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FILED

DEC 07 2010

FRESNO COUNTY SUPERIOR COURT
By _____

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF FRESNO

SHERIFF CLAY PARKER, TEHAMA
COUNTY SHERIFF; HERB BAUER
SPORTING GOODS; CALIFORNIA RIFLE
AND PISTOL ASSOCIATION
FOUNDATION; ABLE'S SPORTING,
INC.; RTG SPORTING COLLECTIBLES,
LLC; AND STEVEN STONECIPHER,

Plaintiffs and Petitioners,

vs.

THE STATE OF CALIFORNIA; JERRY
BROWN, IN HIS OFFICIAL CAPACITY
AS ATTORNEY GENERAL FOR THE
STATE OF CALIFORNIA; THE
CALIFORNIA DEPARTMENT OF
JUSTICE; and DOES 1-25,

Defendants and Respondents.

CASE NO. 10CECG02116

**DECLARATION OF BRIAN HALL
IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT OR IN THE
ALTERNATIVE FOR SUMMARY
ADJUDICATION AND TRIAL**

Date: January 18, 2011
Time: 8:30 a.m.
Location: Dept. 402
Judge: Hon. Jeffrey Y. Hamilton

Action Filed: June 17, 2010

DECLARATION OF BRIAN HALL

I, Brian Hall, declare as follows:

1. I am the Vice President of Chattanooga Shooting Supplies, Inc., a Tennessee corporation that sells and ships a variety of ammunition suitable for use in both handguns and rifles directly to California residents, under the DBA of Natchez Shooters Supplies.

2. As Vice President, I am responsible for determining the policies and operating procedures of Chattanooga Shooting Supplies, Inc. In doing so, I am responsible for ensuring compliance with all applicable laws in the locations from which, and to which, Chattanooga Shooting Supplies, Inc., ships ammunition, including California Penal Code sections 12060, 12061, and 12318.

3. I do not know what ammunition is "handgun ammunition" and thus subject to California Penal Code sections 12060, 12061, and 12318.

4. I do not know what ammunition is principally for use in a handgun. Nor do I know of any source from which I could determine what ammunition suitable for use in both rifles and handguns is principally for use in a handgun, and which is not principally for use in a handgun.

5. I also do not know which ammunition is exempt from California Penal Code sections 12060, 12061, and 12318 as ammunition "designed and intended to be used in 'antique firearms'" manufactured before 1898, because many cartridges of ammunition used in firearms manufactured before 1898 are also used in firearms manufactured after 1898, including cartridges sold by Chattanooga Shooting Supplies, Inc.

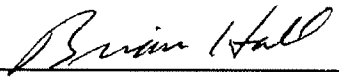
6. Ammunition sales to California usually account for a significant portion of the profit made by Chattanooga Shooting Supplies, Inc. For that reason, I would like to continue selling ammunition to California residents, even if the provisions of California Penal Code sections 12061 and 12318 set to take effect on February 1, 2011 do in fact take effect; but I do not know what ammunition I will be able to ship into California, because I do not know what ammunition is "handgun ammunition" under California Penal Code sections 12060, 12061, and 12318.

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1 7. Because I do not know what "handgun ammunition" is under California Penal
2 Code sections 12060, 12061, and 12318, and fear that Chattanooga Shooting Supplies, Inc. or I
3 will be prosecuted for unknowingly violating those statutes, it is the current intent of Chattanooga
4 Shooting Supplies, Inc., to cease shipping all ammunition that is suitable for use in both handguns
5 and long guns to non-exempt California customers beginning February 1, 2011 to avoid risking
6 criminal prosecution under California Penal Code section 12318.

7
8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct.

10 Dated: November 30, 2010

11 
12 _____
13 Brian Hall
14 Vice President
15 Chattanooga Shooting Supplies, Inc.
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PROOF OF SERVICE

STATE OF CALIFORNIA
COUNTY OF FRESNO

I, Claudia Ayala , 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 December 6, 2010, I served the foregoing document(s) described as

**DECLARATION OF BRIAN HALL IN SUPPORT OF MOTION
FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE FOR
SUMMARY ADJUDICATION AND TRIAL**

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

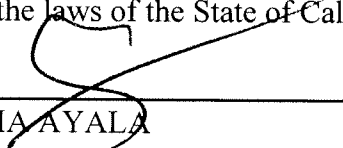
Edmund G. Brown, Jr.
Attorney General of California
Zackery P. Morazzini
Supervising Deputy Attorney General
Peter A. Krause
Deputy Attorney General (185098)
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

— (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date is more than one day after date of deposit for mailing an affidavit.
Executed on December 6, 2010, at Long Beach, California.

— (PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of the addressee.
Executed on December 6, 2010, at Long Beach, California.

X (VIA 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 with ordinary business practices.
Executed on December 6, 2010, 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.



CLAUDIA AYALA