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15 Email: Don@DKLawOffice.com

Attorney for Plaintiff Second Amendment Foundation

14 IN THE UNITED STATES DISTRICT COURT

15 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

17 B & L PRODUCTIONS, INC., d/b/a
18 CROSSROADS OF THE WEST, et al.,

18 Plaintiffs,

19 v.

20 22nd DISTRICT AGRICULTURAL
21 ASSOCIATION, et al.,

22 Defendants.

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

**SUPPLEMENTAL DECLARATION
OF TRACY OLCOTT, PRESIDENT
AND GENERAL MANAGER OF B
& L PRODUCTIONS, INC.;**
EXHIBITS 27-31

[Filed concurrently with Plaintiffs’
Reply to Defendants’ Opposition to
Motion for Summary Judgment, and
Declaration of Tiffany D. Chevront]

Date: June 17, 2019
Time: 2:30 p.m.
Courtroom: 4C
Judge: Hon. Cathy A. Bencivengo

Action Filed: January 21, 2019

1 **DECLARATION OF TRACY OLCOTT**

2 1. I, Tracy Olcott, am the President and General Manager of Plaintiff
3 B & L Productions, Inc., d/b/a Crossroads of the West (hereafter “B & L”). I make
4 this declaration of my own personal knowledge and, if called as a witness, I could
5 and would testify competently to the truth of the matters set forth herein.

6 2. B & L is a for-profit event promotion company, incorporated under the
7 laws of the state of Utah, with its headquarters in Kaysville, Utah. B & L has been
8 operating event promotion shows in venues across the state of California, including
9 at the Del Mar Fairgrounds (“Venue”), for over 30 years.

10 3. B & L produces, promotes, plans, and implements the Crossroads of the
11 West Gun Show, a recurring, legal, safe, and responsible gun-show event held at the
12 Venue.

13 4. B & L has a long history of complying with all applicable federal, state,
14 and local laws, as well as the 22nd District Agricultural Association rules for vendors
15 and contractors. In fact, not one of these authorities has ever reprimanded or refused
16 to work with B & L due to failures in safety and compliance. It was not until gun
17 control groups began pressuring Defendants to stop the gun shows that this 30-year
18 relationship ended.

19 5. As a promoter of a gun show in California, I am required to hold a
20 Certificate of Eligibility (“COE”) under California Penal Code § 27200 (a). The
21 COE program functions to continually monitor the status of the individual COE
22 holder and serves as a continuing background check on that individual.

23 6. As the promoter for B & L gun shows in California, I am the current
24 holder of a COE issued by the California Department of Justice. Attached hereto as
25 **Exhibit 27** is a true and correct copy of my current COE.

26 7. I have been the holder of the COE for B & L gun show promotion for
27 the past 15 years. Attached hereto as **Exhibit 28** are true and correct copies of my
28 COEs from the years 2004 through 2018.

1 8. Before I became the holder of the COE for B & L gun show promotion,
2 my mother, Ms. Lynn S. Templeton, was the COE holder for B & L. In fact, she was
3 the holder of the very first COE issued by the California Department of Justice to B
4 & L for gun show promotion in California. She maintained her COE through
5 December 31, 2008, when she stopped promoting gun shows. Attached hereto as
6 **Exhibit 29** is a true and correct copy of Ms. Templeton's 2008 COE.

7 9. My brother, Mr. Rob Templeton, also currently holds a COE for B & L
8 gun show promotion issued by the California Department of Justice. Mr. Templeton,
9 however, does not promote gun shows at the Venue.

10 10. My father, Robert R. Templeton, has never been either a COE holder or
11 the promoter of gun shows in California. He does, however, serve as a member of
12 the Board of B & L Productions, Inc., which is our family-owned corporation and is
13 separately incorporated from Crossroads of the West Gun Shows.

14 11. Promotion of a gun show takes many months to organize, contract
15 vendors, prepare safety and security plans, advertise, and promote the event to
16 attendees. Each year I work with a representative at the Del Mar Fairgrounds to
17 secure dates for the next year. Once the dates are confirmed with the Del Mar
18 Fairgrounds, it is understood that those dates are held for B & L and there will not be
19 any other group that will have access to those confirmed dates.

