1 2 3 4 5 6	Anna M. Barvir, SBN 268728 MICHEL & ASSOCIATES, P.C. 180 East Ocean Blvd., Suite 200 Long Beach, CA 90802 Telephone: (562) 216-4444 Fax: (562) 216-4445 Email: abarvir@michellawyers.com Attorney for Plaintiffs and Petitioners	E-FILED 3/27/2017 4:42:58 PM FRESNO COUNTY SUPERIOR COURT By: C. Cogburn, Deputy
7 8	IN THE SUPERIOR COURT O	F THE STATE OF CALIFORNIA
9		NTY OF FRESNO
10	SHERIFF CLAY PARKER, TEHAMA	Case No. 10CECG02116
11	COUNTY SHERIFF; HERB BAUER SPORTING GOODS; CALIFORNIA RIFLE	DECLARATION OF CLAY PARKER IN
12	AND PISTOL ASSOCIATION FOUNDATION; ABLE'S SPORTING, INC.;	SUPPORT OF PLAINTIFFS' MOTION FOR ATTORNEYS' FEES ON APPEAL
13	RTG SPORTING COLLECTIBLES, LLC; AND STEVEN STONECIPHER,	Judge: Jeffrey Y. Hamilton
14	Plaintiffs and Petitioners,	Dept.: 402 Date: May 31, 2017
15	vs.	Time: 3:30 PM
16 17	THE STATE OF CALIFORNIA; KAMALA D. HARRIS, in her official capacity as Attorney General for the State of California; THE CALIFORNIA DEPARTMENT OF JUSTICE;	
18	and DOES 1-25,	Action Filad: June 17, 2010
19	Defendants and Respondents.	Action Filed: June 17, 2010
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	DECLARATION	OF CLAY PARKER

1	DECLARATION OF CLAY PARKER
2	I, Clay Parker, declare as follows:
3	1. I am the former duly elected Sheriff for the County of Tehama, California. I became
4	a law enforcement officer in 1981, and am a graduate of the Federal Bureau of Investigation
5	National Academy. I was originally elected Sheriff of Tehama County in 1998 and was reelected
6	to that position two times. I am a former President of the California State Sheriffs' Association, and
7	am a former President of the Western States' Sheriffs' Association.
8	2. In my role as a Sheriff I did not sell ammunition for profit. Neither I nor the
9	Sheriff's Department traded in ammunition and neither profited in any way from the purchase or
10	sale of ammunition.
11	3. I never have sold, do not currently sell, nor have any intention of selling ammunition
12	for profit.
13	4. I did not file the <i>Parker</i> litigation with the intent of receiving a financial benefit
14	from the litigation. Accordingly, my lawsuit did not seek monetary damages as a remedy if I was
15	successful in this lawsuit.
16	5. At the time the decision was made to litigate this case I estimated my monetary
17	interest in this case to be \$0.00.
18	6. Since the inception of this litigation, I have not realized any pecuniary interest as a
19	result of this litigation.
20	7. I do not expect to receive any pecuniary interest at any future time as a result of this
21	litigation.
22	8. If I thought that the benefit to be gained from this litigation was financial in nature,
23	as opposed to protection of constitutional rights, I would never have pursued this litigation in light
24	of anticipated litigation costs.
25	11. Based on the difficulty of succeeding in constitutional vagueness challenges, given
26	the political environment of the state of California, given the controversial nature of the statutes at
27	issue in this litigation, in light of recent case law supporting vagueness challenges being de-
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DECLARATION OF CLAY PARKER

published, and based on input received from my attorneys, I believed there to be a ten percent
 chance of success in this litigation at the time the vital litigation decisions were being made.

3 12. At the time the vital litigation decisions were being made, I anticipated this
4 litigation would result in hundreds of thousands of dollars in legal costs. I understand the total costs
5 of this litigation exceeded \$700,000.

I estimated I would receive a maximum financial benefit of \$0.00 as a result of this
litigation. Accordingly, I estimate that in order to realize a financial interest substantially greater
than the costs of this litigation, adjusted for the likelihood of success in this litigation, I would need
to realize a pecuniary gain of greater than \$7,000,000.00.

14. At the time the vital litigation decisions were being made, I believed the potential
 for any financial gain through this litigation, to the extent there was any, did not outweigh the costs
 of bringing this litigation. Rather, I estimate that the financial burdens of this litigation far
 outweigh any pecuniary interests I might potentially have in this litigation.

I declare under penalty of perjury under the laws of the State of California that theforegoing is true and correct.

Executed March <u>27</u>, 2017.

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by Pak

CLAY PARKE Declarant

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	PROOF OF	SEDVICE	
	PROOF OF	SERVICE	
	ATE OF CALIFORNIA UNTY OF FRESNO		
the Eas	I, Laura Palmerin, am employed in Long Beach, Los Angeles County, California. I am over the age of eighteen (18) years and am not a party to the within action. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, CA 90802.		
	On March 27, 2017, I served the foregoing document(s) described as: DECLARATION OF SHERIFF CLAY PARKER IN SUPPORT OF PLAINTIFFS' MOTION FOR ATTORNEYS' FEES ON APPEAL		
on the interested parties in this action by placing			
the	[] the original [x] a true and correct copy thereof enclosed in a sealed envelope(s) addressed as follows:		
	George Waters	P. Patty Li Deputy Attorney General	
	Deputy Attorney General 1300 I Street, Suite 125	Deputy Attorney General 455 Golden Gate Ave., Suite 11000 San Francisco, CA 94102	
	P.O. Box 944255 Sacramento, CA 94244-2550	San Francisco, CA 94102	
X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party			
			served, service is presumed invalid if post date of deposit for mailing an affidavit. Executed on March 27, 2017, at Long Bea
(VIA OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of			
	collection and processing correspondence for overnight delivery by UPS/FED-EX. Under the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for receipt on the same day in the ordinary course of business. Such envelope was sealed and		
	placed for collection and delivery by UPS in accordance with ordinary business prac	/FED-EX with delivery fees paid or provided for	
<u>x</u>	The second many states of California that		
	(FEDERAL) I declare that I am employed	I in the office of the member of the bar of this of	
	this court at whose direction the service w	$d = \frac{1}{2} $	
		LAURA PALMERIN	
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