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

JANICE ALTMAN, *et al.*,
Plaintiffs,

vs.

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

Defendants.

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

**DECLARATION OF MICHAEL
BARYLA IN SUPPORT OF
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND
ISSUANCE OF PRELIMINARY
INJUNCTION**

DECLARATION OF MICHAEL BARYLA

I, Michael Baryla, declare as follows:

1. I am the President of Plaintiff California Association of Federal Firearms Licensees, Inc. (“CAL-FFL”).

- 1 2. CAL-FFL is a 501(c)6 non-profit organization incorporated under the laws of
2 California, with a place of business in Sacramento, California.
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4 3. The State’s only California-based firearm industry association, CAL-FFL
5 represents members including firearm and ammunition retailers, training
6 professionals, shooting ranges, licensed collectors, and others who
7 participate in California’s firearms ecosystem.
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9 4. CAL-FFL serves its members and the public through direct and grassroots
10 issue advocacy, regulatory input, legal efforts, and education.
- 11
12 5. The interpretation and enforcement of the Constitution, as well as the
13 Defendants’ orders and enforcement actions, directly impacts CAL-FFL's
14 organizational interests, as well as the rights of CAL-FFL's members and
15 supporters.
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17 6. CAL-FFL brings this action on behalf of itself, its members, supporters who
18 possess all the indicia of membership, and similarly situated members of the
19 firearm licensee industry and the public. Plaintiffs Kaplan and City Arms
20 East are members of CAL-FFL.
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23 7. Since the Defendants began issuing and enforcing the orders and directives at
24 issue in this case, I and other CAL-FFL representatives have spent time
25 speaking to affected retailers, including some shut down by Defendants’
26 orders and enforcement actions, evaluating damages caused by the
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1 Defendants, and associated impacts to our industry, its members, and the
2 members of the public they serve.

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4 8. Firearm and ammunition product manufacturers, retailers, importers,
5 distributors, and shooting ranges are essential businesses that provide essential
6 access to constitutionally protected fundamental, individual rights. If firearms
7 and ammunition could be purchased online like other constitutionally
8 protected artifacts, such as paper, pens, ink, and technology products that
9 facilitate speech, then individuals could simply purchase what they need and
10 have the items delivered to their doorsteps. But because of an onerous and
11 complicated federal, state, and local regulatory scheme, people in California
12 cannot exercise their Second Amendment right to keep and bear arms without
13 going in person to such essential businesses—at least once for ammunition, and
14 at least twice for firearms.

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19 9. In California, individuals are required to purchase and transfer firearms and
20 ammunition through state and federally licensed dealers, including CAL-
21 FFL's members, in face-to-face transactions or face serious criminal penalties.

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23 10. Shuttering access to arms, the ammunition required to use those arms, and the
24 ranges and education facilities that individuals need to learn how to safely and
25 competently use arms, necessarily closes off the Constitutional right to learn
26 about, practice with, and keep and bear those arms.

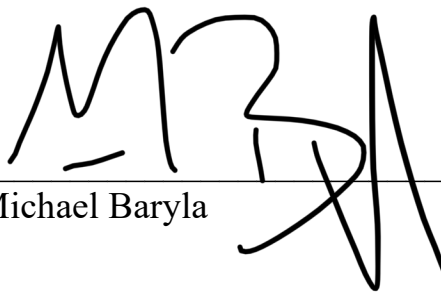
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11. By forcing duly licensed, essential businesses to close or eliminate key services for the general public, government authorities are foreclosing the only lawful means to buy, sell, and transfer firearms and ammunition available to typical, law-abiding individuals in California. Such a prohibition on the right to keep and bear arms is categorically unconstitutional.
12. In addition to violating constitutionally protected rights, Defendants are causing severe economic harm to Essential Businesses in the firearms industry and their workers engaged in the operation of firearm and ammunition product manufacturing, retail, import and export, distribution, and shooting ranges.
13. If the Defendants' Orders and enforcement actions are not enjoined, additional harm will result from the permanent closure of small businesses that provide law-abiding adults with access to constitutionally protected products and services.
14. CAL-FFL has and continues to expend and divert resources, and has been adversely and directly harmed, by and because of Defendants' laws, policies, orders, practices, customs, and enforcement actions.
15. 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.

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



Michael Baryla