20 12. On or about March 27, 2018, Ms. Char Cunningham, a Sales Manager
21 for Defendant 22nd District Agricultural Association, emailed me requesting a list of
22 B & L's "2019 preferred dates." Later that day, I responded via email, requesting
23 March 16-17, May 18-19, July 13-14, October 5-6, and December 14-15. Attached
24 hereto as **Exhibit 30** is a true and correct copy of my March 27, 2018 email
25 communications with Ms. Cunningham.

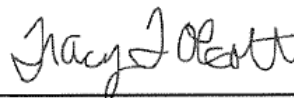
26 13. On or about April 24, 2018, I emailed Ms. Cunningham again to
27 confirm the dates I had requested for the 2019 gun show events. I also informed her
28 that we had not yet received written contracts from the Venue for those dates. Ms.

1 Cunningham responded via email, confirming that she had reserved March 16-17,
2 May 18-19, July 13-14, October 5-6, and December 14-15 for B & L's 2019 events.
3 She also informed me that she had not yet had the chance to request the contracts,
4 but "[h]ope[d] to get to [me] next week." Attached hereto as **Exhibit 31** is a true and
5 correct copy of my April 24, 2018 email communications with Ms. Cunningham.

6 14. Confirming and reserving dates is the same process that has been used
7 for 30 years and I had no reason to believe that the confirmed dates would no longer
8 be honored by the Del Mar Fairgrounds.

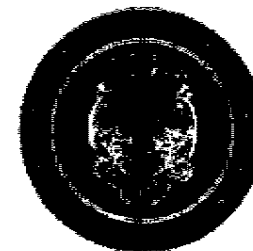
9 15. Confirming and holding dates months in advance is also the accepted
10 practice of the other agricultural districts that B & L works with across the state in
11 the promotion of shows. This is an accepted and long-held practice.

12 I declare under penalty of perjury, under the laws of the United States, that the
13 foregoing is true and correct. Executed in Fruit Heights, Utah on June 7, 2019.

14
15 

16 _____
17 Tracy Olcott
18 Declarant
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EXHIBIT 27



**STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS**

Certificate of Eligibility

Gun Show Producer License

License Number: 10813

Issued to:

TRACY T. OLCOTT

Date of Issue: January 2, 2019

Expiration Date: January 1, 2020

This is to certify the above named individual is licensed by the California Department of Justice, Bureau of Firearms to produce, promote, sponsor, operate, or otherwise organize a gun show or event pursuant to Penal Code section 27200.

Signature of Issuing Officer:

EXHIBIT 28

State of California
Department of Justice

CERTIFICATE OF ELIGIBILITY
GUN SHOW PRODUCER LICENSE

Number: 10813

Issued to:

Tracy T. Olcott

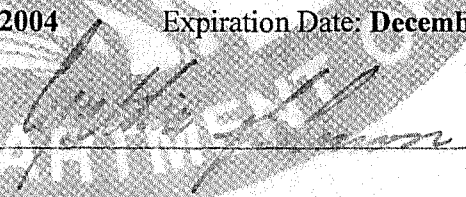
This is to certify the above-named individual is licensed by the Department of Justice pursuant to subdivision (a) of Penal Code section 12071.1 to produce, promote, sponsor, operate, or otherwise organize a gun show, or event, as specified in subparagraph (B) of paragraph (1) of subdivision (b) of Penal Code section 12071.

This license is not valid for more than one year from the date of issue.

Date of Issue: December 31, 2004

Expiration Date: December 31, 2005

Signature of Issuing Officer: _____



State of California
Department of Justice

CERTIFICATE OF ELIGIBILITY
GUN SHOW PRODUCER LICENSE

Number: 10813

Issued to:

Tracy T. Olcott

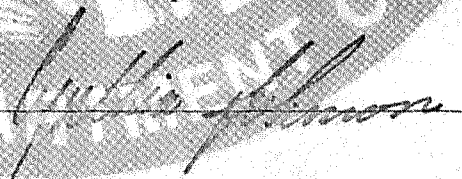
This is to certify the above-named individual is licensed by the Department of Justice pursuant to subdivision (a) of Penal Code section 12071.1 to produce, promote, sponsor, operate, or otherwise organize a gun show, or event, as specified in subparagraph (B) of paragraph (1) of subdivision (b) of Penal Code section 12071.

This license is not valid for more than one year from the date of issue.

