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Attorney for Plaintiffs BRUCE BOYER, individually  
and on behalf of SONS OF LIBERTY LA,  
an unincorporated association

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

BRUCE BOYER, individually and on behalf of SONS OF LIBERTY LA, an unincorporated association,	)	Case No.: CV12-04005 GAF (FFMx)
	)	
Plaintiffs,	)	<b>URGENT EX PARTE APPLICATION</b>
	)	<b>FOR TEMPORARY RESTRAINING</b>
vs.	)	<b>ORDER AND FOR ORDER TO</b>
	)	<b>SHOW CAUSE RE PRELIMINARY</b>
CITY OF LOS ANGELES,	)	<b>INJUNCTION; DECLARATION OF</b>
	)	<b>GEORGE M. WALLACE</b>
Defendant.	)	
	)	
	)	
	)	

**This application is made on an urgency basis and seeks an order  
relating to public events scheduled to take place on Saturday, May 12, 2012.**

Plaintiffs BRUCE BOYER, individually and on behalf of SONS OF  
LIBERTY LA, an unincorporated association, hereby apply to the Court *ex parte*  
requesting that the Court issue an order directed to Defendant CITY OF LOS  
ANGELES [“the City”], as follows:

1           1.     That the City shall be restrained from preventing plaintiff Bruce  
2 Boyer and members of plaintiff Sons of Liberty LA from having access to the  
3 City's "Gun Buy Back" events to be conducted on May 12, 2012, and in  
4 particular shall permit the following:

5           a.     That plaintiffs may be present at the event site(s) and enter the event  
6 site(s) for purposes of communicating with other attendees/participants;

7           b.     That plaintiffs be permitted to speak with other attendees/participants  
8 at the event site(s) who are willing to hear from plaintiffs concerning the wisdom  
9 or legality of the Gun Buy Back event;

10          c.     That plaintiffs be permitted to communicate with other  
11 attendees/participants who are willing to hear from plaintiffs concerning  
12 alternatives to turning in firearms to the City, including opportunities to dispose  
13 of firearms through lawful sale through a licensed firearms dealer in compliance  
14 with governing state and federal law;

15          d.     That plaintiffs be permitted to erect and display signs at the event  
16 site(s) conveying plaintiff's point of view and communicating to  
17 attendees/participants and others then present concerning alternatives to  
18 participation on the Gun Buy Back;

19          e.     That the communication of plaintiffs' views to other willing  
20 attendees/participants be permitted prior to those attendees/participants  
21 surrendering firearms to the City.

22          2.     That the City show cause, at a time and place to be directed by the  
23 Court, why a preliminary injunction should not issue requiring the City to act as  
24 described in Paragraphs 1(a)-(e) in regard to any future Gun Buy Back Events  
25 conducted prior to the entry of a final judgment in this action.

1 This application is made based upon the facts set forth in the accompanying  
2 Declaration of Bruce Boyer, and the law set forth in the Memorandum of Points  
3 and Authorities filed concurrently with this Application. Good cause exists to  
4 issue the requested Order in order to preserve plaintiffs' rights under the  
5 Constitution of the United States and to avoid irreparable harm to those rights.

6 The Complaint in this action was filed on May 8, 2012. The Summons and  
7 Complaint were served upon the Clerk of the City of Los Angeles on the morning  
8 of May 9, 2012. All papers relating to this application will be delivered to the  
9 Clerk of the City of Los Angeles no later than 10:00 a.m. on May 10, 2012.  
10 Additionally, as reflected in the accompanying Declaration of George M.  
11 Wallace, plaintiffs have notified the Deputy City Attorney believed to be  
12 responsible for this case and have provided copies of the Complaint and of all  
13 papers relating to this application concurrently with this Application's filing.

14 A proposed order is submitted with this Ex Parte application.

15 DATED: May 9, 2012

WALLACE, BROWN & SCHWARTZ

16  
17 /s/ George M. Wallace  
18 by GEORGE M. WALLACE  
19 Attorneys for Plaintiffs BRUCE BOYER,  
20 individually and on behalf of SONS OF  
21 LIBERTY LA, an unincorporated  
22 association  
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**DECLARATION OF GEORGE M. WALLACE**

GEORGE M. WALLACE declares:

1. I am an attorney licensed to practice in the State of California and admitted to the bar of the United States District Court for the Central District of California, and a member of the firm of Wallace, Brown & Schwartz, attorneys of record for plaintiffs in this action. I make this Declaration in support of plaintiffs' ex parte application for a Temporary Restraining Order and an Order to Show Cause re Preliminary Injunction. The facts stated in this Declaration are personally known to me. If called upon to testify under oath, I could and would competently testify to the following facts:

2. I personally filed the Complaint in this action at 2:40 p.m. on the afternoon of May 8, 2012. Upon my return to my office in Pasadena, I arranged for service of the Complaint, Summons and other initial papers upon the City of Los Angeles by delivery of those documents to the offices of the City Clerk. The Complaint and other papers were picked up from my office at approximately 8:00 a.m. on May 9, 2012. I am informed that they were delivered to the City Clerk by mid-morning on that date, although at the time of executing this Declaration I have not yet received the Proof of Service. As soon as the Proof is received in my office, I will file it with the Court.

3. In the course of his inquiries concerning the forthcoming Gun Buy Back events that are the subject of this action, my client advises me that he determined the responsible member of the City Attorney's office is Deputy District Attorney Debra Gonzales. At approximately 11:45 a.m. on May 9, 2012, I placed a call to Ms. Gonzales, to notify her of the filing of this case and of the expected filing of this application for a temporary restraining order. Ms.

1 Gonzales' assistant informed me that Ms. Gonzales had just entered a meeting,  
2 and took my call back information. At the time of executing this Declaration, I  
3 have yet to receive a return call from Ms. Gonzales. I assume and expect that the  
4 City is opposed to this application.

5 4. Upon filing this Application, I will arrange to have it served by  
6 delivery to the City Clerk of Los Angeles, as the City has not yet appeared in the  
7 case. I will also transmit a complete copy of the application and supporting papers  
8 and of the Complaint to Deputy City Attorney Debra Gonzales, as well as sending  
9 an additional copy by overnight delivery with instructions that it be delivered to  
10 Ms. Gonzales' offices early on the morning of May 10, 2012.

11 I declare under penalty of perjury under the laws of the State of California  
12 and of the United States that the foregoing is true and correct, and that this  
13 Declaration is executed this 9<sup>th</sup> day of May, 2012, at Pasadena, California.

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15 */s/ George M. Wallace*

16 GEORGE M. WALLACE (declarant)  
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