

1 GERMAIN D. LABAT (SBN 203907)  
*germain.labat@gmlaw.com*  
2 PUNEET BHULLAR (SBN 329733)  
*puneet.bhullar@gmlaw.com*  
3 GREENSPOON MARDER LLP  
4 1875 Century Park East, Suite 1900  
Los Angeles, California 90067  
5 Telephone: (323) 880-4520  
Facsimile: (954) 771-9264

6 JAMES J. McGUIRE (New York SBN 2106664)  
*(Pro Hac Vice Application Pending)*  
*james.mcguire@gmlaw.com*  
7 MICHAEL MARRON (New York SBN 5146352)  
*(Pro Hac Vice Application Forthcoming)*  
8 *michael.marron@gmlaw.com*  
9 GREENSPOON MARDER LLP  
10 590 Madison Avenue, Suite 1800  
11 New York, New York 10022  
Telephone: (212) 524-5040  
12 Facsimile: (212) 524-5050

13 Counsel to Defendant  
14 Polymer80, Inc.

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **FOR THE COUNTY OF ORANGE**

17 FRANCISCO GUDINO CARDENAS, an  
individual; and  
18 TROY MCFADYEN, in his Individual Capacity,  
and as Heir at Law and Successor in Interest to  
19 MICHELLE MCFADYEN, Deceased, ET AL.

20 Plaintiffs,

21 vs.

22 GHOST GUNNER INC., d/b/a  
GHOSTGUNNER.NET; DEFENSE  
23 DISTRIBUTED d/b/a GHOSTGUNNER.NET;  
24 CODY WILSON d/b/a GHOSTGUNNER.NET;  
BLACKHAWK MANUFACTURING GROUP  
25 INC., d/b/a 80PERCENTARMS.COM; RYAN  
BEEZLEY and BOB BEEZLEY d/b/a  
26 RBTACTICALTOOLING.COM; GHOST  
AMERICA LLC, d/b/a GHOSTGUNS.COM;  
27 GHOST GUNS LLC, d/b/a GRID DEFENSE and  
GHOSTRIFLES.COM; JUDGGERNAUT  
28 TACTICAL INC. d/b/a JTACTICAL.COM; MFY

**Case No. JCCP 5167**

***[Coordinated Cases CIVDS 1935422 date  
filed 11/14/2019, and 30-2019-01111797-  
CU-PO-CJC date filed 11/14/2019]***

***[Assigned for all purposes to Hon. William  
Claster, Department CX 104]***

Filing Date: March 22, 2021  
Trial Date: Not Yet Set

**DECLARATION OF GERMAIN D.  
LABAT, ESQ., IN SUPPORT OF THE  
MOTION OF POLYMER80, INC.  
FOR DISMISSAL, ATTORNEYS'  
FEES, AND OTHER SANCTIONS  
PURSUANT TO CALIFORNIA CODE  
OF CIVIL PROCEDURE SECTION 128.7**

**RES. ID: 73664942**

1 TECHNICAL SOLUTIONS LLC, d/b/a  
2 5DTACTICAL.COM; TACTICAL GEAR HEADS  
3 LLC, d/b/a 80-LOWER.COM; AR-  
4 15LOWERRECEIVERS.COM and  
5 80LOWERJIG.COM; JAMES TROMBLEE, JR.,  
6 d/b/a USPATRIOTARMORY.COM; INDUSTRY  
7 ARMAMENT INC., d/b/a  
8 AMERICANWEAPONSCOMPONENTS.COM;  
9 THUNDER GUNS LLC, d/b/a  
10 THUNDERTACTICAL.COM; POLYMER80,  
11 INC.; and DOES 2 through 100, inclusive,  
12 Defendants.

Date: January 14, 2022  
Time: 9:00 a.m.  
Dept: CX104  
Honorable William Cluster

11 I, Germain D. Labat, declare and state the following:

12 1. I am an attorney duly licensed to practice law before all courts in the State of  
13 California, and a partner at Greenspoon Marder LLP (“GM”), the firm of record for the defendant  
14 Polymer80, Inc., in this pending matter. The matters set forth herein are true to the best of my  
15 personal knowledge, except where indicated to be on information and belief, and if called upon I  
16 could competently testify thereto.

17 2. I have personal knowledge of the facts stated herein or through a review of GM’s  
18 litigation files over which I have care, custody, or control as well as documents retrieved from the  
19 files maintained by the Clerk of the Superior Court, County of Orange. I make this Declaration in  
20 support of the Motion Of Polymer80, Inc. For Dismissal, Attorneys’ Fees And Other Sanctions  
21 Pursuant To California Code Of Civil Procedure Section 128.7.

22 3. Attached hereto as Exhibit A is a true and correct copy of the Letter from Stacey I.  
23 Ogg, Legal Secretary of the Office of County Counsel, County of Tehama to Laura Palmerin of  
24 Michel & Associates, P.C., dated January 28, 2021, and the photographs enclosed therein.

25 4. Attached hereto as Exhibit B is a true and correct copy of the Declaration of Richard  
26 Vasquez, dated November 19, 2021.

27 5. Attached hereto as Exhibit C is a true and correct copy of the Declaration of Daniel  
28 Lee McCalmon, dated November 19, 2021.

1           6.       Attached hereto as Exhibit D is a true and correct copy of the Letter from James J.  
2 McGuire, Esq. to Gerald B. Singleton, Esq. and Ben Rosenfeld, Esq., dated August 27, 2021; and the  
3 Letter from James J. McGuire, Esq. to Douglas Mudford, Esq., Estee Lewis, Esq., Catie Barr, Esq.,  
4 and Brandon Storment, Esq., dated August 27, 2021.

5           I declare under penalty of perjury and the laws of the state of California that the foregoing is  
6 true and correct.

7 Dated: December 16, 2021

GREENSPOON MARDER LLP

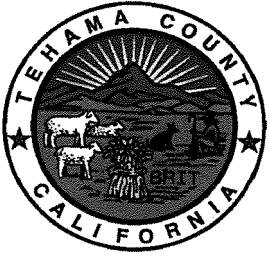
8 By: \_\_\_\_\_

GERMAIN D. LABAT

Counsel to Defendant Polymer80, Inc.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# **EXHIBIT A**



**OFFICE OF COUNTY COUNSEL  
COUNTY OF TEHAMA**

727 Oak Street, Suite 223  
Red Bluff, California 96080  
(530) 527-9252 Telephone  
(530) 527-9255 Facsimile

**RICHARD STOUT**  
County Counsel

Daniel B. Klausner, Deputy  
Andrew D. Plett, Deputy  
George T. Adams, Deputy

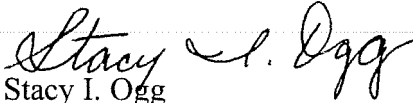
January 28, 2021

Laura Palmerin  
Michel & Associates, P.C.  
180 East Ocean Blvd., Ste. 200  
Long Beach, CA 90802

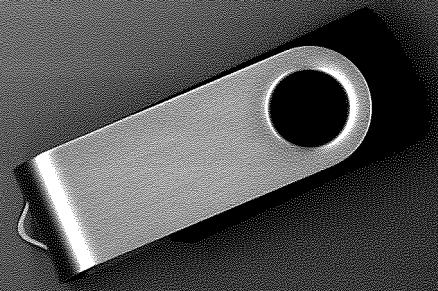
**RE: September 2, 2020 Public Records Request**

Enclosed please find the USB with copies of the photographs you have requested.

Sincerely,

  
Stacy I. Ogg  
Legal Secretary

Enclosure



**Richard Stout, County Counsel**  
**Daniel B. Klausner, Deputy County Counsel**  
**Tehama County Counsel**  
**727 Oak Street, Suite 223**  
**Red Bluff, CA 96080**

---

**Laura Palmerin**  
**Michel & Associates, P.C.**  
**180 East Ocean Blvd., Ste. 200**  
**Long Beach, CA 90802**









**ATTENTION**  
This door is designed to be used with the original door handle and latch. Do not use other hardware. Failure to use the original hardware may void the warranty.