Date of Issue: **December 31, 2005**

Expiration Date: **December 31, 2006**

Signature of Issuing Officer: _____



State of California
Department of Justice

CERTIFICATE OF ELIGIBILITY
GUN SHOW PRODUCER LICENSE

Number: 10813

Issued to:

Tracy T. Olcott

This is to certify the above-named individual is licensed by the Department of Justice pursuant to subdivision (a) of Penal Code section 12071.1 to produce, promote, sponsor, operate, or otherwise organize a gun show, or event, as specified in subparagraph (B) of paragraph (1) of subdivision (b) of Penal Code section 12071.

This license is not valid for more than one year from the date of issue.

Date of Issue: **January 1, 2007**

Expiration Date: **December 31, 2007**

Signature of Issuing Officer: _____

State of California
Department of Justice

CERTIFICATE OF ELIGIBILITY
GUN SHOW PRODUCER LICENSE

Number: 10813

Issued to:

Tracy T. Olcott

This is to certify the above-named individual is licensed by the Department of Justice pursuant to subdivision (a) of Penal Code section 12071.1 to produce, promote, sponsor, operate, or otherwise organize a gun show, or event, as specified in subparagraph (B) of paragraph (1) of subdivision (b) of Penal Code section 12071.

This license is not valid for more than one year from the date of issue.

Date of Issue: **January 1, 2008**

Expiration Date: **December 31, 2008**

Signature of Issuing Officer:

Wicki M. Lyman

State of California
Department of Justice

**CERTIFICATE OF ELIGIBILITY
GUN SHOW PRODUCER LICENSE**

Number: **10813**

Issued to:

TRACY T OLCOTT

This is to certify that above-named individual is licensed by the Department of Justice pursuant to subdivision (a) of Penal Code section 12071.1 to produce, promote, sponsor, operate, or otherwise organize a gun show, or event, as specified in subparagraph (B) of paragraph (1) of subdivision (b) of Penal Code section 12071.

This certificate is not valid for more than one year from the date of issue.

Date of Issue: January 1, 2009

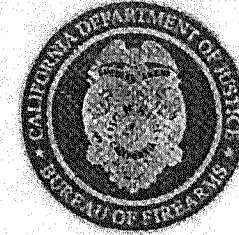
Expiration Date: December 31, 2009

Signature of Issuing Officer:

Steve Buford



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS



Certificate of Eligibility
GUN SHOW PRODUCER LICENSE

Number: 10813

Issued to:

TRACY T. OLCOTT

Date of Issue: JANUARY 1, 2010

Expiration Date: DECEMBER 31, 2011

This license is not valid for more than one year from the date of issue.

This is to certify that the above named individual is licensed by the Department of Justice pursuant to subdivision (a) of Penal Code section 12071.1 to produce, promote, sponsor, operate, or otherwise organize a gun show, or event, as specified in subparagraph (B) of paragraph (1) of subdivision (b) of Penal Code section 12071.

Signature of Issuing Officer: _____

Sherry Carter



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS



Certificate of Eligibility
GUN SHOW PRODUCER LICENSE

Number: 10813

Issued to:

TRACY T. OLCOTT

Date of Issue: January 1, 2011 Expiration Date: December 31, 2011

This license is not valid for more than one year from the date of issue.

This is to certify that the above named individual is licensed by the Department of Justice pursuant to subdivision (a) of Penal Code section 12071.1 to produce, promote, sponsor, operate, or otherwise organize a gun show, or event, as specified in subparagraph (B) of paragraph (1) of subdivision (b) of Penal Code section 12071.

Signature of Issuing Officer: _____

Sherry Carter



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS



Certificate of Eligibility
Gun Show Producer License

License Number: 10813

Issued to:

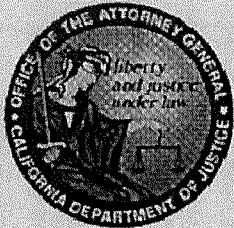
TRACY T. OLCOTT

Date of Issue: JANUARY 1, 2012

Expiration Date: DECEMBER 31, 2012

This is to certify the above named individual is licensed by the California Department of Justice, Bureau of Firearms to produce, promote, sponsor, operate, or otherwise organize a gun show or event pursuant to Penal Code section 27200.

Signature of Issuing Officer: _____



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS



Certificate of Eligibility
Gun Show Producer License

License Number: 10813

Issued to:

TRACY T. OLCOTT

Date of Issue: JANUARY 1, 2013

Expiration Date: DECEMBER 31, 2013

This is to certify the above named individual is licensed by the California Department of Justice, Bureau of Firearms to produce, promote, sponsor, operate, or otherwise organize a gun show or event pursuant to Penal Code section 27200.

