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10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 NATIONAL RIFLE ASSOCIATION OF
14 AMERICA; JOHN DOE,

15 Plaintiffs,

16 vs.

17 CITY OF LOS ANGELES, ERIC
18 GARCETTI, in his official capacity as
19 Mayor of City of Los Angeles; HOLLY
20 L. WOLCOTT, in her official capacity as
21 City Clerk of City of Los Angeles; and
22 DOES 1-10,

23 Defendants.

Case No: 2:19-cv-03212 SVW (GJSx)

**DECLARATION OF ANNA M.
BARVIR IN SUPPORT OF
PLAINTIFFS’ MOTION FOR
PRELIMINARY INJUNCTION;
EXHIBITS 11 - 33**

Date: July 8, 2019
Time: 1:30 p.m.
Judge: Honorable Stephen V. Wilson

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DECLARATION OF ANNA M. BARVIR

1. I am an attorney at the law firm Michel & Associates, P.C., attorneys of record for Plaintiffs in this action. I am licensed to practice law before the United States District Court for the Southern District of California. I am also admitted to practice before the courts of the state of California, the Eastern, Central, and Northern Districts of California, the D.C., Fourth, Ninth, and Tenth Circuit Courts of Appeals, and the Supreme Court of the United States. I have personal knowledge of the facts set forth herein and, if called and sworn as a witness, could and would testify competently thereto.

2. On or about May 24, 2019, I visited <https://home.nra.org/about-the-nra>, a website owned and copyrighted by National Rifle Association of America (NRA). From there, I viewed, saved, and printed the site’s “A Brief History of the NRA” page. A true and correct copy of the NRA website “A Brief History of the NRA” is attached as **Exhibit 11**.

3. On or about May 24, 2019, I visited <https://www.nrainstructors.org/Search.aspx>, a website owned and copyrighted by NRA. From there, I viewed, saved, and printed the site’s “Find an NRA Training Course Near You” Page, which lists NRA’s firearm safety programs, recreational and competitive shooting programs, women and youth activities, and school safety programs. A true and correct copy of the NRA website “Find an NRA Training Course Near You” page is attached as **Exhibit 12**.

4. On or about May 24, 2019, I visited <https://membership.nra.org/FAQ>, a website owned and copyrighted by NRA. From there, I viewed, saved, and printed the site’s landing page. A true and correct copy of the webpage is attached as **Exhibit 13**.

5. On or about May 24, 2019, I visited <https://www.pewsocialtrends.org>, a webpage owned and copyrighted by Pew Research Center (PRC), a nonpartisan organizations that conducts public opinion polling, demographic research, and other

1 social science research. From there, I viewed, saved, and printed the article
2 “America’s Complex Relationship with Guns: An In-depth Look at the Attitudes and
3 Experiences of U.S. Adults,” by Kim Parker, et al. (June 22, 2017). A true and
4 correct copy of PRC’s “America’s Complex Relationship with Guns: An In-depth
5 Look at the Attitudes and Experiences of U.S. Adults” article is attached as
6 **Exhibit 14.**

7 6. On or about May 24, 2019, I visited , a website owned and copyrighted
8 by NRA. From there, I viewed, saved, and printed the site’s “NRA Member
9 Benefits” page. A true and correct copy of the NRA website page “NRA Member
10 Benefits” is attached as **Exhibit 15.**

11 7. On or about May 24, 2019, I visited [https://www.nrablog.com/articles/
12 2016/1/why-i-joined-the-nra/](https://www.nrablog.com/articles/2016/1/why-i-joined-the-nra/), a website owned and copyrighted by NRA. From
13 there, I viewed, saved, and printed the article “Why I Joined the NRA,” by
14 NRABlog Staff (Jan. 5, 2016). A true and correct copy of “Why I Joined the NRA”
15 is attached as **Exhibit 16.**

16 8. On or about May 24, 2019, I visited [https://reason.com/2018/03/29
17 /california-politicians-urge-boycott-of-c/](https://reason.com/2018/03/29/california-politicians-urge-boycott-of-c/). From there, I viewed, saved, and printed a
18 copy of the Reason.com article “California Politicians Propose Government
19 Boycotts of Companies that Do Business With the NRA,” by Christian Britschgi
20 (Mar. 29, 2018). A true and correct copy of the article is attached as **Exhibit 17.**

21 9. On or about May 24, 2019, I visited [https://newrepublic.com/article/
22 150933/andrew-cuomos-trumpian-war-nra](https://newrepublic.com/article/150933/andrew-cuomos-trumpian-war-nra). From there, I viewed, saved, and printed
23 a copy of The New Republic article “Andrew Cuomo’s Trumpian War on the NRA,”
24 by Matt Ford (Aug. 28, 2019). A true and correct copy of the article is attached as
25 **Exhibit 18.**

