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7 Attorneys for Plaintiffs / Petitioners

8 **IN THE UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **SOUTHERN DIVISION**

11 DOROTHY McKAY, DIANA
12 KILGORE, PHILLIP WILLMS,
13 FRED KOGEN, DAVID WEISS, and
THE CRPA FOUNDATION,

14 Plaintiffs,

15 v.

16 SHERIFF SANDRA HUTCHENS,
17 individually and in her official
18 capacity as Sheriff of Orange County,
19 SHERIFF-CORONER
DEPARTMENT, COUNTY OF
ORANGE, and DOES 1-10,

20 Defendants.
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CASE NO: SACV 12-1458JVS (JPRx)

**DECLARATION OF SILVIO
MONTANARELLA ON BEHALF
OF CALIFORNIA RIFLE AND
PISTOL ASSOCIATION
FOUNDATION IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Date: October 15, 2012
Time: 1:30 p.m.
Location: Ronald Reagan Federal
Building
411 West Fourth Street
Room 1053
Santa Ana, CA 92701
Courtroom: 10C
Judge: James V. Selna
Date Action Filed: September 5, 2012

DECLARATION OF SILVIO MONTANARELLA

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3 1. I, Silvio Montanarella, submit this declaration in support of Plaintiffs'
4 Motion for a Preliminary Injunction. I make this declaration of my own personal
5 knowledge and, if called as a witness, I could and would testify competently to the
6 truth of the matters set forth herein.

7 2. I am the President of The CRPA Foundation, which is a Plaintiff in this
8 case.

9 3. The CRPA Foundation is a nonprofit entity classified as a 501(c)(3)
10 charitable corporation and has its primary place of business in Fullerton,
11 California.

12 4. The CRPA Foundation is an association that seeks to: raise awareness
13 about unconstitutional laws, defend and expand the legal recognition of the rights
14 protected by the Second Amendment via litigation and other means, promote
15 firearms and hunting safety, protect hunting rights, enhance marksmanship skills of
16 those participating in shooting sports, and educate the public about firearms.

17 5. To achieve its goals The CRPA Foundation conducts firearms safety
18 advocacy and advocates in court through litigation brought on behalf and for the
19 benefit of the California Rifle and Pistol Association ("CRPA"), the CRPA's
20 approximate 35,000 dues-paying members, the tens of thousands of additional
21 donors and supporters, and California firearm owners in general. Such judicial
22 advocacy generally regards firearm laws and rights and specifically involves, inter
23 alia, the ability of law-abiding adults to publicly carry firearms for self-defense.
24 The CRPA Foundation uses its financial and human resources to counsel firearms
25 owners about their rights and duties with regard to carrying firearms for self-
26 defense while also supporting litigation that promotes the right to carry a firearm.

27 6. In response to Sheriff Hutchens' policy for issuing licenses to carry a
28 handgun pursuant to California Penal Code section 26150 The CRPA Foundation

1 has been required to devote financial and human resources to commence litigation
2 to adjudicate the other Plaintiffs' rights with regard to the unlawful activities
3 challenged herein. As a result of The CRPA Foundation's use of its resources to
4 identify and counsel Plaintiffs, and to fund this litigation, it has had to divert
5 resources it would have otherwise used for promoting its other organizational
6 missions, such as firearm safety education.

7 7. CRPA members and contributors to The CRPA Foundation have
8 communicated to me that they wish to obtain a Carry License, but refrain from
9 applying on the basis of futility because they do not meet Sheriff Hutchens' official
10 "good cause" standard and applying would be a waste of their time and money.

11 8. In this suit, The CRPA Foundation represents the interests of its many
12 citizen and taxpayer supporters, and tens of thousands of members of the CRPA
13 who reside in Orange County and desire to obtain a license to publicly carry a
14 handgun, but who have been denied such a license for a supposed lack of "good
15 cause" or have refrained from applying for a license because they do not meet
16 Sheriff Hutchens' "good cause" requirements.

17 I declare under penalty of perjury that the foregoing is true and correct.
18 Executed within the United States on September 7, 2012.

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21 Silvio Montanarella
22 President, CRPA Foundation
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