Signature of Issuing Officer:



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS



Certificate of Eligibility
Gun Show Producer License

License Number: 10813

Issued to:

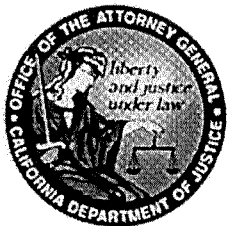
TRACY T. OLCOTT

Date of Issue: January 1, 2014

Expiration Date: December 31, 2014

This is to certify the above named individual is licensed by the California Department of Justice, Bureau of Firearms to produce, promote, sponsor, operate, or otherwise organize a gun show or event pursuant to Penal Code section 27200.

Signature of Issuing Officer: _____



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS

Certificate of Eligibility
Gun Show Producer License

License Number: **10813**

Issued to:

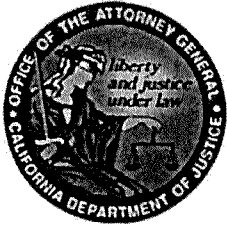
TRACY T OLCOTT

Date of Issue: DECEMBER 31, 2014

Expiration Date: DECEMBER 30, 2015

This is to certify the above named individual is licensed by the California Department of Justice, Bureau of Firearms to produce, promote, sponsor, operate, or otherwise organize a gun show or event pursuant to Penal Code section 27200.

Signature of Issuing Officer: _____



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS

Certificate of Eligibility

Gun Show Producer License

License Number: **10813**

Issued to:

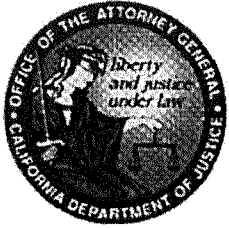
TRACY T. OLCOTT

Date of Issue: **DECEMBER 31, 2015**

Expiration Date: **DECEMBER 30, 2016**

This is to certify the above named individual is licensed by the California Department of Justice, Bureau of Firearms to produce, promote, sponsor, operate, or otherwise organize a gun show or event pursuant to Penal Code section 27200.

Signature of Issuing Officer: _____



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS

Certificate of Eligibility
Gun Show Producer License

License Number: **10813**

Issued to:

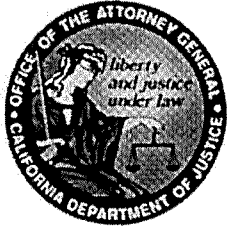
TRACY T. OLCOTT

Date of Issue: DECEMBER 31, 2016

Expiration Date: DECEMBER 30, 2017

This is to certify the above named individual is licensed by the California Department of Justice, Bureau of Firearms to produce, promote, sponsor, operate, or otherwise organize a gun show or event pursuant to Penal Code section 27200.

Signature of Issuing Officer: *Wynn Ward*



STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS

Certificate of Eligibility
Gun Show Producer License

License Number: 10813

Issued to:

TRACY T OLCOTT

Date of Issue: DECEMBER 18, 2017

Expiration Date: DECEMBER 17, 2018

This is to certify the above named individual is licensed by the California Department of Justice, Bureau of Firearms to produce, promote, sponsor, operate, or otherwise organize a gun show or event pursuant to Penal Code section 27200.

Signature of Issuing Officer: _____



CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
LICENSING AND CERTIFICATE OF
ELIGIBILITY SECTION



I, Rachel Pyara, do certify and attest under penalty of perjury that I am the legal custodian of the Certificate of Eligibility records maintained by the California Department of Justice, Bureau of Firearms, Licensing and Certificate of Eligibility Section.

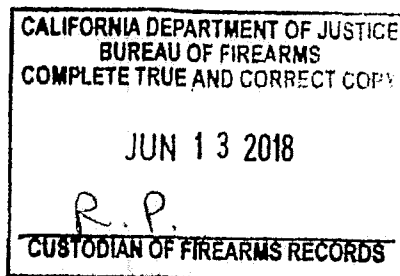
On June 13, 2018 a diligent search of Certificate of Eligibility records was conducted for the following individual:

Tracy T. Olcott

The search revealed that Ms. Olcott currently holds a Certificate of Eligibility issued, by the State of California Department of Justice, on January 01, 2018.

I certify that the information provided is complete, true, and exact. This certification was prepared by personnel of the Department in the ordinary course of business on the date stated above.