26 10. On or about May 24, 2019, I visited [https://slate.com/news-and-
27 politics/2018/02/the-nras-business-affiliates-are-dropping-like-flies.html](https://slate.com/news-and-politics/2018/02/the-nras-business-affiliates-are-dropping-like-flies.html). From
28 there, I viewed, saved, and printed a copy of the Slate.com article “The NRA’s

1 Business Affiliates Are Dropping Like Flies,” by Jeremy Stahl (Feb. 24, 2018). A
2 true and correct copy of the article is attached as **Exhibit 19**.

3 11. On or about May 24, 2019, I visited [https://www.chicagotribune.com/
4 business/ct-biz-pro-nra-businesses-20180312-story.html](https://www.chicagotribune.com/business/ct-biz-pro-nra-businesses-20180312-story.html). From there, I viewed,
5 saved, and printed a copy of the Chicago Tribune article “These 3,100 Businesses
6 Love the NRA Even as Others Pull Back,” by Ivan Livingston (Mar. 12, 2018). A
7 true and correct copy of the article is attached as **Exhibit 20**.

8 12. On or about May 24, 2019, I visited [https://reason.com/2018/11/07/
9 andrew-cuomos-unconstitutional-assault-o/](https://reason.com/2018/11/07/andrew-cuomos-unconstitutional-assault-o/). From there, I viewed, saved, and printed
10 a copy of the Reason article “Andrew Cuomo’s Unconstitutional Assault on the
11 NRA,” by Jacob Sullum (Nov. 7, 2018). A true and correct copy of the article is
12 attached as **Exhibit 21**.

13 13. On or about May 24, 2019, I visited
14 [https://www.nraila.org/articles/20180817/shopify-targets-law-abiding-firearm-
15 businesses](https://www.nraila.org/articles/20180817/shopify-targets-law-abiding-firearm-businesses), a website owned and copyrighted by NRA Institute for Legislative
16 Action (NRA-ILA). From there, I viewed, saved, and printed the article “Shopify
17 Targets Law-abiding Firearm Business” (Aug. 17, 2018). A true and correct copy of
18 “Shopify Targets Law-abiding Firearm Business” is attached as **Exhibit 22**.

19 14. On or about May 24, 2019, I visited [http://money.com/money/
20 5176783/nra-boycott-fedex-amazon-apple-gun-control-youtube/](http://money.com/money/5176783/nra-boycott-fedex-amazon-apple-gun-control-youtube/). From there, I
21 viewed, saved, and printed a copy of the Reason article “Apple, Amazon and More
22 Companies Facing Boycotts Over Ties to the NRA,” by Brad Tuttle (Feb. 26, 2018).
23 A true and correct copy of the article is attached as **Exhibit 23**.

24 15. On or about May 24, 2019, I visited [https://www.esquire.com/news-
25 politics/a18700113/companies-that-work-with-the-nra/](https://www.esquire.com/news-politics/a18700113/companies-that-work-with-the-nra/). From there, I viewed, saved,
26 and printed a copy of the Esquire article “These Companies Still Do Business with
27 the NRA, Despite, Well, Everything,” by Megan Friedman (Feb. 26, 2018). A true
28 and correct copy of the article is attached as **Exhibit 24**.

1 16. My office regularly monitors social media accounts of elected officials
2 who support legislation that may be averse to my clients' interests. On or about
3 April 24, 2019, I visited the Twitter social media account of City of Los Angeles
4 Councilmember Mitchell O'Farrell. From there, I ran a search of his Twitter feed for
5 mentions of NRA. And I printed the search result as a PDF file and saved the
6 resulting document in my firm's electronic document management system,
7 IMANAGE. On or about May 24, 2019, I viewed, pulled, and printed that document
8 from IMANAGE. A true and correct copy of Councilmember Mitchell O'Farrell's
9 Twitter social media mentions of NRA is attached as **Exhibit 25**.

10 17. My office regularly monitors social media accounts of elected officials
11 who support legislation that may be averse to my clients' interests. On or about April
12 24, 2019, I visited the Twitter social media account of City of Los Angeles Mayor
13 Eric Garcetti. From there, I printed the Twitter feed as a PDF and saved the resulting
14 document in my firm's electronic document management system, IMANAGE. On or
15 about May 24, 2019, I viewed, pulled, and printed that document from IMANAGE.
16 A true and correct copy of Mayor Eric Garcetti's Twitter social media account is
17 attached as **Exhibit 26**.

