

1 C.D. Michel-SBN 144258  
2 Anna M. Barvir-SBN 268728  
3 Tiffany D. Cheuvront-SBN 317144  
4 MICHEL & ASSOCIATES, P.C.  
5 180 East Ocean Blvd., Suite 200  
6 Long Beach, CA 90802  
7 Telephone: (562) 216-4444  
8 Fax: (562) 216-4445  
9 Email: cmichel@michellawyers.com

10 Attorneys for Plaintiffs Junior Sports Magazines Inc., Raymond Brown, California  
11 Youth Shooting Sports Association, Inc., Redlands California Youth Clay Shooting  
12 Sports, Inc., California Rifle & Pistol Association, Incorporated, The CRPA  
13 Foundation, and Gun Owners of California, Inc.

14 Donald Kilmer-SBN 179986  
15 Law Offices of Donald Kilmer, APC  
16 14085 Silver Ridge Road  
17 Caldwell, Idaho 83607  
18 Telephone: (408) 264-8489  
19 Email: Don@DKLawOffice.com

20 Attorney for Plaintiff Second Amendment Foundation

21  
22 IN THE UNITED STATES DISTRICT COURT

23 CENTRAL DISTRICT OF CALIFORNIA

24 JUNIOR SPORTS MAGAZINES  
25 INC., RAYMOND BROWN,  
26 CALIFORNIA YOUTH SHOOTING  
27 SPORTS ASSOCIATION, INC.,  
28 REDLANDS CALIFORNIA  
YOUTH CLAY SHOOTING  
SPORTS, INC., CALIFORNIA  
RIFLE & PISTOL ASSOCIATION,  
INCORPORATED, THE CRPA  
FOUNDATION, AND GUN  
OWNERS OF CALIFORNIA, INC.;  
and SECOND AMENDMENT  
FOUNDATION,

Plaintiffs,

v.

ROB BONTA, in his official capacity  
as Attorney General of the State of  
California; and DOES 1-10,

Defendant.

CASE NO: 2:22-cv-04663-CAS (JCx)

**SUPPLEMENTAL DECLARATION OF  
RICHARD MINNICH IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

Hearing Date: October 17, 2022  
Hearing Time: 10:00 a.m.  
Courtroom: 8D  
Judge: Christina A. Snyder

**SUPPLEMENTAL DECLARATION OF RICHARD MINNICH**

1           **SUPPLEMENTAL DECLARATION OF RICHARD MINNICH**  
2           1.     I, Richard Minnich, am an officer and the Treasurer of Plaintiff  
3     California Rifle & Pistol Association, Incorporated (CRPA). I make this declaration  
4     of my own personal knowledge and, if called as a witness, I could and would testify  
5     competently to the truth of the matters set forth herein.

6           2.     AB 2571, as passed on June 30, 2022, and currently enforced, bars  
7     CRPA from supporting and sponsoring junior shooting teams by helping them  
8     secure sponsorships from firearms industry members and by providing for travel  
9     costs, shooting jerseys with sponsor logos (similar to those in other sports like  
10    cycling, running, kayaking, and fishing), ammunition, and entry fees because doing  
11    so necessarily involves advertising, marketing, or arranging for the placement of  
12    communications promoting the use of firearm-related products—*directly to minors*  
13    and in ways likely to be attractive to minors. To prevent substantial civil liability  
14    under the new law, CRPA has withdrawn its important support of competitive  
15    junior shooting teams. *See* Minnich Decl., ¶ 7.

16          3.     But for the adoption and enforcement of AB 2571, CRPA would  
17    continue to sponsor and support youth shooting teams as it has done for years. If the  
18    law is enjoined, CRPA will in fact resume sponsoring and supporting youth  
19    shooting teams and programs by helping them secure sponsorships from firearm  
20    industry members and providing donations for travel costs, shooting jerseys,  
21    ammunition, and entry fees.

22          4.     Even if AB 160 goes into effect, and some limited exemptions are  
23    made to California's ban on firearm-related speech, the law still limits CRPA's  
24    ability to support junior shooting teams. For instance, CRPA could not provide  
25    shooting jerseys with sponsor logos or assist them with sponsorships from firearm  
26    industry members unless those sponsors would be willing to support without  
27    getting the benefit of also promoting their products.

28          5.     But for the adoption and enforcement of AB 2571 (and the AB 160

1 amendments), CRPA would continue to sponsor and support youth shooting teams  
2 as it has done for years. And if the law is enjoined, CRPA will in fact resume  
3 sponsoring and supporting youth shooting teams by helping them secure  
4 sponsorships from firearm industry members and providing donations for travel  
5 costs, shooting jerseys, ammunition, and entry fees.

