

EXHIBIT 2

DOMINIC NARDONE
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

April 26, 2017

1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE CENTRAL DISTRICT OF CALIFORNIA

3
4 MICHELLE FLANAGAN, SAMUEL
5 GOLDEN, DOMINIC NARDONE,
6 JACOB PERKIO, and THE
7 CALIFORNIA RIFLE & PISTOL
8 ASSOCIATION,

9 Plaintiffs,

10 vs.

No. 2:16-cv-06164
JAK-AS

11 CALIFORNIA ATTORNEY
12 GENERAL XAVIER BECERRA, in
13 his official capacity as
14 Attorney General of the
15 State of California,
16 SHERIFF JAMES McDONNELL, in
17 his official capacity as
18 Sheriff of Los Angeles
19 County, California, and
20 DOES 1-10,

21 Defendants.
22 ~~~~~

23 DEPOSITION OF
24 DOMINIC NARDONE

25 Wednesday, April 26, 2017

11:50 A.M. - 12:20 P.M.

300 S. Spring Street, Suite 1702
Los Angeles, California

Nancy Collier Hamada, CSR No. 5819



DOMINIC NARDONE
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April 26, 2017

2

APPEARANCES OF COUNSEL

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DOMINIC NARDONE
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

April 26, 2017
3

INDEX OF EXAMINATION

WITNESS: DOMINIC NARDONE

EXAMINATION

PAGE

BY MS. LI

5

INFORMATION REQUESTED

(NONE)

WITNESS INSTRUCTION NOT TO ANSWER

Page Line

10 17



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DOMINIC NARDONE
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

April 26, 2017

4

INDEX TO EXHIBITS

Exhibit	Description	Page
3	Notice of Deposition	7
4	Nardone's application package to carry a concealed weapon	26

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DOMINIC NARDONE
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

April 26, 2017

5

1 DEPOSITION OF DOMINIC NARDONE

2 Wednesday, April 26, 2017

3

4 DOMINIC NARDONE,

5 having been first duly sworn, testifies as follows:

6

7 EXAMINATION

8 BY MS. LI:

9 Q My name is Patty Li. I represent the
10 Attorney General of California in this litigation
11 which is called Flanagan vs. Becerra.

12 Can you please state your full name and
13 spell your last name just for the record?

14 A Dominic Anthony Nardone. I don't use my
15 middle name. N-a-r-d-o-n-e.

16 Q Thank you. Do you understand that you
17 are testifying today under the same oath that you
18 would take if you were testifying in a courtroom?

19 A Yes.

20 Q Have you ever had your deposition taken
21 before?

22 A Yes.

23 Q When was that?

24 A 35 years ago.

25 Q Okay. So it's been a little while?



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DOMINIC NARDONE
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

April 26, 2017
20

1 eventually that you could carry a weapon outside
2 your home in public, but for whatever reason you
3 could only carry it openly and you were not
4 permitted to carry it concealed, or that was not
5 available to you, the concealed option, you would
6 still take the option to carry openly?

7 A Not happily, but I would take it.

8 Q Why would you prefer concealed over open?

9 A My opinion, and this is strictly a
10 personal opinion, I think if you're carrying an
11 open gun and you're not a police officer or
12 someone that normally carries a gun of that
13 profession, I think you would be stopped by every
14 police officer every time you take a walk. I
15 think when you're showing something like that off,
16 if there's a criminal coming up behind you and
17 you're showing a gun, what do you think the first
18 thing he's going to reach for when he puts the
19 knife in your back? He's going to reach for the
20 gun, and now he's got a knife and a gun, and I
21 couldn't do nothing about it because it was shown.

22 If it was concealed, he wouldn't have
23 known I had it, and I would have had the
24 opportunity to protect myself. I never want to
25 hurt somebody, never.

DOMINIC NARDONE
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

April 26, 2017

21

1 Q Do you have any experience with carrying
2 firearms openly? Have you ever carried openly
3 before in California?

4 A Well, the only experience I had is very
5 brief. Well, in the service, you know. And when
6 I had my concealed in New York, when you have a
7 concealed you're allowed to carry openly also. I
8 don't know if it's the same here, but you're
9 allowed to do either one, and I stopped at a donut
10 shop once, and it was openly. It was warm
11 weather, so I took my jacket off and it was open.
12 I mean, you could see the gun hanging at my side.

13 I sat down and was having a cup of coffee
14 and a donut, and two police officers come up
15 behind me. The poor owner, he got scared, and I
16 don't blame him. You know, he got scared and
17 called the police, and they came up behind me with
18 their guns drawn, and this was 35 years ago or
19 40 years ago, whatever, and they just wanted to
20 see proof that it was legal, which I did, and they
21 said okay, you know, no problem.

22 But I think in today's times it may be
23 different. In today's times because of the
24 stupidity of criminals, they're hunting for police
25 officers and police are scared, and I don't blame



DOMINIC NARDONE
MICHELLE FLANAGAN vs CALIFORNIA ATTORNEY

April 26, 2017
22

1 them.

2 So I don't -- I prefer not to carry an
3 open gun where you're almost looking for trouble.

4 Q So your preference would be to carry
5 concealed?

6 A Yes. The less people that know your
7 business, the better, quietly.

8 Q And would you want the ability to carry
9 concealed whenever you leave your house?

10 A Yes, just normal. Not that I would every
11 day, you know. I'm not going to carry one to the
12 grocery store, or you know, nothing like that.

13 Q But you would like the option?

14 A Yes.

15 Q And you would like the option to carry
16 wherever you would like in public, or are there
17 certain areas that you would think it would be
18 okay for them to be off limits for having
19 concealed weapons?

20 A I don't know of any place that would be
21 off limits other than buildings like this.

22 Q By "buildings like this" do you mean a
23 government building?

24 A Yeah, I think it's off limits. I think
25 the law is it's off limits here. I don't know.