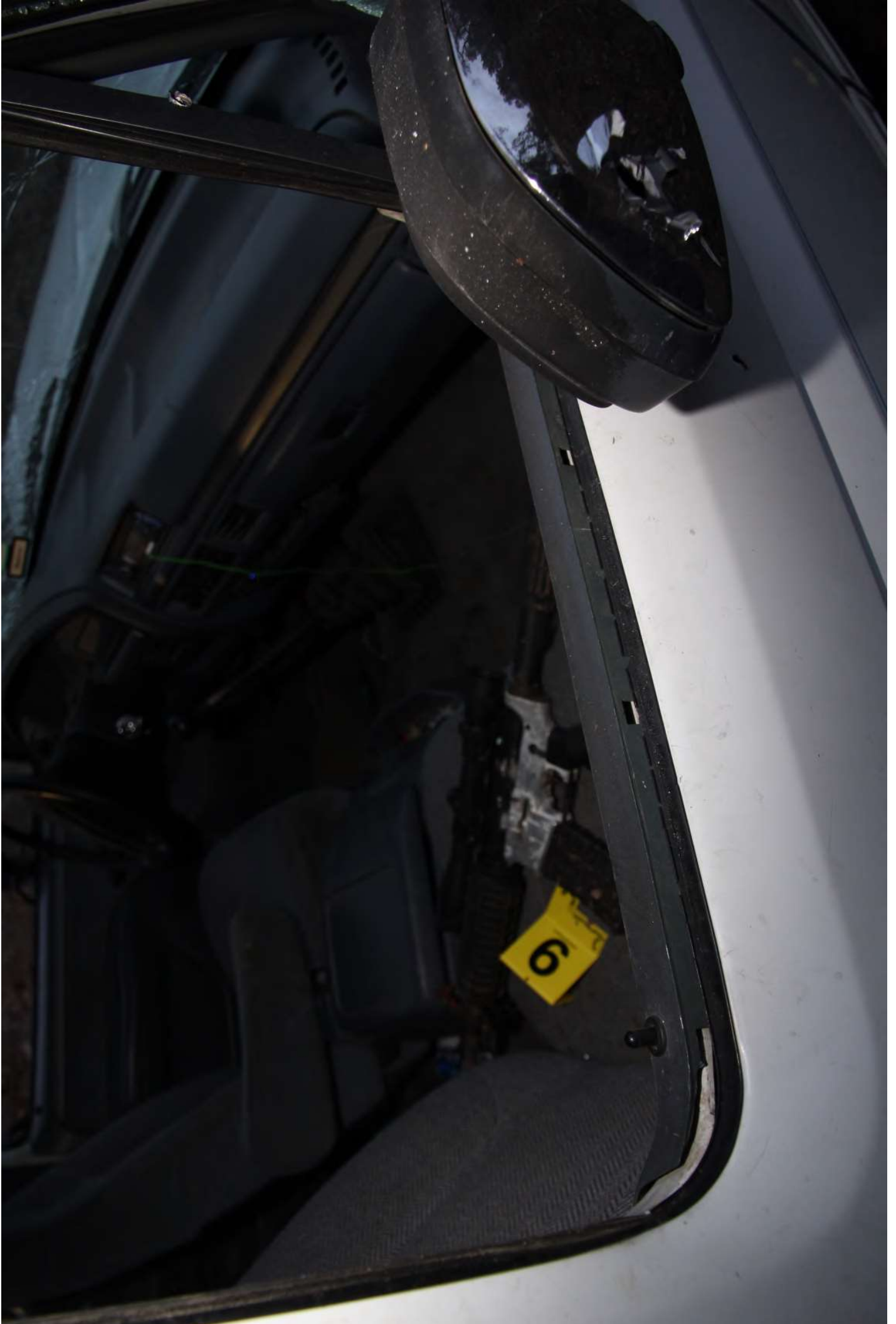
















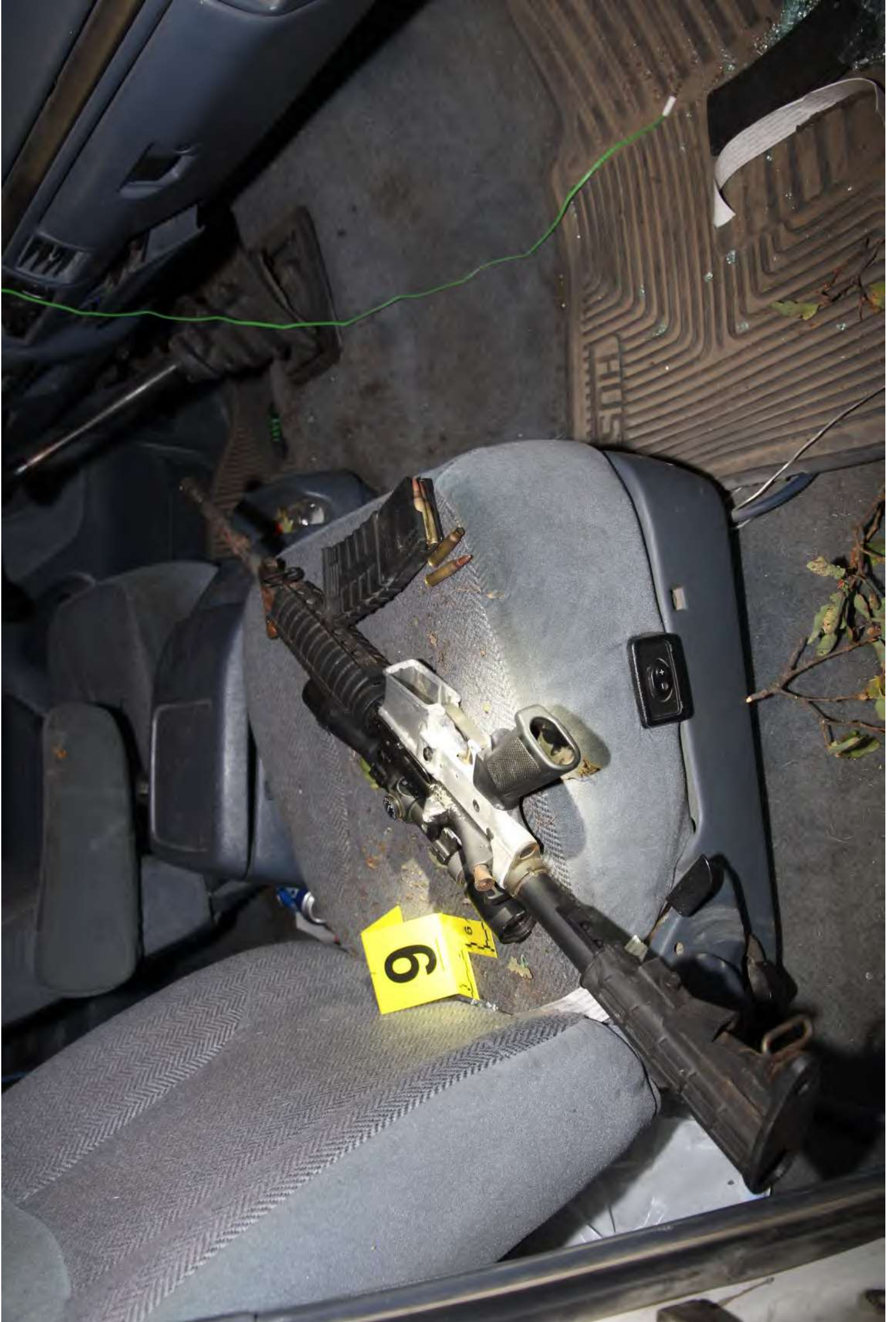


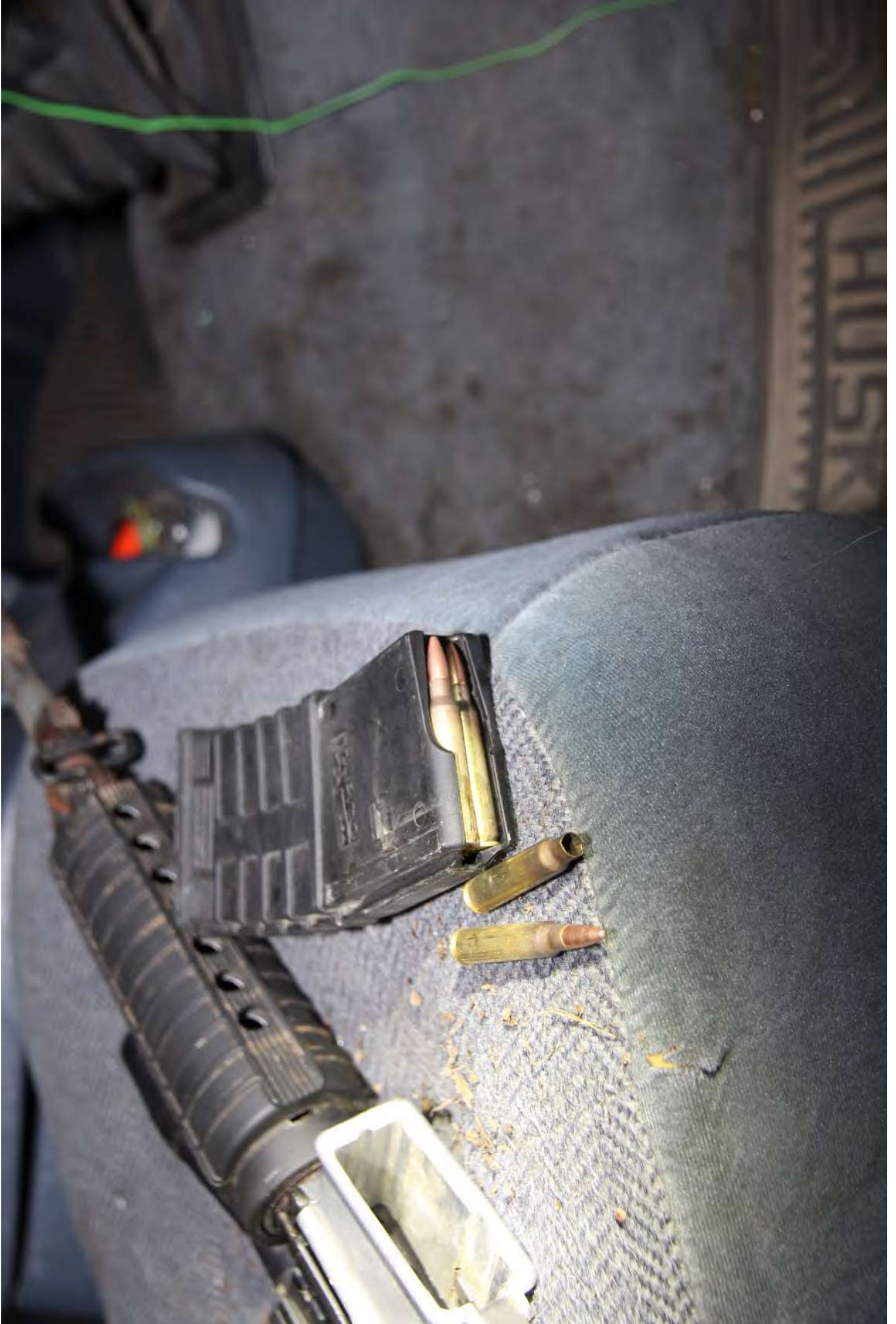


















B.F.A.  
LION, N.Y.  
U.S.A.

MAGPUL

FIRE

SAFE



BUSHMASTER

12023720  
CAL. 223-5.56MM  
MOD. XM15-1523



L2023720  
CAL. 223-5.56MM  
MOD. XM15-E2S

B.F.A.  
LION, N.Y.  
U.S.A.