6 6. AB 2571, as passed on June 30, 2022, and currently enforced, bars  
7 CRPA from continuing to offer its stellar firearms training and safety programs and  
8 hunter's education courses to anyone under the 18 because such courses  
9 necessarily involve speech concerning firearm-related products, including  
10 recommendations about specific products and discussions and instruction  
11 promoting the possession and use of firearms. Indeed, to prevent substantial civil  
12 liability under the new law, CRPA has canceled multiple hunter's education courses  
13 over the past two months because many of the registered participants were under  
14 18. *See* Minnich Decl., ¶ 8.

15 7. But for the adoption and enforcement of AB 2571, CRPA would  
16 continue offering firearms training and safety programs and hunter's education  
17 courses to all people legally permitted to engage in such activities, including those  
18 under 18, as it has done for years. And if the law is enjoined, CRPA will in fact  
19 resume offering such courses to minors under 18.

20 8. Even if AB 160 goes into effect, and some limited exemptions are  
21 made to California's ban on firearm-related speech, the amended law expressly  
22 exempts only speech that offers or promotes firearms training and safety programs  
23 and hunter's education course, it does not exempt the speech that takes place during  
24 those programs. As such, CRPA and its firearm instructors must consider whether  
25 they wish to offer such courses to youth under 18 at all and, if they do so, must  
26 carefully censor their speech since such courses inherently include speech  
27 promoting firearm-related products, including recommendations about specific  
28 products. For instance, California's own Hunter Safety Course Study Guide (a

1 resource that every hunter education course in the state must use) incorporates  
2 several endorsements for “firearm-related products,” including but not limited to  
3 firearm cleaning kits, gun safes, hunting ammunition, eye and ear protection,  
4 adjustable shooting tripods, spotting scopes, and shotgun chokes, as well as the pros  
5 and cons of various gun cases for transport.

6 9. But for the adoption and enforcement of AB 2571 (and the AB 160  
7 amendments), CRPA would continue offering firearm safety, handling, and hunting  
8 courses to all people legally permitted to engage in such activities, including those  
9 under 18 as it has done for years—and it could do so without substantially  
10 censoring its trainers’ speech. If the law is enjoined, CRPA will in fact resume  
11 offering such courses to minors under 18.

12 10. AB 2571, as passed on June 30, 2022, and currently enforced, restricts  
13 what CRPA can publish in its *California Firing Line* magazine. For instance, a  
14 large portion of each issue of the bi-monthly magazine has been traditionally  
15 devoted to the celebration and promotion of youth shooting programs and  
16 competitive shooting—speech that necessarily involves advertising, marketing, or  
17 arranging for the placement of communications promoting the use of firearm-  
18 related products in ways that might be considered attractive to minors. Since the  
19 passage of AB 2571, CRPA has thus been forced to remove this truthful and  
20 otherwise lawful content from the pages of its *California Firing Line* magazine.  
21 Indeed, to prevent substantial civil liability under the new law, CRPA has had to  
22 sacrifice (among other things) stories celebrating youth shooting team successes,  
23 articles penned by youth about their love of the shooting sports, and images of  
24 young people engaged in these activities. *See* Minnich Decl., ¶ 9 & Ex. 22. Indeed,  
25 CRPA had to replace the entire shooting sports section with other articles for fear of  
26 running an article that may be in violation of the law because the section primarily  
27 features the accomplishments and competitions of youth shooters and shooting  
28 teams across the state.

1           11. But for the adoption and enforcement of AB 2571, CRPA would  
2 continue to produce its *California Firing Line* magazine, celebrating all facets of  
3 the gun culture, including youth in the shooting sports, as it has for years. And if  
4 the law is enjoined, CRPA will in fact resume publishing content in the *California*  
5 *Firing Line* (and other publications) that promotes and celebrates youth in the  
6 shooting sports.

7           12. Even if AB 160 goes into effect, and some limited exemptions are  
8 made to California's ban on firearm-related speech, the law will still bar CRPA  
9 from publishing articles and images in its *California Firing Line* magazine that  
10 endorse or recommend firearm-related products that are designed for use by minors  
11 or come in colors or sizes that might be appealing to minors. For instance, CRPA  
12 could not publish articles written by youth shooters endorsing specific firearms or  
13 ammunition appropriate for competitive shooting applications by youth and smaller  
14 shooters.

15           13. But for the adoption and enforcement of AB 2571 (and the AB 160  
16 amendments), CRPA would continue to produce its *California Firing Line*  
17 magazine, celebrating all facets of the gun culture, including youth in the shooting  
18 sports, as it has for years. And if the law is enjoined, CRPA will in fact resume  
19 publishing content in the *California Firing Line* (and other publications) that  
20 promotes and celebrates youth in the shooting sports.

