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15 **UNITED STATES DISTRICT COURT**
16 **SOUTHERN DISTRICT OF CALIFORNIA**

17 SOUTH BAY ROD & GUN CLUB,
INC.; GARY BRENNAN, an
18 individual; CORY HENRY, an
individual; PATRICK LOVETTE, an
19 individual; VIRGINIA DUNCAN, an
individual; RANDY RICKS, an
20 individual; CITIZENS COMMITTEE
FOR THE RIGHT TO KEEP AND
21 BEAR ARMS; GUN OWNERS OF
CALIFORNIA; SECOND
22 AMENDMENT LAW CENTER; and
CALIFORNIA RIFLE & PISTOL
ASSOCIATION, INCORPORATED,

23 Plaintiffs,

24 v.

25 ROBERT BONTA, in his official
26 capacity as Attorney General of the
State of California; and DOES 1-10,
27

28 Defendants.

CASE NO: 3:22-cv-01461-RBM-WVG
DECLARATION OF BILL ORTIZ IN
SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY
INJUNCTION

DATE: November 21, 2022
COURTROOM: 5B

DECLARATION OF BILL ORTIZ

1
2 1. I, Bill Ortiz, make this declaration of my own personal knowledge and,
3 if called as a witness, I could and would testify competently to the truth of the
4 matters set forth herein.

5 2. I am Vice President of Compliance for Turner’s Outdoorsman
6 (“Turner’s”), whose corporate officers are located at Rancho Cucamonga,
7 California.

8 3. Turner’s was originally founded as Andrews Sporting Goods in 1971.
9 Over the 50 years it has been in business, Turner’s has become one of the largest
10 and most well-recognized licensed firearm dealers in California.

11 4. Currently, Turner’s has 33 retail store locations in California,
12 including several in the San Diego County area, all of which are California licensed
13 firearm dealers engaging in the business of selling firearms and ammunition.

14 5. Turner’s has been involved in Second Amendment-related litigation in
15 the past, and would consider participating in litigation again. We were approached
16 by CRPA’s counsel about being additional Plaintiffs in the recently filed *Boland v.*
17 *Bonta*, a case challenging California’s handgun roster which has unconstitutionally
18 blocked the sale of modern semiautomatic pistols in this state. Turner’s would have
19 seriously considered being a Plaintiff in that matter but for the recently enacted
20 Code of Civil Procedure section 1021.11.

21 6. Section 1021.11 appears to make Turner’s (and other Plaintiffs and
22 their counsel) liable for the State’s attorney’s fees and costs in any gun-related
23 lawsuit where Turner’s does not prevail on all of its claims. Having to pay
24 attorney’s fees to the State as a consequence of challenging the constitutionality of
25 the handgun roster would constitute a significant financial burden to Turner’s,
26 considering such litigation can go on for years and the fees claimed by the State for
27 litigating a gun law challenge over a period of years would likely exceed hundreds
28 of thousands of dollars if not a million dollars.

1 7. Even if Turner’s could afford such an expense, it cannot plan for it.
2 While Turner’s wouldn’t mind budgeting funds for litigation if it decides to
3 participate in lawsuits, it can’t possibly budget for the State’s legal expenses, as the
4 State doesn’t generally make those known to Plaintiffs suing them. Turner’s
5 therefore cannot even consider participating as a Plaintiff in *Boland v. Bonta* or any
6 other gun-related litigation in California, including this litigation, until Section
7 1021.11 is enjoined or struck down.

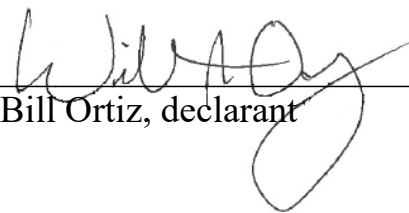
8 8. This is not a decision Turner’s takes lightly, as our company is very
9 committed to the Second Amendment. But Turner’s leadership also has a fiduciary
10 duty to its owners and stakeholders to not make financially reckless moves, and
11 putting the company’s financial wellbeing in jeopardy by making it potentially
12 liable for hundreds of thousands or millions of dollars in legal expenses would be
13 reckless.

14 9. Unfortunately, Turner’s ability to access the court system in California
15 to redress its Second Amendment-related grievances is effectively nonexistent due
16 to Section 1021.11.

17 10. We fully support Plaintiffs’ motion for preliminary injunction and
18 hope it succeeds in enjoining Section 1021.11 statewide, which would also restore
19 our company’s right to participate in Second Amendment-related lawsuits.

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

22 Executed on October 17, 2022

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24 
25 Bill Ortiz, declarant

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