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Attorney for Plaintiff Second Amendment Foundation

11
12 **UNITED STATES DISTRICT COURT**
13 **SOUTHERN DISTRICT OF CALIFORNIA**

14 B & L PRODUCTIONS, INC., d/b/a
CROSSROADS OF THE WEST;
15 BARRY BARDACK; RONALD J. DIAZ,
SR.; JOHN DUPREE; CHRISTOPHER
16 IRICK; LAWRENCE WALSH;
MAXIMUM WHOLESALE, INC., d/b/a
17 AMMO BROS.; CALIFORNIA RIFLE &
PISTOL ASSOCIATION,
18 INCORPORATED; SOUTH BAY ROD
AND GUN CLUB, INC.; and SECOND
19 AMENDMENT FOUNDATION,

20 Plaintiffs, v.

21 22nd DISTRICT AGRICULTURAL
22 ASSOCIATION; STEVE
SHEWMAKER, President of 22nd
23 District Agricultural Association, in his
official and individual capacity;
24 RICHARD VALDEZ, Vice President of
22nd District Agricultural Association, in
25 his official and individual capacity;
KAREN ROSS, Secretary of California
26 Department of Food & Agriculture, in her
official capacity; DOES 1-50,

27 Defendants.
28

CASE NO: 3:19-cv-00134-CAB-NLS

**DECLARATION OF JOHN
DUPREE**

[Filed concurrently with Memorandum of Points and Authorities in Opposition to Defendants’ Motion to Dismiss and in Support of Plaintiffs’ Motion for Summary Judgment, Request for Judicial Notice, and the Declarations of Anna M. Barvir, Tiffany D. Chevront, Philip Y. Okita, Tracy Olcott, Barry Bardack, Ronald J. Diaz, Sr., Christopher Irick, Lawrence Walsh, Shaun Redmon, Richard Travis, Jon Sivers, and Alan Gottlieb]

Date: May 1, 2019
Judge: Hon. Cathy Ann Bencivengo
Action Filed: January 21, 2019

DECLARATION OF JOHN DUPREE

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

5 2. I am a current resident of San Diego County, California.

6 3. I have participated as an attendee at the Crossroads of the West Gun
7 Show, a recurring gun-show event produced by Plaintiff B & L Productions and held
8 at the Del Mar Fairgrounds (“Venue”).

9 4. But for the 22nd District Agricultural Association’s moratorium on gun
10 shows at the Venue, I would continue to participate as an attendee at the Crossroads
11 of the West Gun Show events at the Venue.

12 5. I like attending the Crossroads of the West Gun Show at the Venue
13 because I can speak and engage with like-minded people to explore the lawful uses
14 of firearms, including self-defense, hunting, target shooting, safety training,
15 gunsmithing, and appreciation of firearms as historical objects and technological
16 artifacts.

17 6. At gun show events, like the Crossroads of the West Gun Show, I have
18 engaged with non-profit organizations that have shared information about their
19 programs, given lectures, held training classes, and led discussions about gun rights.
20 I enjoy being able to participate in this broad platform event where all of my
21 interests in these areas converge.

22 7. I am a member of the “gun culture,” which is a discrete and identifiable
23 group of individuals and organizations, who share a desire to exercise fundamental
24 rights protected by the Second Amendment, and who seek to participate in public
25 discourse and share in the benefit of a public resource, like the Venue. Participating
26 in that culture is one of the primary reasons I attend gun shows, even if I am not in
27 the market to sell or buy a firearm.

28 8. To me, owning a gun and shooting a gun promotes self-reliance,

1 personal responsibility, and community with others through association of similar
2 values.

3 9. Defendants' moratorium will diminish for me, and in the aggregate for
4 the community that comprises the "gun culture," the dissemination of information
5 and commerce that is related to the exercise of my constitutional rights under the
6 First Amendments and the Second Amendment at the Venue.

7 I declare under penalty of perjury, under the laws of the United States, that the
8 foregoing is true and correct. Executed in Alpine, California on April 17, 2019.

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10 A handwritten signature in black ink, appearing to read 'John Dupree', is written over a horizontal line.

11 John Dupree
12 Declarant

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CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Case Name: *B & L Productions, Inc., et al. v. 22nd District Agricultural Association, et al.*
Case No.: 3:19-cv-00134 CAB (NLS)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

DECLARATION OF JOHN DUPREE

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Xavier Becerra
Attorney General of California
Paul Stein
Supervising Deputy Attorney General
Joshua M. Caplan
Deputy Attorney General
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E-mail: patty.li@doj.ca.gov
Attorneys for Defendants

I declare under penalty of perjury that the foregoing is true and correct.

Executed April 17, 2019.

/s/ Laura Palmerin
Laura Palmerin