FIRE

SAFE

MAGPUL







BF1 5.56 NATO 1/9



**EVIDENCE**

Handle With Care

Case No. \_\_\_\_\_



APR 11 2011

**EVIDENCE**

**Handle With**

**Case No.** \_\_\_\_\_



SAFE  
USA

12003720  
CAL. 5.56MM  
MOD. 7/15-325

5.56x45  
PMAG 30  
MILITARY



EVI-PAC


Case No. \_\_\_\_\_

CE  
Handle With Care





FIRE

SAFE

M&E  
MADE IN USA









37

EVI-950™ (800) 377-0450 Patent Pending

EVI-950™ (800) 377-0450 Patent Pending

37







Location where found



**EVIDENCE**

**Handle With Care**

Case No. \_\_\_\_\_

**EVIDENCE**

**Handle With**

**Case No.** \_\_\_\_\_

Location where found \_\_\_\_\_

ed # \_\_\_\_\_



...with a brand



L6F362

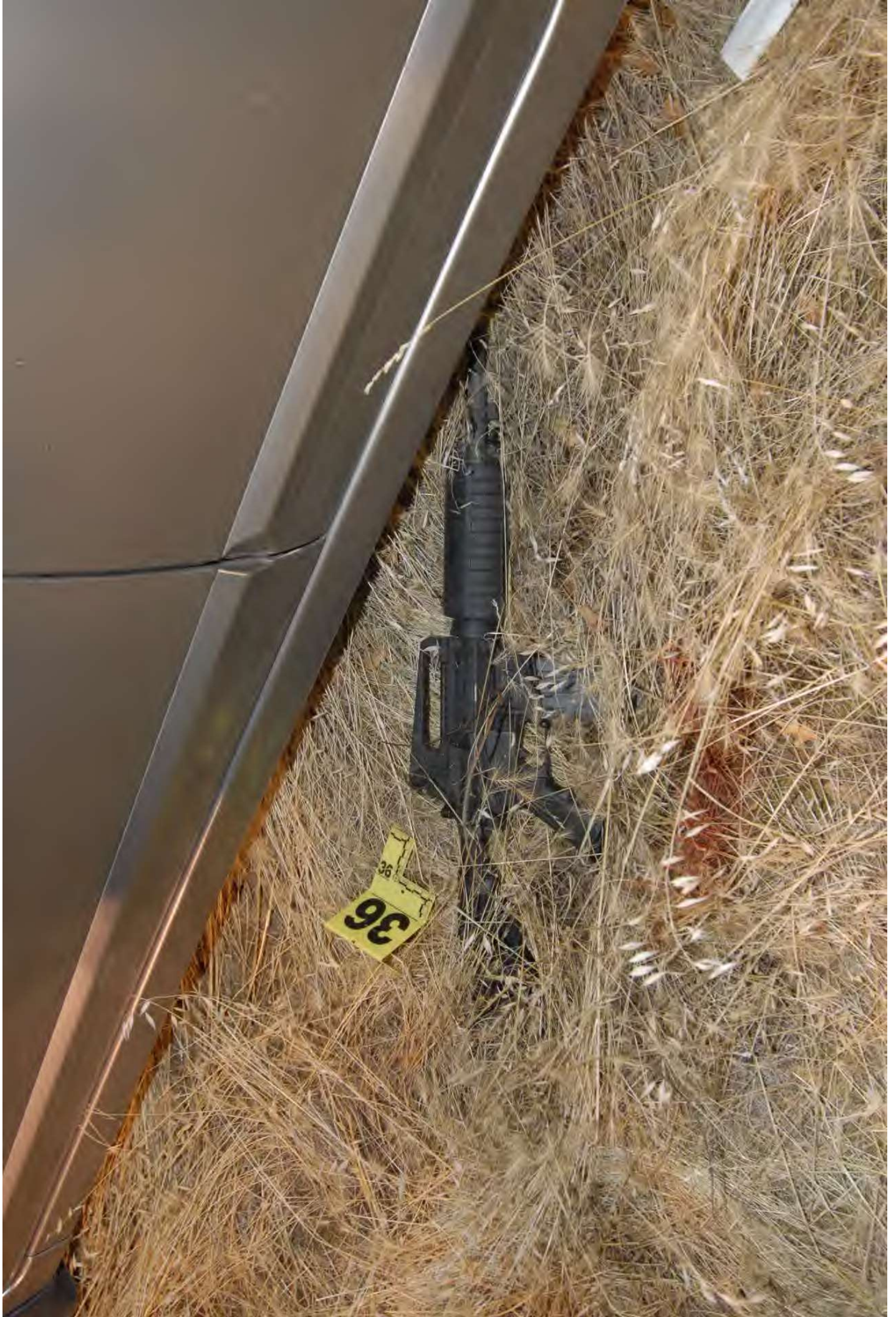
MADE IN AUSTRIA  
GLOCK, INC., SMYRNA, GA

