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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

KIM RHODE, et al.,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity as Attorney General of the State of California,

Defendant.

Case No.: 3:18-cv-00802-BEN-JLB

DECLARATION OF NANDU IONESCU IN SUPPORT OF PLAINTIFFS' SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

Judge: Hon. Roger T. Benitez
Courtroom: 5A

DECLARATION OF NANDU IONESCU

1. I, Nandu Ionescu, make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. I am a resident of Los Angeles County, California. I am a citizen of the United States who is not prohibited from owning or possessing firearms or ammunition under state or federal law. I am also a member of the California Rifle & Pistol Association, Incorporated, who is a plaintiff in this action.

3. On October 9, 2019, I attempted to purchase ammunition from Turner's Outdoorsman in Norwalk, California using the "Standard Ammunition Eligibility Check" ("AFS Match)" option. My attempted purchase was rejected.

4. Following the rejection of my attempted purchase, I entered my transaction information into the California Department of Justice's ("DOJ") CFARS website that same day to learn the reason for my rejection. DOJ's CFARS website stated the following:

> ***Rejected**:*
> *Pursuant to Penal Code section 30370, subdivision (b), your name, date of birth, current address, and government issued or military identification must match an entry in the Department of Justice, Bureau of Firearms' Automated Firearms System (AFS) (state-wide firearm ownership repository). You have been rejected for one of the following reasons: 1) you do not have an AFS record or 2) the information you provided to the ammunition vendor does not match the AFS record that is on file. Information on what establishes an AFS record or how to update an existing AFS record can be found at CFARS Home.*

5. After reviewing this information, I attempted to update my existing AFS records with DOJ by submitting an Automated Firearms System (AFS) Personal Information Update application through DOJ's CFARS website that same day.

6. On October 11, 2019, I attempted to purchase ammunition from Turner's Outdoorsman in Norwalk, California using the "Standard Ammunition Eligibility Check (AFS Match)" option. My attempted purchase was rejected.

7. Following the rejection of my second attempted purchase, I entered my transaction information into DOJ's CFARS website to learn the reason for my rejection. DOJ's CFARS website stated the identical reason for my rejection as the previous time.

8. On October 15, 2019, I again attempted to purchase ammunition from Turner's Outdoorsman in Norwalk, California using the "Standard Ammunition Eligibility Check (AFS Match)" option. My attempted purchase was again rejected.

9. Following the rejection of my third attempted purchase, I entered my transaction information into DOJ's CFARS website to learn the reason for my rejection. DOJ's CFARS website stated the identical reason for my rejection as the previous two times.

10. On October 17, 2019, nine days after I submitted it, I received electronic notification from DOJ that my Automated Firearms System (AFS) Personal Information Update application had been approved. Attached to this notification was a letter from DOJ stating:

> *The California Department of Justice has received and processed your electronic submission of the Automated Firearms System Personal Information Update Application. Your personal information has been updated with the personal information provided on your submission.*

11. On October 18, 2019, I attempted to purchase ammunition from Bass Pro Shops in Rancho Cucamonga, California using the "Standard Ammunition Eligibility Check (AFS Match)" option. My attempted purchase was approved.

I declare under penalty of perjury that the foregoing is true and correct. Executed within the United States on October 23, 2019.

Nandu Ionescu
Declarant

CERTIFICATE OF SERVICE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Case Name: *Rhode, et al. v. Becerra*
Case No.: 3:18-cv-00802-JM-JMA

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, declare under penalty of perjury that I am a citizen of the United States over 18 years of age. My business address is 180 East Ocean Boulevard, Suite 200 Long Beach, CA 90802. I am not a party to the above-entitled action.

I have caused service of the following documents, described as:

DECLARATION OF NANDU IONESCU IN SUPPORT OF PLAINTIFFS' SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

on the following parties by electronically filing the foregoing on October 29, 2019, with the Clerk of the District Court using its ECF System, which electronically notifies them.

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Deputy Attorney General
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2550 Mariposa Mall, Room 5090
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Attorneys for Defendant Attorney General Xavier Becerra

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 29, 2019, at Long Beach, CA.

s/ Laura Palmerin
Laura Palmerin