18 18. On or about April 24, 2019, I visited the website of Los Angeles City
19 Councilmember Mitchell O'Farrell. From there, I viewed, printed, and saved his
20 open letter regarding the approval of his ordinance requiring all prospective city
21 contractors to disclose ties to NRA. A true and correct copy of Councilmember
22 Mitchell O'Farrell's open letter is attached at **Exhibit 27**.

23 19. On or about May 24, 2019, I visited <https://www.nraila.org>, a website
24 owned and copyrighted by NRA-ILA. From there, I viewed, saved, and printed the
25 site's "About the NRA Institute for Legislative Action" page. A true and correct
26 copy of NRA-ILA's website "About the NRA Institute for Legislative Action" page
27 is attached as **Exhibit 28**.

28 20. On or about May 23, 2019, I visited www.cdc.gov, the official

1 government website of the Center for Disease Control, an agency of the federal
2 Department of Health and Human Services. From there, I viewed, saved, and printed
3 a copy of a report of the Task Force on Community Preventative Services titled,
4 *First Reports Evaluating the Effectiveness of Strategies for Preventing Violence:
5 Firearms Laws*. It can be accessed at [https://www.cdc.gov/mmwr/preview/
6 mmwrhtml/rr5214a2.htm](https://www.cdc.gov/mmwr/preview/mmwrhtml/rr5214a2.htm). A true and correct copy of this report is attached as

7 **Exhibit 29.**

8 21. On or about May 21, 2019, pursuant the California Public Records Act,
9 my office sent a request for public records (PRAR) to the Department of Public
10 Works, Bureau of Contract Administration, Office of Contract Compliance for the
11 City of Los Angeles. In the ordinary course of business, my administrative assistant
12 would have immediately saved the PRAR in our firm's electronic document
13 management system, IMANAGE. On or about May 24, 2019, I viewed, pulled, and
14 printed a copy of the submitted PRAR from IMANAGE. A true and correct copy of
15 my office's May 21, 2019 PRAR is attached as **Exhibit 30.**

16 22. On May 23, 2019, Ms. Patricia Fuellas, Contract Compliance Analyst,
17 City of Los Angeles Public Works, Bureau of Contract Administration, responded to
18 my office's PRAR via email. Attached to Ms. Fuellas' email were several responsive
19 documents, including (1) a chart listing all contractors who had disclosed affiliation
20 with NRA from April 1 to May 22, 2019 and (2) the affidavits of those companies.
21 In the ordinary course of business, my administrative assistant would have
22 immediately saved the PRAR response in our firm's electronic document
23 management system, IMANAGE. On or about May 24, 2019, I viewed, pulled, and
24 printed from IMANAGE the documents attached to the May 23, 2019 email. A true
25 and correct copy of the responsive documents attached to Ms. Fuellas' May 23, 2019
26 email, redacted to protect the identities of those NRA-affiliated contractors, is
27 attached as **Exhibit 31.**

28 23. On or about May 24, 2019, I visited <https://www.pressreader.com/>.

1 From there, I viewed, saved, and printed a copy of the Los Angeles Times article
2 “NRA Stance Lands Airline in Quagmire,” by Matt Pearce (Feb. 28, 2018). A true
3 and correct copy of the article is attached as **Exhibit 32**.

4 24. On or about May 24, 2019, I visited [https://www.latimes.com/local/
5 lanow/la-me-ln-nra-city-20180328-story.html](https://www.latimes.com/local/lanow/la-me-ln-nra-city-20180328-story.html). From there, I viewed, saved, and
6 printed a copy of the Los Angeles Times article “L.A. Councilman Wants City to
7 Boycott Companies with NRA Ties,” by Emily Alpert Reyes (Mar. 28, 2018). A true
8 and correct copy of the article is attached as **Exhibit 33**.

9 I declare under penalty of perjury that the foregoing is true and correct.
10 Executed within the United States on May 24, 2019.

11
12 /s/ Anna M. Barvir

13 Anna M. Barvir

14 Declarant
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CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *National Rifle Association, et al., v. City of Los Angeles, et al.*
Case No: 2:19-cv-03212 SVW (GJSx)

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 ANNA M. BARVIR IN SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY INJUNCTION; EXHIBITS 11 - 33**

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

Benjamin F. Chapman
Los Angeles City Attorney
200 N. Main St., Suite 675
Los Angeles, CA 90012
benjamin.chapman@lacity.org
Attorneys for Defendants

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

Executed May 24, 2019.

/s/ Laura Palmerin
Laura Palmerin