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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.
21

Case No.: 5:15-CV-03698

**DECLARATION OF BRANDON
COMBS 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 BRANDON COMBS**

23 I, Brandon Combs, declare as follows, based on my own personal knowledge:

- 24 1. I am the Executive Director of the Calguns Foundation, Inc. (CGF).
- 25 2. Calguns Foundation Inc., is a non-profit organization incorporated under the
- 26 laws of California with its principal place of business in Roseville, California.
- 27 3. The purposes of CGF include supporting the California firearms community
- 28 by promoting education for all stakeholders about California and federal

1 firearms laws, rights and privileges, and defending and protecting the civil
2 rights of California gun owners.

3 4. CGF represents its members and supporters, which include California gun
4 owners.

5 5. CGF brings lawsuits like this because the fees and costs of prosecuting such
6 actions often exceeds the personal resources of individual gun owners and
7 value of the gun collections. CGF operates and maintains "Help Hotline" for
8 the specific purpose of assisting gun owners who are intimidated by the
9 complexity of California's gun laws.

10 6. Defendants' policies regularly cause the expenditure of resources by CGF as
11 people turn to our organization for advice, information, and when necessary
12 legal help through our association with various law firms we employ to assist
13 people in recovering their firearms.

14 7. In this context, economies of scale are everything. Firearms are valuable
15 property, but their value seldom exceeds the cost of hiring a lawyer to recover
16 them; while cities and counties have scores of City Attorneys and County
17 Counsel to litigate these matters, often winning through attrition.

18 8. Our resources are expended to level the playing field in this and many other
19 cases. In this case for example, if the City had used the Administrative
20 process set forth in California Penal § 33800 *et seq.*, after the California
21 Appellate Court authorized that procedure, Lori would have her guns and
22 this case would either be much simpler or might not have been filed at all.

23 I declare under penalty of perjury under the laws of the United States that
24 the foregoing is true and correct. Executed on September 15, 2016.

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27 Brandon Combs, Executive Director
28 Calguns Foundation, Inc.