21           14. The *California Firing Line* magazine also includes traditional  
22 advertisements promoting firearms-related products—advertisements that are  
23 intended for an audience of adults and firearms-savvy minors who may want to ask  
24 their parents to lawfully purchase firearms and related products for the minor's  
25 lawful use. Since the passage of AB 2571, CRPA has had to stop accepting ads for  
26 fear that they may be attractive to minors.

27           15. But for the adoption and enforcement of AB 2571, CRPA would  
28 continue including traditional (truthful and otherwise lawful) advertisements

1 promoting firearm-related products in *California Firing Line* magazine regardless  
2 of whether some third person might think the communications are attractive to  
3 minors. And if the law is enjoined, CRPA will in fact resume accepting traditional  
4 (truthful and otherwise lawful) advertisements promoting firearm-related products  
5 regardless of whether some third person might think the communications are  
6 attractive to minors. *See* Minnich Decl., ¶¶ 10 & 11.

7 16. Even if AB 160 goes into effect, and some limited exemptions are  
8 made to California's ban on firearm-related speech, the amended law does not  
9 exempt the sorts of traditional advertising promoting firearm-related products found  
10 in the pages of CRPA's *California Firing Line* magazine. To the contrary, the law  
11 expressly bans communications promoting or offering firearm-related products if  
12 some third party might think they are attractive to minors. As such, even in AB 160  
13 goes into effect, CRPA must continue to limit the advertisements to those that are  
14 determined not attractive to minors (to the extent that is even possible) or end  
15 advertising firearm-related products in our publications altogether.

16 17. But for the adoption and enforcement of AB 2571 (and the AB 160  
17 amendments), CRPA would continue including traditional (truthful and otherwise  
18 lawful) advertisements promoting firearm-related products in *California Firing*  
19 *Line* magazine regardless of whether some third person might think the  
20 communications are attractive to minors. And if the law is enjoined, CRPA will in  
21 fact resume accepting traditional (truthful and otherwise lawful) advertisements  
22 promoting firearm-related products regardless of whether some third person might  
23 think the communications are attractive to minors.

24 18. AB 2571, as passed on June 30, 2022, and currently enforced, bars  
25 CRPA from planning, advertising, marketing, promoting, sponsoring, hosting,  
26 facilitating and/or participating in recreational events and shooting competitions  
27 specifically for youth or where youth are extremely likely to be in attendance and  
28 where youth lawfully use, handle, observe, or otherwise possess firearm-related



1 products. Because these programs regularly involve print and online advertising,  
2 signage, flyers, discussions, branded merchandise and giveaways, and other  
3 communications depicting minors enjoying or otherwise encouraging minors to  
4 possess and use lawful firearms for lawful purposes, they necessarily involve  
5 advertising, marketing, or arranging for the placement of communications  
6 promoting the use of firearm-related products—*directly to minors* and in ways  
7 likely to be attractive to them. *See* Minnich Decl., ¶ 12 & Ex. 23. I

8 19. But for the adoption and enforcement of AB 2571, CRPA would  
9 continue planning, advertising, marketing, promoting, sponsoring, hosting,  
10 facilitating and/or participating in recreational events and shooting competitions  
11 specifically for youth or where youth are extremely likely to be in attendance and  
12 where youth lawfully use, handle, observe, or otherwise possess firearm-related  
13 products. And if the law is enjoined, CRPA will in fact resume planning,  
14 advertising, marketing, promoting, sponsoring, hosting, facilitating and/or  
15 participating such programs. *See* Minnich Decl., ¶ 12.

16 20. Even if AB 160 goes into effect, and some limited exemptions are  
17 made to California's ban on firearm-related speech, the amended law expressly  
18 exempts only speech that offers or promotes lawful shooting programs and  
19 activities, it does not exempt the speech that takes place at those events. Such  
20 events often involve signage, flyers, discussions, branded merchandise and  
21 giveaways, and other communications that promote or offer firearm-related  
22 products. CRPA learned recently that the California Department of Fish and  
23 Wildlife is considering not hosting youth hunts this fall because, even with the AB  
24 160 amendments, there are still concerns that discussions about hunting firearms  
25 and related products violate the law. What's more, the cost of hosting shooting  
26 opportunities for youth is often offset by sponsors, including businesses that sell or  
27 manufacture firearm-related products. Sponsors are often offered booth space,  
28 banners, signage, logo placement, or other forms advertising at these events in

1 exchange for their financial support. It is also customary, just like in other sports, to  
2 place sponsor logos not just on signage or vendor booths, but on the shirts or  
3 uniforms competitors receive. This apparel is not only commemorative to the youth  
4 shooters, but advertising for sponsors. Because AB 2571 provides no exception for  
5 sponsors of lawful youth shooting events or for the speech that takes place at such  
6 events, both as originally adopted and as recently amended, the law restricts  
7 CRPA's ability to host and sponsor shooting events for youth.

