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ORIGINAL FILED
Superior Court of California
County of Los Angeles

NOV 12 2015

Sherri R. Carter, Executive Officer/Clerk
By: Jennifer De Luna, Deputy

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF LOS ANGELES
10 STANLEY MOSK COURTHOUSE

11 SHASTA COUNTY SHERIFF THOMAS BOSENKO,
SAN BERNARDINO COUNTY SHERIFF JOHN
12 MCMAHON, KERN COUNTY SHERIFF DONNY
YOUNGBLOOD, SAN LUIS OBISPO COUNTY
13 SHERIFF IAN S. PARKINSON, SACRAMENTO
COUNTY SHERIFF SCOTT JONES, EL DORADO
14 COUNTY SHERIFF JOHN D'AGOSTINI, SISKIYOU
COUNTY SHERIFF JON LOPEY, TOULUMNE
15 COUNTY SHERIFF JAMES MELE, STANISLAUS
COUNTY SHERIFF ADAM CHRISTIANSON,
16 MERCED COUNTY SHERIFF VERN WARNKE,
TEHAMA COUNTY SHERIFF DAVID HENCRATT,
17 HUMBOLDT COUNTY SHERIFF MICHAEL
DOWNEY, MENDOCINO COUNTY SHERIFF
18 THOMAS D. ALLMAN, SUTTER COUNTY SHERIFF
J. PAUL PARKER, MODOC COUNTY SHERIFF
19 MICHAEL POINDEXTER, FRESNO COUNTY
SHERIFF MARGARET MIMS, MADERA COUNTY
20 SHERIFF JAY VARNEY, AMADOR COUNTY
SHERIFF MARTIN RYAN, LASSEN COUNTY
21 SHERIFF DEAN F. GROWDON, COLUSA COUNTY
SHERIFF JOE GAROFALO, NEVADA COUNTY
22 SHERIFF KEITH ROYAL, TULARE COUNTY
SHERIFF MIKE BOUDREAUX, YUBA COUNTY
23 SHERIFF STEVE DURFOR, KINGS COUNTY
SHERIFF DAVID ROBINSON, PLUMAS COUNTY
24 SHERIFF GREGORY HAGWOOD, TRINITY
COUNTY SHERIFF BRUCE HANEY, SOLANO
25 COUNTY SHERIFF THOMAS A. FERRARA, GLENN
COUNTY SHERIFF RICHARD L. WARREN JR.,
26 BUTTE COUNTY SHERIFF KORY L. HONEA,
SIERRA COUNTY SHERIFF TIM STANDLEY,
27 CHAD CHEUNG, PAUL WOLCOTT, JAMES
28 WILEY, PAUL NORDBERG, JULIO BERNAL,

Case No.: BS158682

**DECLARATION OF PLAINTIFF JULIO
BERNAL IN SUPPORT OF EX PARTE
MOTION TO STAY ENFORCEMENT OF
LAMC SECTION 46.30,
ALTERNATIVELY, FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE**

Date: November 12, 2015
Time: 8:30 a.m.
Dept.: 85
Judge: Honorable James C. Chalfant

Action Filed: October 23, 2015

1 KENNETH TAKAHASHI, LAW ENFORCEMENT
2 ALLIANCE OF AMERICA, INC., CALIFORNIA
3 RIFLE AND PISTOL ASSOCIATION, CALIFORNIA
4 RESERVE PEACE OFFICERS ASSOCIATION,

5 Plaintiffs and Petitioners,

6 vs.

7 THE CITY OF LOS ANGELES, MAYOR ERIC
8 GARCETTI, in his official capacity, LOS
9 ANGELES POLICE DEPARTMENT CHIEF CHARLIE
10 BECK, in his official capacity, and DOES 1-10,

11 Defendants and Respondents

12 **DECLARATION OF JULIO BERNAL**

13 I, Julio Bernal, declare as follows:

14 1. I am a plaintiff in the above-entitled action. I make this declaration of my own personal
15 knowledge and, if called as a witness, I could and would testify competently to the truth of the
16 matters set forth herein.

17 2. I am a law-abiding adult who is not prohibited from owning firearms under the laws of the
18 United States or the state of California. I have never been found by any law enforcement agency,
19 any court, or any other government agency to be irresponsible, unsafe, or negligent with firearms
20 in any manner.

