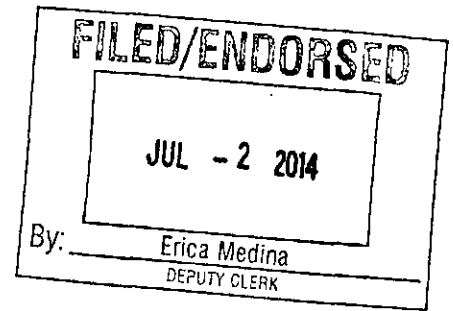


1 KAMALA D. HARRIS  
Attorney General of California  
2 STEPAN A. HAYTAYAN  
Supervising Deputy Attorney General  
3 JEFFREY A. RICH  
Deputy Attorney General  
4 State Bar No. 108589  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5154  
Fax: (916) 324-8835  
7 E-mail: Jeffrey.Rich@doj.ca.gov  
*Attorneys for Defendants Kamala D. Harris and*  
8 *Stephen J. Lindley*



9  
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SACRAMENTO  
12  
13

14 **ALVIN DOE and PAUL A. GLADDEN,**

15 Plaintiffs,

16 v.

17 **KAMALA D. HARRIS, in her official**  
18 **capacity as Attorney General of California;**  
19 **and STEPHEN J. LINDLEY, in his official**  
20 **capacity as Chief of the California**  
**Department of Justice Bureau of Firearms,**

21 Defendants.  
22

Case No. 34-2014-00163821

**ANSWER TO VERIFIED COMPLAINT  
FOR DECLARATORY AND  
INJUNCTIVE RELIEF**

Trial Date: None

Action Filed: May 20, 2014

23 Defendants Kamala D. Harris, in her official capacity as Attorney General of California and  
24 Stephen J. Lindley, in his official capacity as Bureau Chief, Bureau of Firearms, California  
25 Department of Justice, pursuant to Code of Civil Procedure section 446, answer the verified  
26 complaint for declaratory and injunctive relief filed by plaintiffs Alvin Doe and Paul A. Gladden  
27 as follows.  
28

1 Pursuant to Code of Civil Procedure section 431.30, subdivision (f), defendants generally  
2 deny all complaint allegations not so denied or expressly admitted. Defendants reserve the right  
3 to amend their answer to assert other defenses, if necessary.

4 1. In answer to paragraph 1 of the complaint, defendants allege that said paragraph  
5 contains legal argument and to that extent, requires no response.

6 2. In answer to paragraph 2 of the complaint, defendants allege that Exhibit A attached  
7 to the complaint speaks for itself. Defendants deny all other allegations of paragraph 2.

8 3. In answer to paragraph 3 of the complaint, defendants allege that said paragraph  
9 contains legal argument and to that extent, requires no response.

10 4. In answer to paragraph 4 of the complaint, defendants allege that said paragraph  
11 contains legal argument and to that extent, requires no response.

12 5. In answer to paragraph 5 of the complaint, defendants lack sufficient information or  
13 belief to admit or deny the allegations of said paragraph and on that basis deny such allegations.

14 6. In answer to paragraph 6 of the complaint, defendants admit that plaintiff Gladden  
15 possesses a current certificate of eligibility issued by the Department of Justice. Defendants lack  
16 sufficient information or belief to admit or deny the remaining allegations of said paragraph and  
17 on that basis deny such allegations.

18 7. In answer to paragraph 7 of the complaint, defendants admit the allegations of said  
19 paragraph.

20 8. In answer to paragraph 8 of the complaint, defendants admit the allegations of said  
21 paragraph except that defendants deny that defendant Lindley reports to defendant Harris.  
22 Defendants allege that defendant Lindley reports to the Director of the Division of Law  
23 Enforcement of the Department of Justice.

24 9. In answer to paragraph 9 of the complaint, defendants allege that said paragraph  
25 contains legal argument and to that extent, requires no response.

26 10. In answer to paragraph 10 of the complaint, defendants allege that said paragraph  
27 contains legal argument and to that extent, requires no response.  
28

1        11. In answer to paragraph 11 of the complaint, defendants allege that said paragraph  
2 contains legal argument and to that extent, requires no response.

3        12. In answer to paragraph 12 of the complaint, defendants allege that said paragraph  
4 contains legal argument and to that extent, requires no response.

5        13. In answer to paragraph 13 of the complaint, defendants admit that defendant Lindley,  
6 on behalf of the Department of Justice's Bureau of Firearms, sent Exhibit A to the complaint to  
7 licensed firearms dealers in the state and that Exhibit A speaks for itself.

8        14. In answer to paragraph 14 of the complaint, defendants allege that said paragraph  
9 contains legal argument and to that extent, requires no response.