LOCK

19

Obtain  
Date



























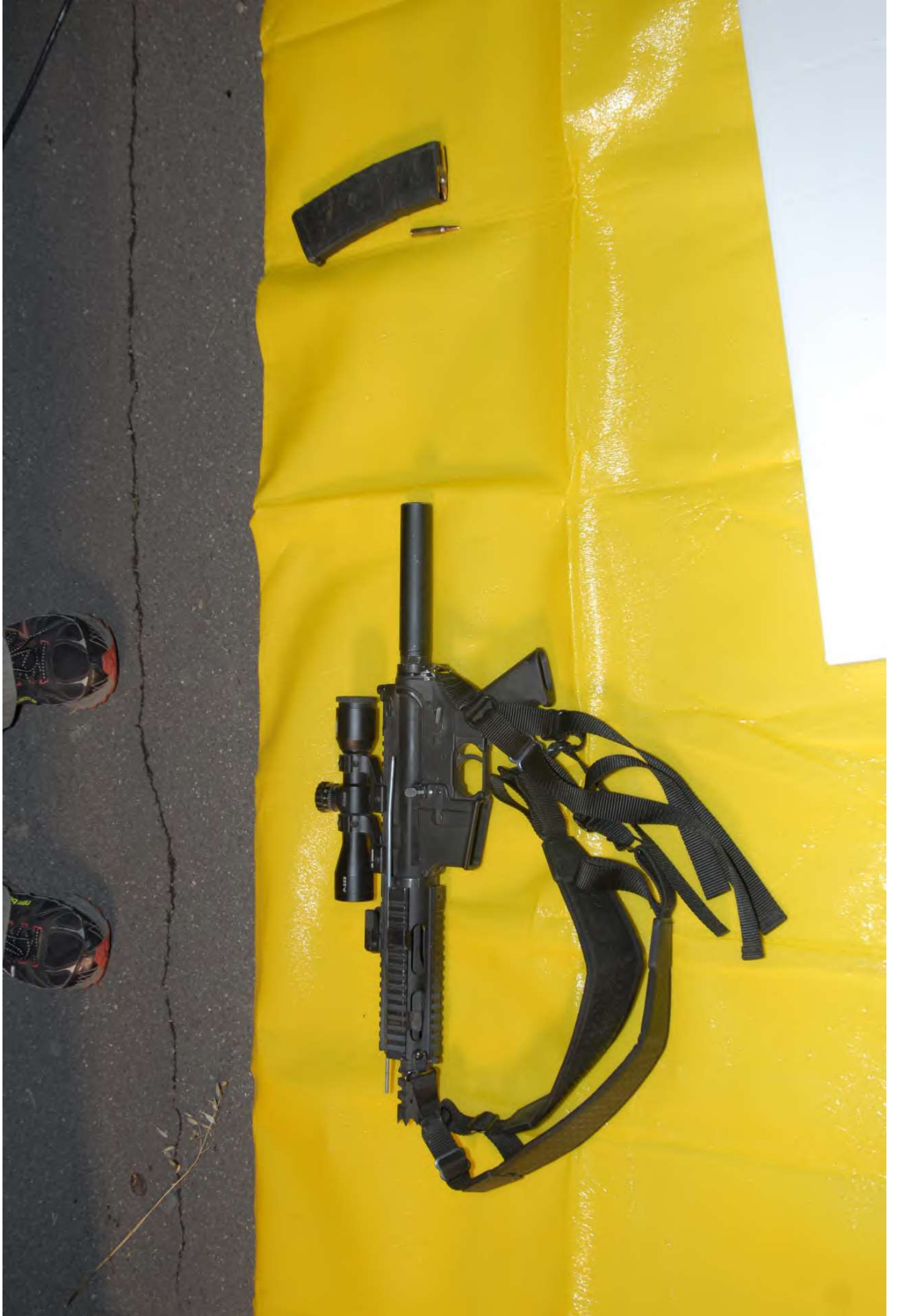
711 711 5.56 1/9

11/94 5.56 119

611 935 119





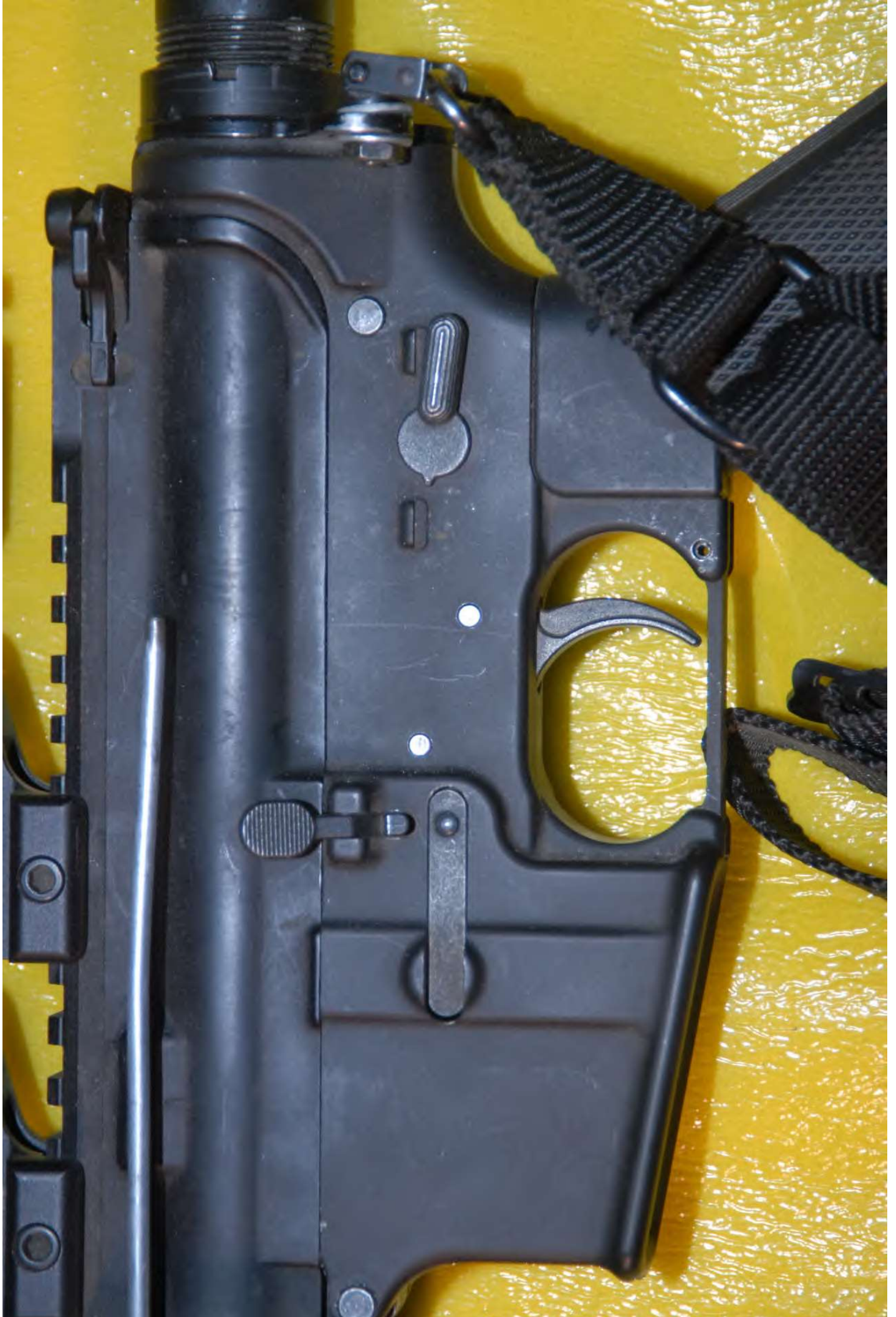


49











49

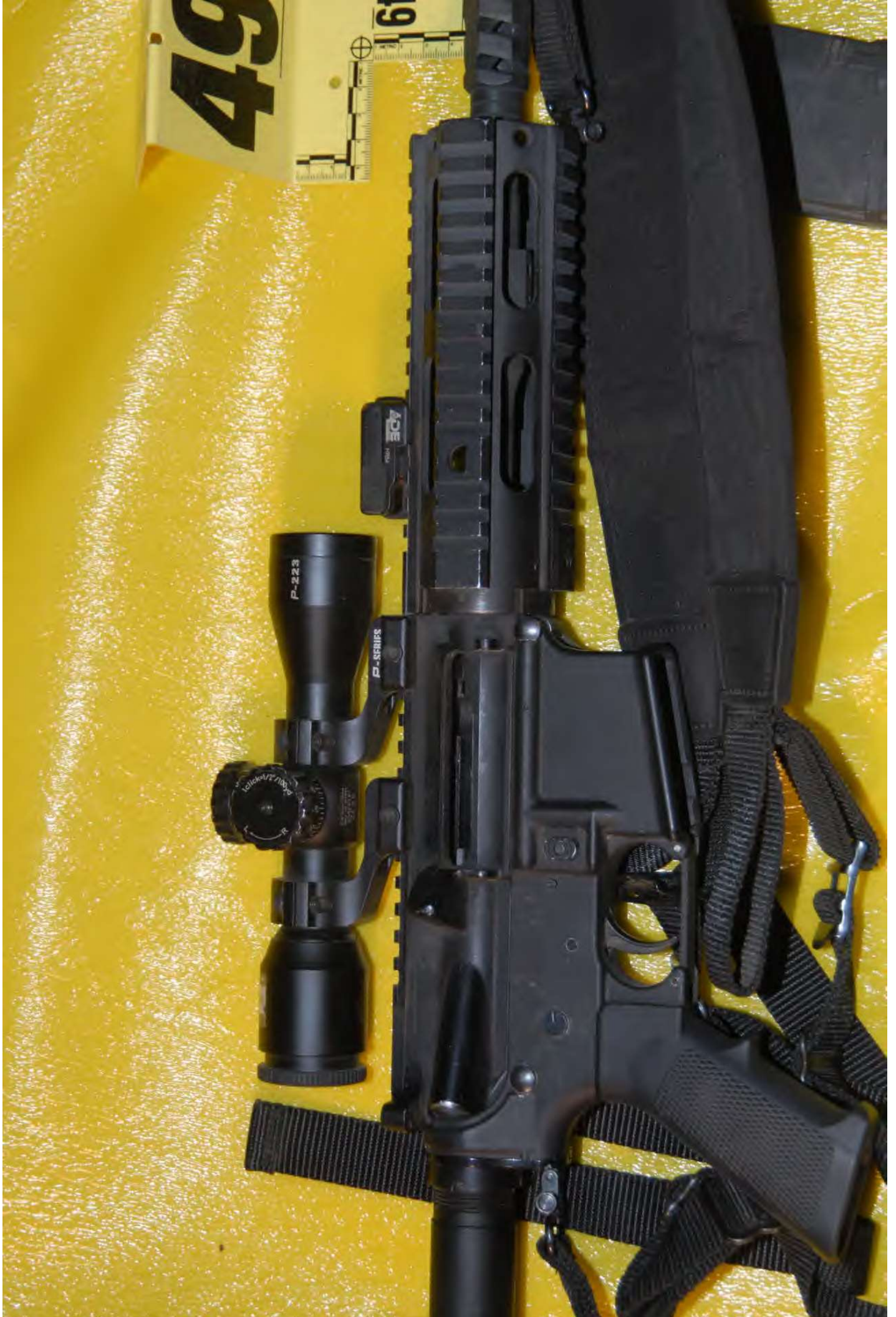
49





49







P-223

P-SERIES

1click=1/2" MOA

3x9x  
MAGNIFICATION  
FIELD OF VIEW  
28.9°



P-SERIES

GLOCK  
MADE IN AUSTRIA





# **EXHIBIT B**

1 GERMAIN D. LABAT (SBN 203907)  
germain.labat@gmlaw.com  
2 PUNEET BHULLAR (SBN 329733)  
puneet.bhullar@gmlaw.com  
3 GREENSPOON MARDER LLP  
4 1875 Century Park East, Suite 1900  
Los Angeles, California 90067  
5 Telephone: (323) 880-4520  
Facsimile: (954) 771-9264

6 JAMES J. McGUIRE (New York SBN 2106664)  
7 (Pro Hac Vice Application Pending)  
james.mcguire@gmlaw.com  
8 MICHAEL MARRON (New York SBN 5146352)  
9 (Pro Hac Vice Application Forthcoming)  
michael.marron@gmlaw.com  
10 GREENSPOON MARDER LLP  
590 Madison Avenue, Suite 1800  
11 New York, New York 10022  
Telephone: (212) 524-5040  
12 Facsimile: (212) 524-5050

13  
14 Counsel to Defendant  
Polymer80, Inc.

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **FOR THE COUNTY OF ORANGE**

17 FRANCISCO GUDINO CARDENAS, an  
18 individual; and  
19 TROY MCFADYEN, in his Individual Capacity,  
and as Heir at Law and Successor in Interest to  
20 MICHELLE MCFADYEN, Deceased, ET AL.

21 Plaintiffs,

22 vs.

23 GHOST GUNNER INC., d/b/a  
GHOSTGUNNER.NET; DEFENSE  
24 DISTRIBUTED d/b/a GHOSTGUNNER.NET;  
CODY WILSON d/b/a GHOSTGUNNER.NET;  
25 BLACKHAWK MANUFACTURING GROUP  
INC., d/b/a 80PERCENTARMS.COM; RYAN  
26 BEEZLEY and BOB BEEZLEY d/b/a  
RBTACTICALTOOLING.COM; GHOST  
27 AMERICA LLC, d/b/a GHOSTGUNS.COM;  
GHOST GUNS LLC, d/b/a GRID DEFENSE and  
28 GHOSTRIFLES.COM; JUDGGERNAUT  
TACTICAL INC. d/b/a JTACTICAL.COM; MFY

**Case No. JCCP 5167**

**[Coordinated Cases CIVDS 1935422 date  
filed 11/14/2019, and 30-2019-01111797-  
CU-PO-CJC date filed 11/14/2019]**

*[Assigned for all purposes to Hon. William  
Cluster, Department CX 104]*

Filing Date: March 22, 2021  
Trial Date: Not Yet Set

**DECLARATION OF RICHARD  
VASQUEZ**

Date:  
Time:  
Dept: CX104  
Honorable William Cluster

1 TECHNICAL SOLUTIONS LLC, d/b/a  
2 5DTACTICAL.COM; TACTICAL GEAR HEADS  
3 LLC, d/b/a 80-LOWER.COM; AR-  
4 15LOWERRECEIVERS.COM and  
5 80LOWERJIG.COM; JAMES TROMBLEE, JR.,  
6 d/b/a USPATRIOTARMORY.COM; INDUSTRY  
7 ARMAMENT INC., d/b/a  
8 AMERICANWEAPONSCOMPONENTS.COM;  
9 THUNDER GUNS LLC, d/b/a  
10 THUNDERTACTICAL.COM; POLYMER80,  
11 INC.; and DOES 2 through 100, inclusive,  
12 Defendants.

13 I, RICHARD VASQUEZ, declare under penalty of perjury under the laws of the State of  
14 California that the foregoing is true and correct:

15 1. I am an Independent Firearms Consultant who has been retained by defendant  
16 Polymer80, Inc. (“Polymer80” or the “Company”) in connection with this action.

17 2. I have over twenty-five years of experience in the firearms industry after leaving the  
18 United States Marine Corps in 1996. After the military, I worked for three years for the Diplomatic  
19 Security Services as a Firearms Instructor. I then worked for approximately fifteen years for the  
20 Bureau of Alcohol, Tobacco, Firearms, and Explosives in roles including Acting Chief of the  
21 Firearms Technology Branch and Program Manager / Branch Chief of the Firearms Training Branch.  
22 I have been an Independent Firearms Consultant since 2014. A copy of my resume is attached  
23 hereto as Exhibit A.

24 3. I have reviewed photographs of the firearms that police recovered after Kevin Neal’s  
25 shooting spree in November 2019 (“Photographs”). I have also reviewed the Declaration of Daniel  
26 McCalmon, dated November 19, 2021.

27 4. Mr. McCalmon has stated that Polymer80 does not make, and has never made, AR15  
28 lower receiver type components made from metal.

1           5.       Mr. McCalmon further stated that all Polymer80 rifles contain “Polymer80” or “P80”  
2 markings.

3           6.       I performed a visual analysis of the Photographs presented and made a determination  
4 whether the firearm receivers were made from metal (aluminum) or polymer/plastic. I also  
5 determined whether any of the firearms had markings indicating their manufacturer. As will be  
6 explained below, one of the rifles was clearly manufactured by Bushmaster, and a handgun was  
7 clearly manufactured by Glock. The remainder of the rifles were not identifiable via markings.  
8

9           7.       The following analysis of the Photographs identifies them by the number of the page  
10 in the pdf file. The Photographs were reduced in size to insert in my Declaration. However, for the  
11 analysis, they were expanded for clarity:

12                **Unidentified pistol:** Photo 5 is what appears to be a black handgun on top of the vehicle.

