

1 C.D. Michel-SBN 144258  
Anna M. Barvir-SBN 268728  
2 Tiffany D. Chevront-SBN 317144  
MICHEL & ASSOCIATES, P.C.  
3 180 East Ocean Blvd., Suite 200  
Long Beach, CA 90802  
4 Telephone: (562) 216-4444  
Fax: (562) 216-4445  
5 Email: [cmichel@michellawyers.com](mailto:cmichel@michellawyers.com)

*Attorneys for Plaintiffs B & L Productions, Inc., Bardack, Diaz, Dupree, Irick,  
6 Walsh, Maximum Wholesale, Inc., California Rifle & Pistol Association, Inc.,  
South Bay Rod and Gun Club, Inc.*

7  
8 Donald Kilmer-SBN 179986  
Law Offices of Donald Kilmer, APC  
1645 Willow Street Suite 150  
9 San Jose, CA 95125  
Telephone: (408) 264-8489  
10 Fax: (408) 264-8487  
Email: [Don@DKLawOffice.com](mailto:Don@DKLawOffice.com)

*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 JON SIVERS,  
TREASURER OF SOUTH BAY  
ROD AND GUN CLUB, INC.**

[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., John  
Dupree, Christopher Irick, Lawrence  
Walsh, Shaun Redmon, Richard Travis,  
and Alan Gottlieb]

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

**DECLARATION OF JON SIVERS**

1  
2 1. I, Jon Sivers, am the Treasurer of Plaintiff South Bay Rod and Gun  
3 Club, Inc. (“the Club”). I make this declaration of my own personal knowledge and,  
4 if called as a witness, I could and would testify competently to the truth of the  
5 matters set forth herein.

6 2. The Club is a non-profit membership sportsman’s club incorporated  
7 under the laws of California with its headquarters in Dulzura, California. Since  
8 1955, the Club has offered many activities to members and the general public who  
9 have a love for the shooting sports.

10 3. The Club is a membership organization that expends resources and  
11 advocates on behalf of their members’ First and Second Amendment rights at many  
12 public forums throughout California.

13 4. The Club’s mission is to operate a properly managed, nonprofit  
14 shooting club that is efficiently designed, constructed, and safely operated with  
15 diligently maintained shooting ranges, support structures, and facilities so that all  
16 authorized members and guests may use our facilities with pride, confidence and  
17 satisfaction. We endeavor to ensure that future members will inherit a well-managed,  
18 top-quality shooting venue and a legacy of marksmanship, sportsmanship, and  
19 friendship. In the furtherance of this mission, the Club also promotes and encourages  
20 the safe handling and use of firearms.

21 5. The Club has participated as a vendor at the Crossroads of the West  
22 Gun Show, a recurring, legal, safe, and responsible gun-show event promoted by  
23 Plaintiff B & L Productions and held at the Del Mar Fairgrounds (“Venue”).

24 6. But for the 22<sup>nd</sup> District Agricultural Association’s moratorium on  
25 continuing gun shows at the Venue, the Club would continue to participate as a  
26 vendor at gun-show events at the Venue.

27 7. The Club does not sell firearms or ammunition and it has never done  
28 this at the Crossroads of the West Gun Show at the Venue. Instead, the Club engages

1 members and the general public about the benefits of joining with like-minded  
2 people in a gun club environment. They promote membership in the Club, training  
3 classes, competitions, and current events in the area that affect gun owners and  
4 members of the Club.

5 8. At the Crossroads of the West Gun Show, the Club encourages  
6 discussions about the lawful uses of firearms, hunting, recreational shooting,  
7 comradery in the shooting community, and preservation of the Second Amendment  
8 for future generations.

9 9. The Club and their members participate in the Crossroads of the West  
10 Gun Show at the Venue because they enjoy coming together with like-minded  
11 people to explore the lawful uses of firearms, including self-defense, hunting, target  
12 shooting, safety training, gunsmithing, and appreciation of firearms as art, historical  
13 objects, and technological artifacts.

14 10. The Club and its members are members of the “gun culture” which is a  
15 discrete and identifiable group of individuals, who share a desire to exercise  
16 fundamental rights protected by the Second Amendment, and who seek to participate  
17 in public discourse and share in the benefits of public resources like the use of the  
18 Venue. Participating in that culture is one of the primary reasons members of the  
19 Club attend gun shows, even if they are not in the market to sell or buy a firearm.

20 11. Defendants’ moratorium will diminish, for the Club, and in the  
21 aggregate for the community that comprises the “gun culture,” the dissemination of  
22 information and commerce that is related to the Club’s exercise of constitutional  
23 rights under the First Amendment and Second Amendment at the Venue.

24 12. The Club promotes programs, memberships in their organization,  
25 political substance to discussions on issues with firearms and constitutional rights  
26 and engages members of the public and those attending the gun shows regarding  
27 these issues. The Club will sustain and has sustained lost opportunities to engage  
28 those people and to speak to potential members caused by Defendants’ moratorium.



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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 JON SIVERS,  
TREASURER OF SOUTH BAY ROD AND GUN CLUB, INC.**

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  
P. Patty Li  
Deputy Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
E-mail: [patty.li@doj.ca.gov](mailto: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