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5 NATIONAL SHOOTING SPORTS FOUNDATION, INC.  
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9 Attorneys for Petitioners U.S. Firearms Company LLC, Eric W. Fisher, and  
10 The National Shooting Sports Foundation, Inc.

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **IN AND FOR THE COUNTY OF SANTA CLARA**

13 U.S. FIREARMS COMPANY LLC, a ) limited liability company; ERIC W. ) 14 FISHER; and THE NATIONAL ) SHOOTING SPORTS ) 15 FOUNDATION, INC., a non-profit ) trade association, ) 16 ) Petitioners, ) 17 ) v. ) 18 ) CITY OF SUNNYVALE; THE ) 19 SUNNYVALE CITY COUNCIL; and ) DOES 1 through 30, inclusive, ) 20 ) Respondents. ) 21 )	) CASE NO. ) ) <b>DECLARATION OF ROBERT C. WRIGHT</b> ) <b>IN SUPPORT OF PETITIONERS' EX</b> ) <b>PARTE APPLICATION FOR TEMPORARY</b> ) <b>RESTRAINING ORDER AND ORDER TO</b> ) <b>SHOW CAUSE RE: PRELIMINARY</b> ) <b>INJUNCTION</b> ) ) Date: December 9, 2013 ) Time: 8:30 a.m. ) Dept: ) Judge:
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23 Robert C. Wright declares:

24 1. I am a lawyer admitted to practice in California and am a partner in Wright  
25 & L'Estrange, counsel for Petitioners U.S. Firearms Company LLC, Eric W. Fisher, and  
26 the National Shooting Sports Foundation, Inc., in this case.

27 2. On December 4, 2013, at about 9:45 a.m., I left a telephonic message with  
28 Sunnyvale City Attorney Joan Borger advising her of this case and the fact that the

1 Petitioners intended to seek a Temporary Restraining Order against section 9.44.060 of  
2 the recently-enacted City of Sunnyvale Ordinance regarding recording of information  
3 from ammunition purchasers. On the same day at about 10:45 a.m., I received a  
4 telephone call from attorney Anthony P. Schoenberg of Farella Braun + Martell LLP,  
5 advising me that he represented the City of Sunnyvale in this case.

6 3. On December 6, 2013, at about 4:00 p.m., I notified Mr. Schoenberg by  
7 telephone and e-mail that U.S. Firearms Company, Eric Fisher, and the National  
8 Shooting Sports Foundation intend to seek an *ex parte* Temporary Restraining Order  
9 staying enforcement of section 9.44.060 of the City of Sunnyvale firearms Ordinance, on  
10 Tuesday, December 10, 2013, at 8:30 a.m., in the Santa Clara County Superior Court,  
11 191 N. 1st Street, San Jose, California.

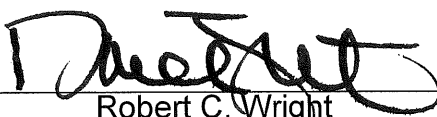
12 4. In my telephone conversation with Mr. Schoenberg on December 4, 2013, I  
13 discussed the nature of the claims being made in this case and the immediate loss of  
14 ammunition customers to U.S. Firearms. I requested that the City of Sunnyvale stipulate  
15 to a Temporary Restraining Order to prevent ongoing irreparable injury.

16 5. On December 6, 2013, Mr. Schoenberg advised me that the City of  
17 Sunnyvale would not stipulate to a Temporary Restraining Order and would oppose the  
18 *ex parte* application.

19 6. On December 9, 2013, I served Mr. Schoenberg by e-mail with copies of  
20 the petition for writ of mandate, *ex parte* application, and memorandum of points and  
21 authorities, and declarations supporting the *Ex Parte* Application For A Temporary  
22 Restraining Order And Order To Show Cause Re: Preliminary Injunction.

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

25 Executed on December 9, 2013, at San Diego, California.

26  
27   
28 Robert C. Wright