13                **Unidentified rifle:** Photos 6 and 7 are what appears to be an AR15 type rifle that is  
14 unidentifiable.  
15

16                **Unidentifiable rifle:** Photos 8 and 9 appears to be the rifle identified in photo 10. However,  
17 the photos are not clear enough to make an identification.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **Unidentified rifle:** Photo 10 (Photos 10 through 22). The firearm seen below is an AR15  
2 type rifle that was assembled on an aluminum receiver. There is no coating on the receiver.  
3 A close up of the photograph shows corrosion that is consistent with aluminum components.  
4 It is clearly not plastic as plastic would not show this corrosion. It is not steel or iron or there  
5 most likely would be rust present.  
6



1 **Bushmaster rifle:** (Photos 23-34). This is a Bushmaster firearm manufactured by  
2 Remington located in Ilion, NY. I have visited this facility when evaluating Bushmaster  
3 firearms for an international trafficking case and viewed these models of firearms being  
4 made. These models of firearms are made with an aluminum receiver. The scratches on the  
5 receiver show that this receiver is powder coated, which requires it to be baked to a certain  
6 temperature. A finished polymer receiver would not withstand the heat required.  
7



1 **Unidentified rifles:** Photos 35 and 36 are unidentifiable firearms. They appear to be AR15  
2 type rifles.

3 **Unidentified pistol:** Photo 37 is what appears to be the top of a Glock pistol slide. There is  
4 not enough of the pistol shown for a proper identification.

5 **Glock Handgun:** Photo 38 (Photos 38-42). This is a Glock Model 21 .45 caliber pistol  
6 clearly marked made by Glock in Austria. I have visited the Glock factory in Austria and in  
7 Smyrna GA, and am familiar with the characteristics and features of Glock firearms.  
8



22 **Unidentified rifle:** Photos 43-44 are a rifle laying in the grass. An identification cannot be  
23 made with the photos provided.  
24  
25  
26  
27  
28



1            **Unidentified Rifle: Photo 46 (Photos 45- 49).**

2            This firearm receiver has been coated with a heavy coating of what appears to be paint. If  
3            there are any marks of identification they cannot be seen. However, around the trigger and  
4            hammer pin, a shiny patch of what appears to be metal can be seen in a circle around the pin.  
5            This is indicative of finish being worn off of metal. Additionally, directly above the trigger  
6            on the receiver is a shiny patch that shows where some of the coating was scratched off.  
7



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**Unidentified rifle:** Photo 51 (Photos 50-51).

There are no markings identifying this firearm. The large pin head at the rear of the receiver is the right side of the selector lever. Looking around the pin there is shiny metal indicating the finish has been worn off. This indicates this is not a polymer receiver and most likely an aluminum receiver.



**Unidentified barrels:** Photos 52 through 55 appear to be unidentified AR15 type barrels.

**Unidentified rifles:** Photos 56 and 57 are unidentifiable firearms. They appear to be AR15 type rifles.

1           **Unidentified rifle: Photo 68 (Photos 58-68).**

2           There are no markings identifying this firearm. The large pin head at the rear of the receiver  
3           is the right side of the selector lever. Looking around the pin there is shiny metal indicating  
4           the finish has been worn off. This indicates this is not a polymer receiver and most likely an  
5           aluminum receiver.  
6



24           **Unidentified rifle:** Photo 69 is what appears to be an AR15 type rifle that is unidentifiable.

25           8.       Based on my experience, I have determined from a review of the Photographs that the  
26           unidentified rifles police recovered after Kevin Neal's shooting spree have lower receivers that  
27  
28

1 appear to be made from metal, not polymer. Also, the Glock pistol was manufactured by Glock of  
2 Austria, and the marked rifle was manufactured by Bushmaster.

3 9. I also did not observe any firearms bearing a mark of "P80" or "Polymer80."

4 10. Accordingly, I conclude that the unidentified AR-15 style rifles that police recovered  
5 after Kevin Neal's shooting spree are not Company products.

6 11. The foregoing facts are known by me to be true, of my own personal knowledge. I am  
7 competent to testify to such facts and would so testify if I appeared in court as a witness at the trial  
8 of this matter.  
9

10 Executed on November 19th, 2021

11 By:



12 Richard Vasquez  
13 Independent Firearms Consultant

# **EXHIBIT A**

**Rick Vasquez Firearms, LLC**  
**104 Deer Creek Road**  
**Hubert, NC 28539**  
**540-535-6633**

---

Social Security Number:  
Country of Citizenship: U.S.  
Security Clearance: Previous top secret

**EMPLOYMENT**

**October, 2014 - Present**

**Independent Firearms Consultant**

- Prepared and presented to the Senate discussion on Ghost Guns
- Prepared a firearms identification manual and power point for the Center for Disease Control for firearms abstractors
- Provide firearms classification expertise to the Australian Crime Commission
- Registered broker under the Department of State
- Served as a firearms expert to the United Nations on the Small Arms and Light Weapons panel in Brussels, Belgium
- Prepared and presented firearms training based on the Gun Control Act (GCA) and the National Firearms Act (NFA) to the Federal Bar Association
- Provide expert advice and testimony in civil litigation pertaining to firearms
- Provide services related to firearms identification and classification, as applied to the GCA and the NFA, to the firearms industry and the private sector
- Conducted a firearms identification course to El Salvadoran prosecutors in El Salvador
- Provide evaluations of firearms functionality for product liability cases
- Provide training on all aspects of the GCA, NFA, and compliance to the firearms industry
- Developed and led team building events centered around firearms and leadership
- Instruct all levels of firearms use and training
- Provided expert testimony in cases relating to firearms
- Have performed product evaluations on firearms for importation and compatibility to current firearms laws
- Professional firearms/shooting instructor
- Provide expert advice on the identification of firearms and components for the importation of firearms in relation to the Arms Export Control Act (AECA)
- Consultant is conversant on requirements of exporting firearms and components in relation to the International Traffic in Arms Regulations (ITAR)

**August, 2011 - September 2014**

**BUREAU OF ALCOHOL, TOBACCO, FIREARMS and EXPLOSIVES (ATF)**

**Firearms Trafficking and Interdiction Branch, Firearms Operations Division**

**Program Manager/ Branch Chief, Firearms Training Branch**

- Developed programs and training on firearms trafficking and interdiction
- Assisted Field Operations in identifying and instructing firearms trafficking trends
- Assisted in updating and writing all Standard Operating Procedures (SOPs) of the National Firearms Act Branch (NFA)
- Developed specific training on 3D printing, partially complete receivers, and counterfeit firearms
- Trained all Central American and Mexican federal law enforcement counterparts on U.S. firearms laws and regulations
- Served as the firearms expert for Field Operations on all firearms-related subjects
- Trained a cadre of the Mexican Naval Infantry in the use of foreign weapons and machineguns
- In conjunction with NATO forces I fired all Bosnian military firearms (in Bosnia) and recovered the cartridges for entry into NIBIN. This evidence was used in prosecution in the War Crimes Tribunals.
- Presented United States firearms regulations and trafficking trends to Interpol and the Royal Canadian Mounted Police
- Developed foreign weapons identification courses
- Developed and presented a course on importation guidelines and United States Firearms laws to the Australian Federal Police, Australian Crime Commission and Australian Customs
- Provided firearms identification and trafficking training to the Judges of Guatemalan Supreme Court, which led to collaboration between our countries to destroy a large cache of firearms that were being trafficked to the U.S.

**June 1999 – August 2011**

**BUREAU OF ALCOHOL, TOBACCO, FIREARMS and EXPLOSIVES (ATF)**

**Firearms Technology Branch**

**Assistant Branch Chief, Acting Chief, Firearms Technology Branch (FTB)**

- Supervised, organized workload, and trained a staff of 14 personnel, including eight firearms enforcement officers, one evidence technician, one writer-editor, one program analyst, and two gunsmiths
- Developed training in all aspects of firearms use and identification. Instrumental in developing and implementing training for law enforcement counterparts in several federal, state and local law enforcement agencies
- Served as the expert on all Gun Control Act (GCA) and National Firearms Act (NFA) identification and classifications
- Wrote Standard Operating Procedures (SOP) for all aspects of FTB operations. These SOPs have now been used to defend ATF policies in criminal and civil litigation
- Served as a Firearms (shooting) Instructor
- Instrumental in developing firearms identification training specifically for the “Southwest Border” program
- Reviewed and corrected all reports prepared on evidence submitted by ATF special agents

- Served as the expert on classification of items submitted by the firearms industry for classification under the GCA and the NFA
- Served as the expert on firearms importation guidelines and reviewed all items submitted for approval for importation
- Developed foreign weapons identification and use training and have provided this instruction to Secret Service, DEA, ATF, and other Law Enforcement agencies
- As a representative of ATF I provided firearms instruction to the Australian Crime Commission, Border Protection, and Federal Police.
- Contractor is an expert on “prop” firearms, which are firearms that function as manufactured but are incapable of firing a shot.
- As the chief technology expert for ATF the contractor has reviewed prop firearms submitted by the movie industry gunsmiths and wrote opinions on whether they were real firearms or a non-firearm.
- Contractor is an expert on homemade firearms and 80% receivers. Contractor provided all technical guidance on a comprehensive guide for ATF and instructed this curriculum throughout ATF (2012).

**June 1996 - June 1999**

**DIPLOMATIC SECURITY SERVICE (DSS)**

**Firearms Instructor – November 1996 – June 1999**

- Conducted all manner of firearms training for DSS. Developed training syllabi for long-range rifle training, fire and maneuver tactics, submachine gun, handgun, and evacuation techniques under live fire
- Certified the Mobile Security Division and the Tactical Response team as firearms instructors
- Wrote training manuals and training syllabi to cover all aspects of firearms training
- Developed and conducted training in force protection, IED detection, surveillance, and counter terrorism
- Instructed the force continuum policy to DSS Special Agents
- Contractor constructed prop firearms as a gunsmith for the USMC and during employment with Diplomatic Security Service, where the contractor served as a firearms and tactics instructor, and gunsmith.