21 3. I am a resident of the city of Los Angeles, California.

22 4. I lawfully own and possess within my Los Angeles residence ammunition magazines with
23 the capacity to accept more than ten rounds that are prohibited by section 46.30 of the Los
24 Angeles Municipal Code.

25 5. I lawfully possess these magazines under state law while traveling between Los Angeles
26 and locations inside and outside California for lawful purposes, including self-defense and target
27 shooting.

28 6. Section 46.30 prohibits me from continuing to possess my lawfully-owned magazines
with the capacity to accept more than ten rounds in my home on or after November 19, 2015.

7. Section 46.30 prohibits me from continuing to possess my lawfully-owned magazines

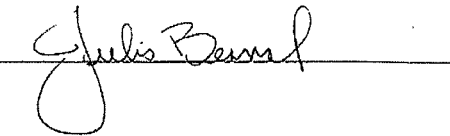
1 with the capacity to accept more than ten rounds while traveling between my Los Angeles
2 residence and locations inside and outside California on or after November 19, 2015.

3 8. If I transfer my lawfully-owned magazines with the capacity to accept more than ten
4 rounds, or if I turn them into the Los Angeles Police Department for destruction, I will not be able
5 to reacquire them.

6 9. I fear arrest and criminal prosecution if I continue to possess my magazines with the
7 capacity to hold more than ten rounds in the city of Los Angeles on or after November 19, 2015.

8
9 I declare under the penalty of perjury under the laws of the State of California that the
10 forgoing is true and correct.

11 Executed this 5th day of November, 2015 in Los Angeles, California.

12
13  A handwritten signature in cursive script, appearing to read "Julio Bernal", is written over a horizontal line. The signature is positioned to the right of the main text block.
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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Laura L. Quesada, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Blvd., Suite 200, Long Beach, California 90802.

7 On November 9, 2015, I served the foregoing document(s) described as

8 **DECLARATION OF PLAINTIFF JULIO BERNAL IN SUPPORT OF EX PARTE
9 APPLICATION TO STAY ENFORCEMENT OF LAMC SECTION 46.30,
10 ALTERNATIVELY, FOR TEMPORARY RESTRAINING ORDER AND ORDER TO
11 SHOW CAUSE**

12 on the interested parties in this action by placing [] the original [X] a true and correct copy
13 thereof addressed as follows:

14 Mr. Benjamin Chapman
15 Deputy City Attorney
16 200 North Main Street, 9th Floor,
17 Los Angeles, California, 90012
18 Phone: (213) 473-6858
19 E-mail: benjamin.chapman@lacity.org

20 X (**BY MAIL**) As follows: By placing the sealed envelope for collection and mailing. I am
21 "readily familiar" with the firm's practice of collection and processing correspondence for
22 mailing. Under the practice it would be deposited with the U.S. Postal Service on that
23 same day with postage thereon fully prepaid at Long Beach, California, in the ordinary
24 course of business. I am aware that on motion of the party served, service is presumed
25 invalid if postal cancellation date is more than one day after date of deposit for mailing an
26 affidavit. Executed on November 9, 2015, at Long Beach, California.

27 (**VIA OVERNIGHT MAIL**) As follows: I am "readily familiar" with the firm's practice
28 of collection and processing correspondence for overnight delivery by UPS/FED-EX.
Under the practice it would be deposited with a facility regularly maintained by
UPS/FED-EX for receipt on the same day in the ordinary course of business. Such
envelope was sealed and placed for collection and delivery by UPS/FED-EX with delivery
fees paid or provided for in accordance with ordinary business practices.
Executed on November , 2015, at Long Beach, California.

X (**VIA ELECTRONIC MAIL**) As follows: I served a true and correct copy by electronic
transmission to benjamin.chapman@lacity.org. Said transmission was reported and
completed without error. Executed on November 9 2015, at Long Beach, California.

X (**STATE**) I declare under penalty of perjury under the laws of the State of California that
the foregoing is true and correct.

 (**FEDERAL**) I declare that I am employed in the office of the member of the bar of this
court at whose direction the service was made.


Laura L. Quesada