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9 UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE COURTHOUSE | 280 S. 1ST STREET, SAN JOSE, CA 95113

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12 LORI RODRIGUEZ, THE SECOND
AMENDMENT FOUNDATION,
13 INC., and THE CALGUNS
FOUNDATION, INC.,
14

15 Plaintiffs,

16 vs.

17 CITY OF SAN JOSE, CITY OF SAN
JOSE POLICE DEPARTMENT,
18 OFFICER STEVEN VALENTINE
and DOES 1 TO 20,
19

20 Defendants.
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Case No.: 5:15-CV-03698

**DECLARATION OF ALAN
GOTTLIEB IN SUPPORT OF
CROSS-MOTION FOR SUMMARY
JUDGMENT AND OPPOSING
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

Date: November 10, 2016

Time: 9:00 a.m.

Courtroom: 4

Judge: Hon. Edward J. Davila

22 **DECLARATION OF ALAN GOTTLIEB**

23 I, Alan Gottlieb, declare as follows, based on my own personal knowledge:

- 24 1. I am the founder and Executive Vice President of the Second Amendment
25 Foundation, Inc. (SAF).
26 2. The Second Amendment Foundation, Inc., is a non-profit membership
27 organization incorporated under the laws of Washington with this principal
28 place of business in Bellvue Washington.

- 1 3. SAF has over 650,000 members and supporters nationwide, including many
2 living in Santa Clara County and throughout the state of California.
- 3 4. The purposes of SAF include education, research, publishing and legal action
4 focusing on the Constitutional right to privately own and possess firearms;
5 along with the consequences of gun control and legislation that impacts the
6 “right to keep and bear arms.”
- 7 5. SAF expends their resources encouraging the exercise of the “right to keep
8 and bear arms”, and the organization advises and educates its members,
9 supporters and the general public about the legal consequences incident to the
10 ownership and possession of firearms.
- 11 6. The issues raised by the actions of Defendants in this case are of great
12 interest to SAF and its members. Part of SAF’s mission is to inform its
13 members and the general public, how to comply with various laws when they
14 have a family member, or might live with a person who is prohibited by law
15 from possessing a firearm. This is usually done through use of a gun safe, a
16 policy we approve and encourage our members to employ in circumstances
17 when they have a legal duty to prevent unauthorized access to firearms.
- 18 7. Defendants’ policies regularly cause the expenditure of resources by SAF as
19 people turn to our organization for advice, information, and when necessary
20 legal help through our association with various law firms we employ to assist
21 people in recovering their firearms.
- 22 8. In this context, economies of scale are everything. Firearms are valuable
23 property, but their value seldom exceeds the cost of hiring a lawyer to recover
24 them; while cities and counties have scores of City Attorneys and County
25 Counsel to litigate these matters, often winning through attrition.
- 26 9. Our resources are expended to level the playing field in this and many other
27 cases. In this case for example, if the City had used the Administrative
28 process set forth in California Penal § 33800 *et seq.*, after the California

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Appellate Court authorized that procedure, Lori would have her guns and this case would either be much simpler or might not have been filed at all.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on September 15, 2016.

Fax Signature Attached.

Alan Gottlieb
Executive Vice President / Founder
Second Amendment Foundation

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Alan Gottlieb
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