

EXHIBIT 5

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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 EDWARD
ALLEN JOHNSON IN SUPPORT OF
PLAINTIFFS' SUPPLEMENTAL
BRIEF IN SUPPORT OF MOTION
FOR PRELIMINARY INJUNCTION**

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

DECLARATION OF EDWARD ALLEN JOHNSON

1. I, Edward Allen Johnson, 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.

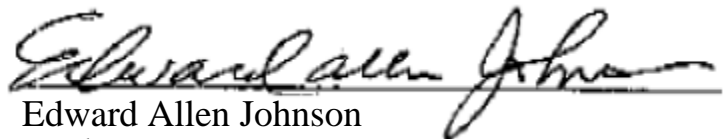
2. I am a resident of San Diego County, California, and plaintiff in this action. I am a law-abiding citizen of the United States who is not prohibited from owning or possessing firearms or ammunition under state or federal law.

3. On June 27, 2019, I submitted an "Automated Firearms System (AFS) Request for Firearm Records" form to the California Department of Justice ("DOJ") for purposes of obtaining my AFS records on file with DOJ.

4. On October 15, 2019, approximately 110 days after submission, DOJ responded to my request by providing my records via U.S. mail.

5. Between June 27, 2019 and October 15, 2019, I contacted DOJ via phone/email at least three times to request the status of my AFS records request. Each time I never received a response.

I declare under penalty of perjury that the foregoing is true and correct. Executed within the United States on October 24, 2019.



Edward Allen Johnson
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 EDWARD ALLEN JOHNSON
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.

Nelson R. Richards
Deputy Attorney General
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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