10       15. In answer to paragraph 15 of the complaint, defendants lack sufficient information or  
11 belief to admit or deny the allegations of said paragraph and on that basis deny such allegations.

12       16. In answer to paragraph 16 of the complaint, defendants allege that said paragraph as  
13 phrased contains legal argument and to that extent, requires no response. Defendants further  
14 allege that they lack sufficient information or belief to admit or deny the allegations of said  
15 paragraph and on that basis deny such allegations.

16       17. In answer to paragraph 17 of the complaint, defendants allege that said paragraph  
17 contains legal argument and to that extent, requires no response.

18       18. In answer to paragraph 18 of the complaint, defendants allege that said paragraph  
19 contains legal argument and to that extent, requires no response.

20       19. In answer to paragraph 19 of the complaint, defendants allege that said paragraph  
21 contains legal argument and to that extent, requires no response.

22       20. In answer to paragraph 20 of the complaint, defendants allege that said paragraph  
23 contains legal argument and to that extent, requires no response.

24       21. In answer to paragraph 21 of the complaint, defendants allege that said paragraph  
25 contains legal argument and to that extent, requires no response.

26       22. In answer to paragraph 22 of the complaint, defendants allege that said paragraph  
27 contains legal argument and to that extent, requires no response.  
28

1       23. In answer to paragraph 23 of the complaint, defendants allege that said paragraph  
2 contains legal argument and to that extent, requires no response.

3       24. In answer to paragraph 24 of the complaint, defendants allege that said paragraph  
4 contains legal argument and to that extent, requires no response.

5       25. In answer to paragraph 25 of the complaint, defendants allege that said paragraph  
6 contains legal argument and to that extent, requires no response.

7       26. In answer to paragraph 26 of the complaint, defendants allege that said paragraph  
8 contains legal argument and to that extent, requires no response.

9       27. In answer to paragraph 27 of the complaint, defendants reallege and incorporate by  
10 reference as if fully set forth herein the admissions, denials and allegations set forth in  
11 defendants' paragraphs 1 through 26 above.

12       28. In answer to paragraph 28 of the complaint, defendants allege that said paragraph  
13 contains legal argument and to that extent, requires no response.

14       29. In answer to paragraph 29 of the complaint, defendants reallege and incorporate by  
15 reference as if fully set forth herein the admissions, denials and allegations set forth in  
16 defendants' paragraphs 1 through 28 above.

17       30. In answer to paragraph 30 of the complaint, defendants allege that said paragraph  
18 contains legal argument and to that extent, requires no response.

19                               **AFFIRMATIVE DEFENSES**

20       As affirmative defenses to the complaint, defendants allege as follows.

21                               **FIRST AFFIRMATIVE DEFENSE**

22       In bringing this action, plaintiffs' hands are unclean.

23                               **SECOND AFFIRMATIVE DEFENSE**

24       Plaintiffs are estopped from seeking the relief as set forth in the complaint.

25                               **THIRD AFFIRMATIVE DEFENSE**

26       Plaintiffs have waived all relief sought by the complaint.

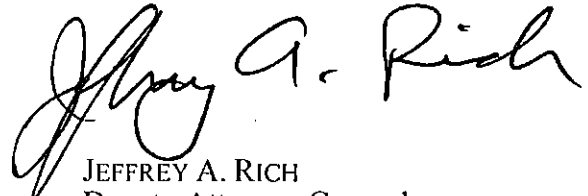
1 **FOURTH AFFIRMATIVE DEFENSE**

2 Plaintiffs are barred from all relief sought by the complaint by the doctrine of laches.

3 Dated: July 2, 2014

Respectfully Submitted,

4 KAMALA D. HARRIS  
5 Attorney General of California  
6 STEPAN A. HAYTAYAN  
7 Supervising Deputy Attorney General

8 

9 JEFFREY A. RICH  
10 Deputy Attorney General  
11 *Attorneys for Defendants Kamala D. Harris*  
12 *and Stephen J. Lindley*

13 SA2014116168  
14 11405690.doc  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Doe, Alvin et al. v. Kamala D. Harris, et al.**  
No.: **34-2014-00163821**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On July 2, 2014, I served the attached

**ANSWER TO VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

Bradley A. Benbrook  
Stephen M. Duvernay  
Benbrook Law Group, PC  
400 Capitol Mall, Suite 1610  
Sacramento, CA 95814  
*Attorneys for Plaintiffs*  
*Alvin Doe and Paul A. Gladden*

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 2, 2014, at Sacramento, California.

\_\_\_\_\_  
Brenda Apodaca  
Declarant

\_\_\_\_\_  
*Brenda Apodaca*  
Signature