**August 1974 - April 1996**

**UNITED STATES MARINE CORPS**

**Attained the rank of Master Sergeant and served in many key leadership roles.**

**August 1994 - April 1996**

**Detachment Commander – American Embassy, Moscow, Russia -**

**January 1993-August 1994**

**Detachment Commander – American Embassy, Kingston, Jamaica**



**January 1989- January 1993****Floor Chief – Weapons Training Battalion – Quantico, Virginia**

- Chief instructor of the USMC precision weapons shop
- Instructed an armorer training course in Colombia, South America, in support of "Operation Snowcap"
- Certified as a High Risk Personnel (firearm trainer) instructor

**January 1974 - January 1989**

- Assisted with the development and introduction of the M16A2 while at Weapons Training Battalion
- Recruiter –Winston Salem NC – and other various duty stations
- Received the award as Non-Commissioned Officer-in-Charge of the Year and was meritoriously promoted to Gunnery Sergeant

**ADDITIONAL QUALIFICATIONS AND AWARDS**

- Interstate Nexus Instructor
- Testified over 50 times in federal and state court and certified as an expert witness on firearms statutes and regulations
- Distinguished high power rifle shooter
- FFL holder, successful business in custom rifle repair and sales
- Certified armorer for the following gun companies, Ruger, Glock, Smith and Wesson, and Heckler and Koch
- Received manufacturing and historical instruction at the following firearms sites both in conus and overseas; Marlin, Savage, H&R Inc., Winchester, Mossberg, Springfield Armory, Wilson Tools, Sig, Glock, Walther, Mauser, Sig Sauer, etc.
- Completed course of instruction in Principles of Acoustics and the Measurement of Sound
- Developed a course in recognition of silencers/silencer components and served as an expert in the classification of silencers and silencer components under federal statutes
- Wrote numerous training lesson plans in the use and identification of firearms-related subjects
- Trained official government personnel in firearms identification in the following countries: France, Canada, Colombia, El Salvador, Mexico, Canada, Belize, Jamaica, Curacao and Guatemala, etc
- Conversant in all aspects of the NFA
- Knowledgeable in the requirements of importing firearms and firearms components
- Presented firearms regulations to the Guatemalan Supreme Court
- Received public service award from the United States Attorney in the 4<sup>th</sup> district
- Recipient of ATF's Distinguished Service Medal
- Recipient of numerous letters of appreciation from ATF, FBI, and foreign law enforcement
- Headquarters USMC representative to introduce the M16A2 into the hands of 6th Marine Regiment

Resume addendum for Richard Vasquez:

Resume addendum:

1974 Company High Shooter Parris Island, SC

Winning Team, Parris Island Recruit Rifle and Pistol Team

Infantry Weapon Repair, Small Arms School, Aberdeen Md., Honor Graduate

Tactical implementation of squad automatic weapons and security procedures,  
Marine Barracks Naples Italy

2112 Armorer Gunsmith MOS

2161 Machinists MOS

Deployed to Colombia SA, and supervised a team imbedded with Colombian  
Marines to develop an armorer training school

Headquarters Marine Corps Representative for the introduction of the M16A2 into  
the 6<sup>th</sup> Marine Regiment during the Eastern Division Rifle Championships

Developed and implemented the Barret M82A1 Sniper rifle along with developing  
the Technical Manuals for subject rifle

Deployed to Desert Storm and Desert Shield with a team of snipers and introduced  
the Barret M82A1 directly into hands of Marine Snipers

Detachment Commander in Kingston Jamaica. In partnership with Diplomatic  
Security Service, I developed an emergency response team from host country  
nationals. I was recognized by the Director of DSS for this effort

Served at the American Embassy in Moscow Russia and defended the embassy  
against a missile attack (1995)

Certified as an instructor in submachineguns, shotguns, sniper rifles, all handguns,  
squad automatic weapons, grenade launchers, missile launchers, and all small arms

Distinguished marksman

Developed and instructed all methods of live fire for Diplomatic Security Service

Instructed Special Agents of DSS in rescuing a protectee under live fire replicating  
combat operations

In conjunction with the Special Agents of the ATF SRT developed firearms drill  
sheets and training for the SRT

Resume addendum for Richard Vasquez:

Wrote, developed, and instructed the foreign firearms nexus course

Rewrote and instructed the interstate nexus course

Developed the Cartridge Headstamp Identification Guide

Traveled to Bosnia with a United Nations team and fired “all” sniper rifles and machineguns belonging to the Bosnian military for the purpose of collecting fired cartridge cases. These were subsequently matched to the fired cases in the mass graves. This evidence was used in the war crimes.

Developed a foreign weapons identification course

Developed a machineguns identification course that is still posted on the ATF website

Evaluated and enhanced all firearms training instructed at the Federal Law Enforcement Training Center

Developed and instructed “Project Imports”, a program that was developed to coordinate with Homeland Security to stop illegal importations

Instructed courses on silencers, machineguns, homemade and counterfeit weapons to the Colombian Forensic services, Mexico Attorney Generals Office, Interpol, Canadian Provincial Enforcement Unit

Developed and instructed a course of instruction on machinegun identification, silencers, and all firearm regulations to the annual Association of Firearms and Tool Mark Academy (multiple years)

Wrote the first official standard Operating Procedures for the Firearms Technology Branch which include: Use and safe handling of firearms, Machinegun Testing, Test Fire Procedures, Silencer Testing, etc.

Assisted with writing several ATF Rulings

Presented numerous trafficking seminars throughout Central America and Mexico

Evaluated evidence in criminal cases in Mexico, Guatemala, and El Salvador. Which lead to briefing the Guatemalan Supreme Court justices in a clandestine meeting and the first ever evaluating Mexican firearms at the ATF crime lab for a joint U.S. Mexico case

Resume addendum for Richard Vasquez:

Met with the minister of Australia and developed a relationship between ATF and Australia to share trafficking information

Instructed members of all facets of the Australian military on U.S firearms regulations and statutes

2021 Wrote firearms identification training guides for Center for Disease Control

2021 Provided instruction on Ghost Guns to the annual Tasmanian law Enforcement Conference.

# **EXHIBIT C**

1 GERMAIN D. LABAT (SBN 203907)  
germain.labat@gmlaw.com  
2 PUNEET BHULLAR (SBN 329733)  
puneet.bhullar@gmlaw.com  
3 GREENSPOON MARDER LLP  
4 1875 Century Park East, Suite 1900  
Los Angeles, California 90067  
5 Telephone: (323) 880-4520  
Facsimile: (954) 771-9264

6 JAMES J. McGUIRE (New York SBN 2106664)  
7 (Pro Hac Vice Application Pending)  
james.mcguire@gmlaw.com  
8 MICHAEL MARRON (New York SBN 5146352)  
9 (Pro Hac Vice Application Forthcoming)  
michael.marron@gmlaw.com  
10 GREENSPOON MARDER LLP  
590 Madison Avenue, Suite 1800  
11 New York, New York 10022  
Telephone: (212) 524-5040  
12 Facsimile: (212) 524-5050

13  
14 Attorneys to Defendant  
Polymer80, Inc.

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **FOR THE COUNTY OF ORANGE**

17 FRANCISCO GUDINO CARDENAS, an  
18 individual; and  
19 TROY MCFADYEN, in his Individual Capacity,  
and as Heir at Law and Successor in Interest to  
20 MICHELLE MCFADYEN, Deceased, ET AL.

21 Plaintiffs,

22 vs.

23 GHOST GUNNER INC., d/b/a  
GHOSTGUNNER.NET; DEFENSE  
24 DISTRIBUTED d/b/a GHOSTGUNNER.NET;  
CODY WILSON d/b/a GHOSTGUNNER.NET;  
25 BLACKHAWK MANUFACTURING GROUP  
INC., d/b/a 80PERCENTARMS.COM; RYAN  
26 BEEZLEY and BOB BEEZLEY d/b/a  
RBTACTICALTOOLING.COM; GHOST  
27 AMERICA LLC, d/b/a GHOSTGUNS.COM;  
GHOST GUNS LLC, d/b/a GRID DEFENSE and  
28 GHOSTRIFLES.COM; JUDGGERNAUT  
TACTICAL INC. d/b/a JTACTICAL.COM; MFY

**Case No. JCCP 5167**

**[Coordinated Cases CIVDS 1935422 date  
filed 11/14/2019, and 30-2019-01111797-  
CU-PO-CJC date filed 11/14/2019]**

*[Assigned for all purposes to Hon. William  
Cluster, Department CX 104]*

Filing Date: March 22, 2021  
Trial Date: Not Yet Set

**DECLARATION OF  
DANIEL LEE McCALMON**

Date:  
Time:  
Dept: CX104  
Honorable William Cluster

1 TECHNICAL SOLUTIONS LLC, d/b/a  
2 5DTACTICAL.COM; TACTICAL GEAR HEADS  
3 LLC, d/b/a 80-LOWER.COM; AR-  
4 15LOWERRECEIVERS.COM and  
5 80LOWERJIG.COM; JAMES TROMBLEE, JR.,  
6 d/b/a USPATRIOTARMORY.COM; INDUSTRY  
7 ARMAMENT INC., d/b/a  
8 AMERICANWEAPONSCOMPONENTS.COM;  
9 THUNDER GUNS LLC, d/b/a  
10 THUNDERTACTICAL.COM; POLYMER80,  
11 INC.; and DOES 2 through 100, inclusive,  
12 Defendants.

13 I, DANIEL LEE McCALMON, declare under penalty of perjury under the laws of the State  
14 of California that the foregoing is true and correct:

15 1. I am Executive Vice President at Polymer80, Inc. (“Polymer80” or “Company”), by  
16 which I have been employed since May 2012.

17 2. In my current role at Polymer80, I am aware of all the products that the Company has  
18 sold since its inception.

19 3. Polymer80 has never in its history manufactured, distributed, sold, advertised, or  
20 marketed metallic or aluminum lower-receiver-style components for AR-15 type rifles, either alone  
21 or as part of any “kit.” A review of the Company’s website clearly demonstrates, and would  
22 demonstrate, this fact.

23 4. Moreover, every Company AR-15 type rifle contains a “P80” or “Polymer80”  
24 marking.

25 5. I have reviewed the photographs of the AR-15 style rifles that police recovered after  
26 Kevin Neal’s shooting spree in November 2019.

1           6.       I can unequivocally state based on my review of these photographs, with 100%  
2 confidence and certainty, that none of the AR-15 type rifles is a Polymer80 product. Those rifles do  
3 not have the “P80” or “Polymer80” marking that every Company product carries. Moreover, the  
4 rifles in the photos show metallic lower receivers, therefore made from products that Polymer80 has  
5 never made, sold, or otherwise distributed. Furthermore, Company products have a distinct aesthetic  
6 that the rifles in those photos do not possess.  
7

8           7.       The foregoing facts are known by me to be true, of my own personal knowledge. I am  
9 competent to testify to such facts and would so testify, if I appeared in Court as a witness at the trial  
10 of this matter.

11 Executed on November 19, 2021

By: *Daniel L. McCalmon*  
Daniel Lee McCalmon



# **EXHIBIT D**

James J. McGuire  
New York Managing Partner  
IBM Building  
590 Madison Avenue, Suite 1800  
New York, NY 10022  
Phone: 212.524.5000  
Fax: 212.524.5050  
Direct Phone: 212.524.5040  
Email: james.mcguire@gmlaw.com

August 27, 2021

**BY E-MAIL AND  
FEDERAL EXPRESS**

Gerald B. Singleton, Esq.  
Singleton Law Firm  
450 A Street, 5<sup>th</sup> Floor  
San Diego, California 92101

Ben Rosenfeld, Esq.  
Attorney at Law  
115 ½ Bartlett Street  
San Francisco, California 94110

Re: **Cardenas v. Ghost Gunner, Inc., et al.**  
Case No. 30-2019-01111797-CV-PO-CJC

Counsel:

This Firm serves as counsel to Polymer80, Inc. ("Polymer80" or "Company") and, if necessary, will through California co-counsel be filing the requisite applications with the Court for the admission of certain of our lawyers *pro hac vice* in the above-referenced action. Since, for reasons explicated below, all of you and your firm never had, and could never have had, a good faith basis upon which to commence and/or prosecute that action against Polymer80, we hereby demand that all of you and your firm cause it to be voluntarily dismissed forthwith.

