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9 ALVIN DOE and PAUL A. GLADDEN

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

ALVIN DOE and PAUL A. GLADDEN,

Plaintiffs,

v.

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

Defendants.

Case No.: 34-2014-00163821

**DECLARATION OF ALVIN DOE IN
SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

1 I, Alvin Doe, declare:

2 1. I am a Plaintiff in this matter. I have personal knowledge of the matters set forth in
3 this declaration, and would be able to testify competently to these facts if called as a witness. I am
4 using a fictitious name because I fear criminal prosecution and retaliation based on the activities
5 described in the complaint and detailed below.

6 2. I hold a federal firearms license as a collector of curios and relics, issued pursuant
7 to Chapter 44 (commencing with Section 921) of Title 18 of the United States Code. I also have a
8 current certificate of eligibility issued by the California Department of Justice ("DOJ"). True and
9 correct copies of my current federal firearms license and certificate of eligibility are attached to
10 this declaration as Exhibits 1 and 2. My personal information has been redacted to protect my
11 privacy.

12 3. More than once in the past, I have applied to purchase multiple non-curio or relic
13 handguns within a thirty-day period based on the statutory exemption in Penal Code section
14 27535(b)(9), and those applications were approved.

15 4. I am aware of the DOJ's new enforcement policy that interprets the licensed
16 collectors' exemption in Penal Code section 27535(b)(9) to apply only to applications to purchase
17 curios or relics.

18 5. On April 24, 2014, I applied to purchase multiple non-curio or relic handguns from
19 a licensed firearms dealer in Orange County. On or about May 1, 2014, the DOJ cancelled all but
20 one of the applications on the grounds that I was not exempt, as a licensed collector, under section
21 27535(b)(9) to apply to purchase multiple non-curio or relic handguns in a thirty-day period.

22 6. But for the fear of prosecution or other adverse action by the DOJ or law
23 enforcement agencies, I would submit additional applications to purchase non-curio or relic
24 handguns that would violate the DOJ's enforcement policy.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed June 2, 2014 in California.



ALVIN DOE

EXHIBIT 1

Federal Firearms License
(18 U.S.C. Chapter 44)

U.S. GOVERNMENT PRINTING OFFICE: 2005-10-17

In accordance with the provisions of Title I, Gun Control Act of 1968, and the regulations issued thereunder (27 CFR Part 478), you are licensed to engage in the activity specified in this license, within the limitations of Chapter 44, Title 18, United States Code, and the regulations issued thereunder, until the expiration date shown. THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 478.51. See "WARNINGS" and "NOTICES" on reverse.

Direct ATF ATF - Chief, FFLC
Correspondence To 244 Needy Road
Martinsburg, WV 25405-9431
Chief, Federal Firearms Licensing Center (FFLC)

License
Number

Redacted

Expiration
Date

February 1, 2017

Name
Redacted

Premises Address (Changes? Notify the FFLC at least 30 days before the move.)
Redacted

Type of License

03 - COLLECTOR OF CURIOS AND RELICS

Purchasing Certification Statement

The licensee named above shall use a copy of this license as a reference of curio or relic firearms to verify the identity and the licensed status of the licensee as provided by 27 CFR Part 478. The signature on each copy must be an original signature. A hand-scanned or e-mailed copy of the license with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Firearms Licensee (FFL). Verify that this is a true copy of a license issued to the licensee named above as a collector of curio and relic and that THIS LICENSE DOES NOT AUTHORIZE THE HOLDER TO ENGAGE IN THE BUSINESS OF DEALING IN ANY FIREARMS.

Mailing Address (Changes? Notify the FFLC of any changes.)

Redacted

Licensee Responsible Person Signature

Position Title

Printed Name

Date

ATF Form 84 (5310-17)
Rev. 10/04 October 2011

Previous Edition is Obsolete. THIS FORM IS NOT VALID FOR USE IN ANY STATE AFTER February 1, 2017. For use in states of curio and relic.

Federal Firearms License (FFL) Customer Service Information

Federal Firearms Licensing Center (FFLC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (866) 662-2750
Toll-free Fax Number: (866) 257-2749
E-mail: NLC2atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 478.52). Licensees may during the term of their current license remove their activity to a new location at which they intend regularly to carry on such activity by filing an Application for an Amended Federal Firearms License, ATF Form 5300.38, in duplicate, not less than 30 days prior to such removal with the Chief, Federal Firearms Licensing Center. The application must be executed under the penalties of perjury and penalties imposed by 18 U.S.C. 924. The application shall be accompanied by the licensee's original license. The license will be valid for the remainder of the term of the original license. (The Chief, FFLC, shall, if the applicant is not qualified, refer the application for amended license to the Director of Industry Operations for denial in accordance with § 478.71.)

(Continued on reverse)

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Federal Firearms License (FFL) Information Card

License Name

Redacted

Business Name

License Number

License Type

03-COLLECTOR OF CURIOS AND RELICS

Expiration

February 1, 2017

Please Note: Not Valid for the Sale or Other Disposition of Firearms

FFL Newsletter - Electronic Version Available

Sign-Up Today!

FFLs interested in receiving the electronic version of the FFL Newsletter, along with occasional additional information, should submit their FFL number, and e-mail address to: FFLNewsletter@atf.gov

The electronic FFL Newsletter will enable ATF to communicate information to licensees on a periodic basis.

EXHIBIT 2

State of California
Department of Justice

CERTIFICATE OF ELIGIBILITY

Number: Redacted

Issued to: Redacted

This is to certify that the Department of Justice, Bureau of Firearms has completed a firearms eligibility check on the above named individual. As of the date of issue, there is nothing that would prohibit the individual from acquiring or possessing a firearm.

Date of Issue: **January 14, 2014** Expiration Date: **January 13, 2015**

Signature of Issuing Officer: Shan