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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 YAN TRAYTEL IN**
25 **SUPPORT OF PLAINTIFFS’**
26 **APPLICATION FOR TEMPORARY**
27 **RESTRAINING ORDER AND**
28 **ISSUANCE OF PRELIMINARY**
INJUNCTION

DECLARATION OF YAN TRAYTEL

I, Yan Traytel, declare as follows:

1. I am an adult resident of the County of Contra Costa, California, the co-owner and operator Plaintiff City Arms East LLC (“City Arms East”) in

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Pleasant Hill, California, and am personally named as a plaintiff in the above matter. I have personal knowledge of the facts stated herein, and if called as a witness, I could competently testify to these facts.

2. This declaration is executed in support of Plaintiffs’ Application for Temporary Restraining Order and Issuance of Preliminary Injunction.
3. I am not prohibited from acquiring or possessing firearms and ammunition under federal and state law.
4. Plaintiff City Arms East and I are licensed to sell and transfer firearms and ammunition to non-prohibited individuals who meet federal and state requirements for the purchase and transfer of such items.
5. Plaintiff City Arms East is a fully licensed firearms retailer that offer their customers excellent selections of firearms, ammunition and other related accessories for self-defense, recreational sport, and hunting.
6. Plaintiff City Arms East and I are concerned about our own safety, the safety of our customers, and the safety of the general public, especially in light of the developing situation involving the spread of COVID-19 and the release of criminals and inmates.
7. In order for individuals to comply with California law, they may only acquire and take possession of firearms and ammunition in a face to face transaction at a licensed firearm and ammunition vendor. Firearm and ammunition

1 product manufacturers, retailers, importers, distributors, and shooting ranges
2 are “Essential Businesses” to us and our customers.

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4 8. Defendants’ Orders and actions have resulted in firearm and ammunition
5 stores, like and including me and Plaintiff City Arms East, being shut down.
6 Such closures damage me, Plaintiff City Arms East, other firearm and
7 ammunition retailers, our customers, and law-abiding members of the public
8 who wish to exercise their rights.

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10 9. Plaintiff City Arms East and I have ceased to conduct sales and transfers of
11 firearms and ammunition because of Defendants’ laws, policies, orders,
12 practices, customs, and enforcement actions, and for fear of liability,
13 prosecution, and loss of licenses under Defendants’ laws, orders, policies,
14 practices, customs, and enforcement actions.

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17 10. On March, 25, 2020, my business partner, Roman Kaplan was informed by
18 the Pleasant Hill Police Department that City Arms East could no longer
19 conduct new sales or transfers of firearms and ammunition.

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22 11. On March 28, 2020, Roman sent the new CISA guidelines that outline
23 firearms retailers and employees are essential critical infrastructure to the
24 Pleasant Hill Policy Department via email. He was informed that the prior
25 conditions of operation (no new sales or transfers of firearms and ammunition)
26 would continue to apply until the city attorney and/or county officials took
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1 some form of action.

2 12. On April 1, 2020, Roman was informed by the Pleasant Hill Police
3 Department that a new order was issued by the County Health Officer on
4 March 31, 2020 that went into effect at midnight via email. He was advised
5 that the new order did not include firearms retailers as “essential businesses”.
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8 13. Defendants’ Orders and enforcement have violated fundamental constitutional
9 rights and caused other damages, including direct economic harm to myself
10 and Plaintiff City Arms East as we are unable to conduct business for fear of
11 liability, prosecution, and loss of licenses under Defendants’ laws, orders,
12 policies, practices, customs, and enforcement actions.
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15 14. Plaintiff City Arms East and I would conduct training and education,
16 perform Firearms Safety Certificate (“FSC”) testing for and issue FSC
17 certificates to eligible persons, and sell and transfer arms – including
18 firearms, ammunition, magazines, and appurtenances – at our licenses
19 premises but for the reasonable and imminent fear of criminal prosecution,
20 penalties, and the loss of our licenses under Defendants’ laws, policies,
21 orders, practices, customs, and enforcement thereof.
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25 15. Plaintiff City Arms East and I, as well as our customers and individuals who
26 would be customers, have been and continue to be adversely and directly
27 harmed because of Defendants’ laws, policies, orders, practices, customs, and
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enforcement actions.

16. As detailed in the Plaintiffs' Complaint, Plaintiffs, Plaintiffs' members and customers, and other similarly situated individuals would exercise the fundamental human 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 fear of liability and prosecution under Defendants' laws, orders, policies, practices, customs, and enforcement actions.

17. 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.



Yan Traytel