Gerald B. Singleton, Esq.  
Singleton Law Firm  
Ben Rosenfeld, Esq.  
August 27, 2021  
Page 2

As all of you and your firm well know, the core averment in this gravely flawed and utterly unfounded (as against the Company) lawsuit is that in November 2017 one Kevin Neal utilized a Polymer80 product or products to carry out the acts giving rise to the purported civil liabilities addressed in the subject Complaint. As all of you and your firm further know and should have known all along, that averment is flatly, indisputably, and demonstrably false based upon evidence that has been publicly available since well before the action was filed.

That evidence largely consists of photographs of AR-15 style rifles used by Mr. Neal and recovered by the Tehama County Sheriff's Office, which photographs reveal that each of those rifles contained a plainly metallic (apparently aluminum) lower receiver. Polymer80 does not manufacture or distribute (and never has manufactured or distributed) metallic or aluminum lower receivers, either alone or as part of any "kit." Thus, Mr. Neal did not perform, and could not have possibly performed, his acts with or through the use of any Company product. In addition and exacerbating your serious misconduct, there is nothing set forth in the Complaint directly linking Polymer80 and/or its products to the challenged behavior of Mr. Neal.

Moreover, the Complaint seems to propound a "market share" theory of liability, to the effect that "[e]ach defendant will be held liable for the proportion of the judgment represented by its share of [the respective] *market unless it demonstrates that it could not have made the product which caused plaintiff's injuries.*" See *Sindell v. Abbott*

Gerald B. Singleton, Esq.  
Singleton Law Firm  
Ben Rosenfeld, Esq.  
August 27, 2021  
Page 3

*Laboratories*, 26 Cal.3d 588, 612 (1980). The Complaint also relatedly maintains that the “parts” or “kits” at issue are “fungible,” as they must be for such a theory to have even facial soundness.

Here, because Polymer80 can unequivocally prove that Mr. Neal did not use any of its products (whether an individual part or a kit) in inflicting the injuries at the center of the action, this theory of liability is vacuous. Nor can all of you and your Firm, nor can the *Cardenas* plaintiff, establish the requisite “fungibility” to enable that theory to succeed. As such, the Company cannot possibly have any liability whatsoever and should no longer be named as a defendant in the case, just as it never should have been. And, once more, all of you and your firm either knew or should have known these realities as of the initiation of the action.

California Code of Civil Procedure Section 128.7(b)(3) provides that when filing a document with a Court, an attorney “is certifying that to the best of the person’s knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, . . . [t]he allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.” Plainly, all of you and your firm have not discharged your legal obligations under this provision. To be sure, it would have taken no great effort, expertise, or expense to obtain the publicly available evidence putting the lie to the many egregiously false allegations that all of you and your firm have

Gerald B. Singleton, Esq.  
Singleton Law Firm  
Ben Rosenfeld, Esq.  
August 27, 2021  
Page 4

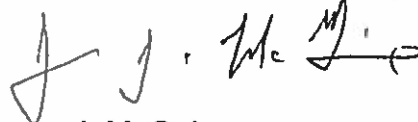
promulgated against the Company. Indeed, all of you and your firm can easily confirm the patent falsity of those allegations in a few minutes now.

Accordingly and for these reasons, we hereby demand that all of you and your firm cause plaintiffs forthwith to dismiss voluntarily the above-referenced action against Polymer80 and confirm that dismissal in a writing directed to and received by the undersigned by no later than 6 P.M. Eastern Daylight Time on September 7, 2021. Absent timely receipt of that writing, the Company will be positioned to take all appropriate action against all of you individually and your firm. In any event, by this letter Polymer80 expressly reserves all of its rights, remedies, claims, causes of action, defenses, privileges, protections, immunities of any kind, and the like as against all of you and your firm.

We look forward to the most expeditious response.

Sincerely,

GREENSPOON MARDER LLP



James J. McGuire  
New York Managing Partner

JJM/gmh

cc: Mr. Alex Brodsky  
Germain D. Labat, Esq.  
Michael R. Patrick, Esq.  
Michael S. Marron, Esq.

James J. McGuire  
New York Managing Partner  
IBM Building  
590 Madison Avenue, Suite 1800  
New York, NY 10022  
Phone: 212.524.5000  
Fax: 212.524.5050  
Direct Phone: 212.524.5040  
Email: james.mcguire@gmlaw.com

August 27, 2021

**BY E-MAIL AND  
FEDERAL EXPRESS**

Douglas Mudford, Esq.  
Estee Lewis, Esq.  
Catie Barr, Esq.  
Brandon Storment, Esq.  
Barr & Mudford, LLP  
1824 Court Street  
Redding, California 96099-4390

Re: **McFadyen, et al. v. Ghost Gunner, Inc., et al.**  
Case No. CIV-DS1935422

Counsel:

This Firm serves as counsel to Polymer80, Inc. ("Polymer80" or "Company") and, if necessary, will through California co-counsel be filing the requisite applications with the Court for the admission of certain of our lawyers *pro hac vice* in the above-referenced action. Since, for reasons explicated below, all of you and your firm never had, and could never have had, a good faith basis upon which to commence and/or prosecute that action against Polymer80, we hereby demand that all of you and your firm cause it to be voluntarily dismissed forthwith.

Douglas Mudford, Esq.  
Estee Lewis, Esq.  
Catie Barr, Esq.  
Brandon Storum, Esq.  
Barr & Mudford, LLP  
August 27, 2021  
Page 2

As all of you and your firm well know, the core averment in this gravely flawed and utterly unfounded (as against the Company) lawsuit is that in November 2017 one Kevin Neal utilized a Polymer80 product or products to carry out the acts giving rise to the purported civil liabilities addressed in the subject Complaint. As all of you and your firm further know and should have known all along, that averment is flatly, indisputably, and demonstrably false based upon evidence that has been publicly available since well before the action was filed.

That evidence largely consists of photographs of AR-15 style rifles used by Mr. Neal and recovered by the Tehama County Sheriff's Office, which photographs reveal that each of those rifles contained a plainly metallic (apparently aluminum) lower receiver. Polymer80 does not manufacture or distribute (and never has manufactured or distributed) metallic or aluminum lower receivers, either alone or as part of any "kit." Thus, Mr. Neal did not perform, and could not have possibly performed, his acts with or through the use of any Company product. In addition and exacerbating your serious misconduct, there is nothing set forth in the Complaint directly linking Polymer80 and/or its products to the challenged behavior of Mr. Neal.

Moreover, the Complaint seems to propound a "market share" theory of liability, to the effect that "[e]ach defendant will be held liable for the proportion of the judgment represented by its share of [the respective] *market unless it demonstrates that it could not have made the product which caused plaintiff's injuries.*" See *Sindell v. Abbott*

Douglas Mudford, Esq.  
Estee Lewis, Esq.  
Catie Barr, Esq.  
Brandon Storment, Esq.  
Barr & Mudford, LLP  
August 27, 2021  
Page 3

*Laboratories*, 26 Cal.3d 588, 612 (1980). The Complaint also relatedly maintains that the “parts” or “kits” at issue are “fungible,” as they must be for such a theory to have even facial soundness.

Here, because Polymer80 can unequivocally prove that Mr. Neal did not use any of its products (whether an individual part or a kit) in inflicting the injuries at the center of the action, this theory of liability is vacuous. Nor can all of you and your Firm, nor can the *McFadyen* plaintiffs, establish the requisite “fungibility” to enable that theory to succeed. As such, the Company cannot possibly have any liability whatsoever and should no longer be named as a defendant in the case, just as it never should have been. And, once more, all of you and your firm either knew or should have known these realities as of the initiation of the action.

California Code of Civil Procedure Section 128.7(b)(3) provides that when filing a document with a Court, an attorney “is certifying that to the best of the person’s knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, . . . [t]he allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.” Plainly, all of you and your firm have not discharged your legal obligations under this provision. To be sure, it would have taken no great effort, expertise, or expense to obtain the publicly available evidence putting the lie to the many egregiously false allegations that all of you and your firm have



Douglas Mudford, Esq.  
Estee Lewis, Esq.  
Catie Barr, Esq.  
Brandon Storum, Esq.  
Barr & Mudford, LLP  
August 27, 2021  
Page 4

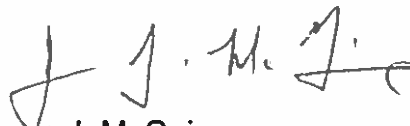
promulgated against the Company. Indeed, all of you and your firm can easily confirm the patent falsity of those allegations in a few minutes now.

Accordingly and for these reasons, we hereby demand that all of you and your firm cause plaintiffs forthwith to dismiss voluntarily the above-referenced action against Polymer80 and confirm that dismissal in a writing directed to and received by the undersigned by no later than 6 P.M. Eastern Daylight Time on September 7, 2021. Absent timely receipt of that writing, the Company will be positioned to take all appropriate action against all of you individually and your firm. In any event, by this letter Polymer80 expressly reserves all of its rights, remedies, claims, causes of action, defenses, privileges, protections, immunities of any kind, and the like as against all of you and your firm.

We look forward to the most expeditious response.

Sincerely,

GREENSPOON MARDER LLP



James J. McGuire  
New York Managing Partner

JJM/gmh

cc: Mr. Alex Brodsky  
Germain D. Labat, Esq.  
Michael R. Patrick, Esq.  
Michael S. Marron, Esq.