RACHEL PYARA
Staff Services Analyst
Licensing and Certificate of Eligibility Section
Bureau of Firearms



State of California
Department of Justice
Bureau of Firearms

CERTIFICATE OF ELIGIBILITY



Number: 10813

Issued To:

Tracy T Olcott

This is to certify that the Department of Justice, Bureau of Firearms has completed a firearms eligibility check on the above named individual. As of the date of issue, there is nothing that would prohibit the individual from acquiring or possessing a firearm.

Date of Issue: January 01, 2018

Expiration Date: December 31, 2018

Signature of Issuing Officer _____

EXHIBIT 29

State of California
Department of Justice

CERTIFICATE OF ELIGIBILITY
GUN SHOW PRODUCER LICENSE

Number: 3

Issued to:

Lynn Staple Templeton

This is to certify the above-named individual is licensed by the Department of Justice pursuant to subdivision (a) of Penal Code section 12071.1 to produce, promote, sponsor, operate, or otherwise organize a gun show, or event, as specified in subparagraph (B) of paragraph (1) of subdivision (b) of Penal Code section 12071.

This license is not valid for more than one year from the date of issue.

Date of Issue: **January 1, 2008**

Expiration Date: **December 31, 2008**

Signature of Issuing Officer:

Wicki M. Lyman

EXHIBIT 30

Tiffany Cheuvront

From: TRACY OLCOTT <SOLCOTT@msn.com>
Sent: Wednesday, October 10, 2018 2:27 PM
To: Tiffany Cheuvront
Subject: Fw: 2019

From: TRACY OLCOTT
Sent: Tuesday, March 27, 2018 1:11 PM
To: Char Cunningham
Subject: Re: 2019

Here are the dates I would like for my 2019 gun shows:

March 16-17

May 18-19

July 13-14 (or whatever works for fair)

October 5-6

December 14-15

I would like O'Brien for all these shows but I realize that I may not be able to get it for May and July.

Thanks!

Tracy

From: Char Cunningham <ccunningham@sdfair.com>
Sent: Tuesday, March 27, 2018 12:36 PM
To: Tracy Olcott
Subject: 2019

Hi Tracy,

Please send me the 2019 preferred dates and the building you would like. I need soon! 😊

Thank you,

Char

Char Cunningham

Sales Manager | Events
ccunningham@sdfair.com | p: 858.792.4275 | f: 858.792.4287

22nd District Agricultural Association
2260 Jimmy Durante Blvd. | Del Mar, CA 92014

www.sdfair.com



This e-mail message has been scanned for Viruses and Content and cleared by NetIQ MailMarshal

EXHIBIT 31

Tiffany Cheuvront

From: TRACY OLCOTT <SOLCOTT@msn.com>
Sent: Wednesday, October 10, 2018 2:26 PM
To: Tiffany Cheuvront
Subject: Fw: 2019 contracts

From: TRACY OLCOTT
Sent: Tuesday, April 24, 2018 12:36 PM
To: Char Cunningham
Subject: Re: 2019 contracts

Thanks for your help!
Tracy

From: Char Cunningham <ccunningham@sdfair.com>
Sent: Tuesday, April 24, 2018 12:34 PM
To: 'TRACY OLCOTT'
Subject: RE: 2019 contracts

Hi Tracy,
I have the dates reserved, haven't had a chance to request the Contracts as yet. Hope to get to you next week.
Thanks
Char

Char Cunningham

Sales Manager| Events
ccunningham@sdfair.com | p: 858.792.4275 | f: 858.792.4287

22nd District Agricultural Association
2260 Jimmy Durante Blvd. | Del Mar, CA 92014
www.sdfair.com



From: TRACY OLCOTT [mailto:SOLCOTT@msn.com]
Sent: Tuesday, April 24, 2018 11:32 AM

To: Char Cunningham <ccunningham@sdfair.com>

Subject: 2019 contracts

On March 27 I sent date requests for 2019. I don't have any contracts from that email and I am wondering if I missed them or you haven't issued them yet. Please let me know what I need to do in order to get these contracts finalized.

Thanks

Tracy Olcott

Crossroads of the West Gun Shows

This e-mail message has been scanned for Viruses and Content and cleared by NetIQ MailMarshal

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:

**SUPPLEMENTAL DECLARATION OF TRACY OLCOTT, PRESIDENT
AND GENERAL MANAGER OF B & L PRODUCTIONS, INC.;**
EXHIBITS 27-31

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
Attorneys for Defendants

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

Executed June 7, 2019.

/s/ Laura Palmerin
Laura Palmerin