8 21. But for the adoption and enforcement of AB 2571 (including the AB  
9 160 amendments), CRPAF would continue planning, advertising, marketing,  
10 promoting, sponsoring, hosting, facilitating and/or participating in recreational or  
11 competitive shooting events specifically for youth or where youth are extremely  
12 likely to be in attendance and where youth lawfully use, handle, observe, or  
13 otherwise possess firearm-related products. And if the law is enjoined, CRPAF will  
14 in fact resume planning, advertising, marketing, promoting, sponsoring, hosting,  
15 facilitating and/or participating such programs.

16 22. What's more, the AB 160 amendments to AB 2571 do not expressly  
17 include advertisements, marketing, or communications promoting youth  
18 recreational shooting activities (i.e., not competitive shooting or hunting activities)  
19 where youth are likely to be in attendance and where they lawfully use, handle,  
20 observe, or otherwise possess firearm-related products. It is unclear whether these  
21 activities—and all the speech that takes place attendant to such activities—are  
22 permissible under the new language of the law.

23 23. AB 2571, as passed on June 30, 2022, and currently enforced, bars  
24 CRPA from distributing CRPA-branded merchandise and giveaways (or "swag"),  
25 including but not limited to hats, t-shirts, stuffed animals, coloring and activity  
26 books, stickers, pins, and buttons, to promote the organization and solicit  
27 memberships and/or financial support, as well as to spread pro-gun messages and  
28 slogans.



1           24. But for the adoption and enforcement of AB 2571, CRPA would  
2 continue distributing CRPA-branded merchandise and giveaways (or “swag”),  
3 including but not limited to hats, t-shirts, stuffed animals, coloring and activity  
4 books, stickers, pins, and buttons, to promote the organization and solicit  
5 memberships and/or financial support, as well as to spread pro-gun messages and  
6 slogans. And if the law is enjoined, CRPA would in fact resume engaging in these  
7 activities.

8           25. AB 2571, as passed on June 30, 2022, and currently enforced, bars  
9 CRPA from offering and promoting is junior membership to youth under the age of  
10 18, which was previously expected to be made available in September 2022.  
11 Because the planned CRPA youth membership program involves pro-Second  
12 Amendment communications directly to and intended for youth, it necessarily  
13 involves advertising, marketing, or arranging for the placement of communications  
14 promoting the use of firearm-related products—*directly to minors* and in ways  
15 likely to be attractive to them. *See* Minnich Decl., ¶ 15. To prevent substantial civil  
16 liability under the new law, CRPA has halted plans to roll out its junior  
17 membership program.

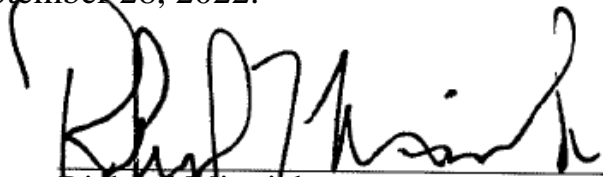
18           26. But for the adoption and enforcement of AB 2571, CRPA would  
19 continue with the promotion of its junior membership program and roll out this fall.  
20 If the law is enjoined, CRPA would in fact immediately resume these activities.

21           27. Finally, the AB 160 amendments to AB 271 do very little to address  
22 the vagueness and overbreadth concerns that plaintiffs identified in their complaint  
23 and moving papers. In fact, by adding *even more* unclear language rather than  
24 taking it away, the amendments make the law in many ways *more vague and more*  
25 *overbroad*. We thus remain unsure exactly what speech is prohibited or permitted  
26 going forward. And each time we host an event open to youth, publish a magazine,  
27 offer merchandise for sale, collaborate with industry-member sponsors, or  
28 communicate with minors, we must weigh the risks of engaging in this otherwise

1 lawful and truthful speech against the very real and very substantial risk of civil  
2 liability.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed within the United States on September 28, 2022.

5  
6  
7 

Richard Minnich

Declarant

**CERTIFICATE OF SERVICE**  
IN THE UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *Junior Sports Magazines, Inc., et al. v. Bonta*  
Case No.: 2:22-cv-04663-CAS (JCx)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

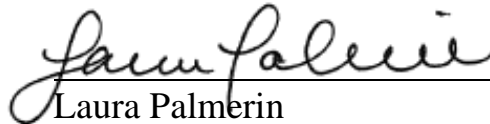
**SUPPLEMENTAL DECLARATION OF RICHARD MINNICH IN  
SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY  
INJUNCTION**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Kevin J. Kelly, Deputy Attorney General  
[kevin.kelly@doj.ca.gov](mailto:kevin.kelly@doj.ca.gov)  
300 South Spring Street, Suite 9012  
Los Angeles, CA 90013  
*Attorney for Defendant*

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

Executed September 28, 2022.

  
\_\_\_\_\_  
Laura Palmerin