1 **PROOF OF SERVICE**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*  
3 Case No. JCCP 5167

4 STATE OF CALIFORNIA )  
5 ) ss  
6 COUNTY OF LOS ANGELES )

7 I am employed in the County of Los Angeles, State of California. I am over the age of  
8 eighteen years and not a party to the action. My business address is 1875 Century Park East, Suite  
9 1900, Los Angeles, CA 90067. On December 16, 2021, I served the document(s) on the interested  
10 parties in this action as follows:

11 **DECLARATION OF GERMAIN D. LABAT, ESQ., IN SUPPORT OF THE MOTION OF  
12 POLYMER80, INC. FOR DISMISSAL, ATTORNEYS’ FEES, AND OTHER SANCTIONS  
13 PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 128.7**

14 By placing  the original  a true copy thereof enclosed in a sealed envelope addressed as follows:  
15 (SEE ATTACHED SERVICE LIST)

- 16  **BY ELECTRONIC MAIL-** I caused the foregoing document(s) to be served on all parties at  
17 the e-mail addresses listed herein.
- 18  **BY MAIL:** The envelope was mailed with postage thereon fully prepaid. I am “readily  
19 familiar” with the firm’s practice of collection and processing correspondence for mailing.  
20 Under that practice it would be deposited with the U.S. postal service on that same day with  
21 postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I  
22 am aware that on motion of the party served, service is presumed invalid if the postal  
23 cancellation date or postage meter date is more than one day after service of deposit for mailing  
24 in affidavit.
- 25  **BY OVERNIGHT DELIVERY:** By causing such envelope to be deposited or delivered in a  
26 box or other facility regularly maintained by Federal Express authorized to receive documents,  
27 or delivering to a courier or driver authorized by said express service carrier to receive  
28 documents, the copy of the foregoing document in a sealed envelope designated by the express  
service carrier, addressed as stated above, with fees for overnight (next business day) delivery  
paid or provided for and causing such envelope to be delivered by said express service carrier.
- [State] I declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct.

Executed on December 16, 2021, at Los Angeles, California.



Lorraine Corrales

1 **SERVICE LIST**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*  
3 Case No. JCCP 5167

4 Amy K. Van Zant, Esq.  
5 Shayan Said, Esq.  
6 Anna Z. Saber  
7 Ric T. Fuckushima

*Attorneys For Plaintiffs  
Francisco Gudino Cardenas and McFadyen,  
et al.*

8 **ORRICK, HERRINGTON  
& SUTCLIFFE LLP**

9 1000 Marsh Road  
10 Menlo Park, CA 94025-1015

11 Tel: 650.614.7400

12 Facsimile: 650.614.7401

13 E-Mail: [avanzant@orrick.com](mailto:avanzant@orrick.com)

14 [ssaid@orrick.com](mailto:ssaid@orrick.com)

15 [annasaber@orrick.com](mailto:annasaber@orrick.com)

16 [rfukushima@orrick.com](mailto:rfukushima@orrick.com)

17 Cody R. Wilson

18 Craig A. Livingston

19 Chrystal L. Van Der Putten

20 **LIVINGSTON LAW FIRM**

21 1600 South Main Street, Suite 280

22 Walnut Creek, CA 94596

23 Tel: 925.952.9880

24 Fax: 925.952.9881

25 E-Mail: [clivingston@livingstonlawyers.com](mailto:clivingston@livingstonlawyers.com)

26 [cvanderputten@livingstonlawyers.com](mailto:cvanderputten@livingstonlawyers.com)

*Attorney for Defendant*

**TACTICAL GEAR HEADS LLC**

27 Michael E. Gallagher

28 Nicholas T. Maxwell

Kyle JH. Gaines

**EDLIN GALLAGHER HUIE**

**& BLUM LLP**

515 S. Flower St., Ste. 1020

Los Angeles, CA 90071

E-Mail: [mgallagher@eghblaw.com](mailto:mgallagher@eghblaw.com)

[nmaxwell@eghblaw.com](mailto:nmaxwell@eghblaw.com)

[kgaines@eghblaw.com](mailto:kgaines@eghblaw.com)

*Attorneys for Defendant Juggernaut Tactical,  
Inc.*

1 **SERVICE LIST**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*  
3 Case No. JCCP 5167

4 Grant D. Waterkotte *Attorneys for Defendants Defense Distributors*  
5 Tina M. Robinson  
6 **PETTIT KOHN INGRADDIA**  
7 **LUTZ & DOLIN, PC**  
8 5901 W. Century Blvd., Ste. 1100  
9 Los Angeles, CA 90045  
10 E-Mail: [gwaterkotte@Pettitkohn.com](mailto:gwaterkotte@Pettitkohn.com)  
11 [trobenson@pettitkohn.com](mailto:trobenson@pettitkohn.com)

12 Christopher Renzulli *Attorneys for Defendant Juggernaut Tactical,*  
13 Howard B. Schilsky *Inc.*  
14 **RENZULLI LAW FIRM, LLP**  
15 One North Broadway, Ste. 1005  
16 White Plains, NY10601  
17 E-Mail: [crenzulli@renzullilaw.com](mailto:crenzulli@renzullilaw.com)  
18 [hschilsky@renzullilaw.com](mailto:hschilsky@renzullilaw.com)

19 C.D. Michael *Attorney for Defendants*  
20 Sean A. Brady *Ghost Firearms, LC, Thunder Guns, LLC,*  
21 **MICHEL & ASSOCIATES, P.C.** *Ryan Beezley and Bob Beezley, and MFY*  
22 180 E. Ocean Blvd., Suite 200 *Technical Solutions, LLC*  
23 Long Beach, CA 90802  
24 E-Mail: [cmichel@michellawyers.com](mailto:cmichel@michellawyers.com)  
25 [sbrady@michellawyers.com](mailto:sbrady@michellawyers.com)  
26  
27  
28

1 **PROOF OF SERVICE**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*  
3 Case No. JCCP 5167

4 STATE OF CALIFORNIA )  
5 ) ss  
6 COUNTY OF LOS ANGELES )

7 I am employed in the County of Los Angeles, State of California. I am over the age of  
8 eighteen years and not a party to the action. My business address is 1875 Century Park East, Suite  
9 1900, Los Angeles, CA 90067. On December 16, 2021, I served the document(s) on the interested  
10 parties in this action as follows:

11 **DECLARATION OF GERMAIN D. LABAT, ESQ., IN SUPPORT OF THE MOTION OF  
12 POLYMER80, INC. FOR DISMISSAL, ATTORNEYS' FEES, AND OTHER SANCTIONS  
13 PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 128.7**

14 By placing  the original  a true copy thereof enclosed in a sealed envelope addressed as follows:  
15 (SEE ATTACHED SERVICE LIST)

- 16  **BY ELECTRONIC MAIL-** I caused the foregoing document(s) to be served on all parties at  
17 the e-mail addresses listed herein.
- 18  **BY MAIL:** The envelope was mailed with postage thereon fully prepaid. I am “readily  
19 familiar” with the firm’s practice of collection and processing correspondence for mailing.  
20 Under that practice it would be deposited with the U.S. postal service on that same day with  
21 postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I  
22 am aware that on motion of the party served, service is presumed invalid if the postal  
23 cancellation date or postage meter date is more than one day after service of deposit for mailing  
24 in affidavit.
- 25  **BY PERSONAL SERVICE:** I caused to be delivered the foregoing document(s) to the  
26 addressee(s) specified.
- 27  [State] I declare under penalty of perjury under the laws of the State of California that the  
28 foregoing is true and correct.

Executed on December 16, 2021, at Los Angeles, California.



\_\_\_\_\_  
Lorraine Corrales

1 **SERVICE LIST**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*  
3 Case No. JCCP 5167

4 *Attorneys For Plaintiffs*

4 Amy K. Van Zant, Esq.  
5 Shayan Said, Esq.  
6 Anna Z. Saber  
7 Ric T. Fuckushima

6 **ORRICK, HERRINGTON  
7 & SUTCLIFFE LLP**

7 1000 Marsh Road  
8 Menlo Park, CA 94025-1015

9 Tel: 650.614.7400

9 Facsimile: 650.614.7401

10 E-Mail: [avanzant@orrick.com](mailto:avanzant@orrick.com)

[ssaid@orrick.com](mailto:ssaid@orrick.com)

11 [annasaber@orrick.com](mailto:annasaber@orrick.com)

[rfukushima@orrick.com](mailto:rfukushima@orrick.com)

12 Dugan Barr

13 Douglas Mudfor

14 Estee Lewis

14 Catie Barr

15 Brandon Storment

15 **BARR & MUDFORD, LLP**

16 1824 Court Street

16 P.O. Box 994390

17 Redding, CA 96099-4390

17 E-Mail: [doug@ca-lawyer.com](mailto:doug@ca-lawyer.com);

[estee@ca-lawyer.com](mailto:estee@ca-lawyer.com);

[brandon@ca-lawyer.com](mailto:brandon@ca-lawyer.com);

19 [catie@ca-lawyer.com](mailto:catie@ca-lawyer.com)

20 Gerald B. Singleton

21 **SINGLETON LAW FIRM**

21 450 A Street, 5<sup>th</sup> Floor

22 San Diego, CA 92101

22 E-Mail: [gerald@SLFfirm.com](mailto:gerald@SLFfirm.com)

23 Ben Rosenfeld

24 **ATTORNEY AT LAW**

24 1151/2 Bartlett St.

25 Sand Francisco, CA 94110

25 E-Mail: [ben.rosenfeld@comast.net](mailto:ben.rosenfeld@comast.net)

26 [gsingleton@ssmsjustice.com](mailto:gsingleton@ssmsjustice.com)

## Lorraine Corrales

---

**From:** donotreply@occourts.org  
**Sent:** Thursday, December 16, 2021 12:15 PM  
**To:** Lorraine Corrales  
**Subject:** Superior Court of Orange County - Motion Reservation Request - CONFIRMATION

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



### Superior Court of California, County of Orange RESERVE A MOTION DATE

Your reservation request has been **CONFIRMED** by the Superior Court. The hearing date and time below has been reserved. You will be asked to provide your reservation number to the court at a later date.

**MOVING PAPERS MUST BE E-FILED WITHIN 24 HOURS AFTER COMPLETING THE ON-LINE RESERVATION.** Failure to submit your moving papers within 24 hours will result in the automatic **CANCELLATION** of the reservation.

**NOTE:** To **EXPEDITE** your **MOTION** filing place the appropriate Court Reservation number (e.g. 7XXXXXXX) on each Motion being submitted.

Please do not reply to this email.

---

**Reservation Number:** 73664942

---

**Hearing Date:** January 14, 2022  
**Hearing Time:** 9:00 AM  
**Department:** CX104  
**Motion Type:** Motion for Sanctions

---

**Case Number:** JCCP 5167  
**Case Title:** Ghost Gunner Firearms Cases  
**Judicial Officer:** Hon. William Cluster

---

**Email:** lorraine.corrales@gmlaw.com  
**Requestor Name:** Lorraine Corrales  
**Requestor Phone:** 3238804520  
**Filing Party:** Polymer80, Inc.

---

**Date of Request:** December 16, 2021  
**Time of Request:** 12:13 PM  
**Transaction Number:** 1000247974