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FILED

DEC 07 2010

FRESNO COUNTY SUPERIOR COURT
By _____

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF FRESNO

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11 SHERIFF CLAY PARKER, TEHAMA) CASE NO. 10CECG02116
COUNTY SHERIFF; HERB BAUER)
12 SPORTING GOODS; CALIFORNIA RIFLE) DECLARATION OF STEVEN
AND PISTOL ASSOCIATION) STONECIPHER IN SUPPORT OF
13 FOUNDATION; ABLE'S SPORTING,) MOTION FOR SUMMARY JUDGMENT
INC.; RTG SPORTING COLLECTIBLES,) OR IN THE ALTERNATIVE FOR
14 LLC; AND STEVEN STONECIPHER,) SUMMARY ADJUDICATION AND TRIAL

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Plaintiffs and Petitioners,

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vs.

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

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Defendants and Respondents.

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

) Action Filed: June 17, 2010

DECLARATION OF STEVEN STONECIPHER

I, Steven Stonecipher, declare as follows:

1. I am a resident of Fresno County and a United States Citizen over 21 years of age. I am not prohibited under federal or California law from purchasing or possessing firearms or ammunition.

2. I have in the past, and continue to presently, transfer and receive ammunition that can be used interchangeably between handguns and rifles via mail within California.

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

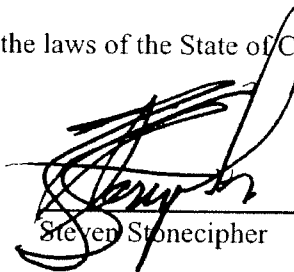
4. I do not know what ammunition is principally for use in a handgun. Nor do I know of any source from which I could determine what ammunition suitable for use in both rifles and handguns is principally for use in a handgun, and which is not principally for use in a handgun.

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.

6. Because I do not know what ammunition is "handgun ammunition" under California Penal Code sections 12060, 12061, and 12318, I fear that I will be prosecuted for unknowingly violating those statutes. For example, I fear prosecution under Penal Code section 12318 if I ship to a non-exempt California resident any ammunition that law enforcement deems "handgun ammunition" even though I do not know what ammunition is "handgun ammunition" nor what ammunition law enforcement will consider "handgun ammunition" under these laws.

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

Dated: November 30, 2010



Steven Stonecipher

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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 STEVEN STONECIPHER 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:

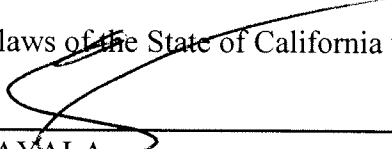
Edmund G. Brown, Jr.
Attorney General of California
Zackery P. Morazzini
Supervising Deputy Attorney General
Peter A. Krause
Deputy Attorney General
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

— (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.

☒ (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.

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



CLAUDIA AYALA