where I earned a Juris Doctorate in Law and a certificate in Criminal Law Studies
11 in 2013. I also had the privilege of being a member of Western State's Mock Trial team, having
12 participated in the 2012 West Coast Mock Trial Championship.

13 4. In December of 2013, I was admitted to the California Bar and am currently
14 licensed to practice law in California.

15 5. After become a member of the California Bar, I became intricately involved with
16 firearm-related issues through my participation in the National Rifle Association's ("NRA")
17 Certified Instructor Program. I am currently certified by the NRA as a Pistol, Rifle, Personal
18 Protection Inside the Home, Personal Protection Outside the Home, and Metallic Cartridge
19 Reloading Instructor. I also hold the position of Secretary with the NRA Member's Council of
20 Orange, which meets once a month to discuss firearm-related legislation and litigation and is open
21 to the public.

22 6. I am currently employed by Michel & Associates, P.C., having been assigned to the
23 Firearms Regulatory Compliance and Litigation Team where my primary focus is firearm-related
24 litigation and regulatory matters and constitutional law.

25 7. Prior to joining Michel & Associates, P.C., I served as an extern to the Orange
26 County District Attorney's Office where I worked on several high-profile cases in the White
27 Collar Crime division. I also served as a volunteer with the Los Angeles District Attorney's Asset
28 Forfeiture Unit and the Orange County Public Defender's Office.

1 **Authentication of Billing**

2 8. Plaintiffs' billing records, attached to the Declaration of Haydee Villegas filed
3 simultaneously herewith, include true and accurate copies of my billing records for which fee
4 recovery is sought in this matter. The records include detailed descriptions of the work I
5 performed on this case and the time spent on each task between December 1, 2014, and June 1,
6 2015.

7 9. In the regular course and scope of my daily business activities, I prepared the
8 descriptions contained in each billing record that shows my name as the "Timekeeper," and I did
9 so at or near the time of the occurrence of the work that I performed on this matter.

10 10. The descriptions contained within my billing records are a fair and accurate
11 description of the work I performed on this matter and time spent on each task. In my professional
12 judgment, the amount of time indicated for each task described in my billing records is a
13 reasonable amount of time for me to have spent on the type of work described therein.

14 **Role in Litigation**

15 11. During the pre-litigation phase, I conducted correspondence with Plaintiffs,
16 conducted legal research and drafted legal memoranda regarding the requirements for Plaintiffs'
17 writ of mandate, and drafted discrete portions of Plaintiffs' Verified Complaint.

18 12. During the Motion for Preliminary Injunction phase, I conducted Plaintiff and
19 witness interviews, assisted Plaintiffs in drafting declarations in support of Plaintiffs' anticipated
20 Motion for Preliminary Injunction, conducted legal research regarding case law to support
21 substantive arguments in support of temporary relief, and met with Ms. Barvir to discuss the
22 content of and revisions to draft Plaintiff and witness declarations.

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1 13. During the emergency regulation phase, I conducted legal research, and I contacted
2 Plaintiffs regarding their training requirements and notified them of the proposed emergency
3 regulations.

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

6 Executed August 24, 2015 at Long Beach, California.

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9 _____
10 Matthew Cubeiro
11 Declarant
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PROOF OF SERVICE

I, Laura Quesada, am employed in the City of Long Beach, Los Angeles County, California. I am over the age eighteen (18) years and am not a party to the within action. My business address is 180 East Ocean Blvd., Suite 200, Long Beach, California 90802.

On August 25, 2015, I served the foregoing document(s) described as:

DECLARATION OF MATTHEW D. CUBEIRO IN SUPPORT OF PLAINTIFFS' MOTION FOR ATTORNEYS' FEES

on the interested parties in this action by placing
[] the original
[X] a true and correct copy
thereof enclosed in sealed envelope(s) addressed as follows:

Mr. Jeffrey Rich
Deputy Attorney General
1300 I Street
Sacramento, CA 95814

— (PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of the addressee.

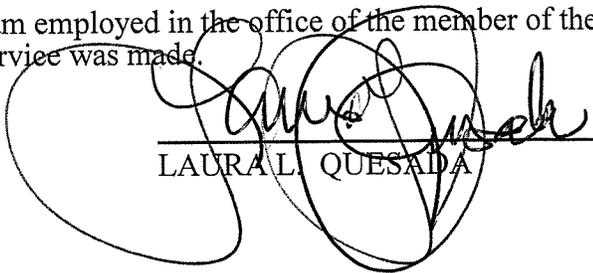
Executed on _____, 2015, at Long Beach, California.

X (OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for overnight delivery by UPS/FED-EX. Under the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for receipt on the same day in the ordinary course of business. Such envelope was sealed and placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for in accordance.

Executed on August 25, 2015, at Long Beach, California.

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

— (FEDERAL) I declare that I am employed in the office of the member of the bar of this court at whose direction the service was made.



LAURAL QUESADA