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16 **UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

18 JANICE ALTMAN, *et al.*,
19 Plaintiffs,

20 vs.

21 COUNTY OF SANTA CLARA,
22 CALIFORNIA, *et al.*,

23 Defendants.

Case No. 4:20-cv-02180-JST

24 **DECLARATION OF ALBERT LEE SWANN**
25 **IN SUPPORT OF PLAINTIFFS'**
26 **APPLICATION FOR TEMPORARY**
27 **RESTRAINING ORDER AND**
28 **ISSUANCE OF PRELIMINARY**
INJUNCTION

DECLARATION OF ALBERT LEE SWANN

I, Albert Lee Swann, declare as follows:

1. I am an adult resident of the County of Alameda, California, and am a named plaintiff in the above matter. I have personal knowledge of the facts stated

- 1 herein, and if called as a witness, I could competently testify to these facts.
- 2 2. This declaration is executed in support of Plaintiffs’ Motion for Temporary
- 3 Restraining Order and Issuance of Preliminary Injunction.
- 4
- 5 3. I am not prohibited from possessing firearms or ammunition under federal and
- 6 state law.
- 7
- 8 4. In light of the developing situation involving the spread of COVID-19, I
- 9 became concerned about my ability to protect myself and my family. As such,
- 10 I desire to obtain ammunition for self-defense and other purposes.
- 11
- 12 5. I possess a firearms safety certificate (“FSC”) as required by the State of
- 13 California in order to purchase or acquire a firearm.
- 14
- 15 6. Unlike individuals in other states, I cannot lawfully purchase ammunition
- 16 online and have it shipped directly to my home.
- 17
- 18 7. Unlike other constitutionally protected products that can be purchased online
- 19 and shipped directly to me, under federal and state law, I cannot purchase a
- 20 firearm online and have it shipped to my home.
- 21
- 22 8. In order for me to comply with federal and State law, I can only acquire and
- 23 take possession of firearms in a face to face transaction at a duly licensed
- 24 firearm retailer.
- 25
- 26 9. In order for me to comply with California law, I can only acquire and take
- 27 possession of ammunition in a face to face transaction at a licensed firearm
- 28

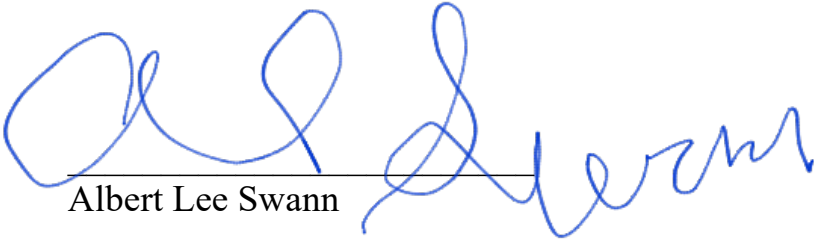
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and ammunition vendor. Defendants’ Orders and actions have resulted in firearm and ammunition stores being closed in the County of Alameda, California.

10. I want to exercise my right to acquire, keep, bear, and practice proficiency training and shooting with arms – including firearms, ammunition, magazines, and appurtenances – for lawful purposes including self-defense, and would do so, but for the reasonable and imminent fear of arrest and criminal prosecution under Defendants’ laws, policies, orders, practices, customs, and enforcement.

11. Accordingly, and for reasons set for in Plaintiffs’ application and motion, I respectfully ask this Court to grant the application and/or motion for preliminary injunction.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 9, 2020.


Albert Lee Swann