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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
23 ASSOCIATION, INCORPORATED,

24 Plaintiffs,

25 v.

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

28 Defendants.

CASE NO: 3:22-cv-01461-RBM-WVG

**DECLARATION OF C.D. MICHEL
OF SECOND AMENDMENT LAW
CENTER IN SUPPORT OF
PLAINTIFFS’ MOTION FOR
PRELIMINARY INJUNCTION**

DATE: November 21, 2022
COURTROOM: 5B

DECLARATION OF C.D. MICHEL

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2 1. I, C.D. Michel, am the President and Senior Legal Counsel of Second
3 Amendment Law Center (“2ALC”), a plaintiff in the above-entitled action. I make
4 this declaration of my own personal knowledge and, if called as a witness, I could
5 and would testify competently to the truth of the matters set forth herein. I have
6 been authorized to make this declaration on behalf of 2ALC.

7 2. 2ALC is a Second Amendment scholarship and legal resource center
8 committed to the preservation of the Second Amendment. Its mission is to reinforce
9 the Second Amendment’s solemn command that our government never unduly
10 restrict law-abiding individuals from responsibly owning and using firearms. 2ALC
11 brings together lawyers, legal and historical scholars, political advisors, and
12 technical experts that have been involved in numerous lawsuits on behalf of non-
13 profit advocacy associations such as the National Rifle Association, the California
14 Rifle & Pistol Association, Gun Owners of California, and many others.

15 3. One of 2ALC’s main goals is to fundraise in order to be able to fund
16 its legal team’s involvement in Second Amendment challenges, particularly in
17 California. As 2ALC is a recently formed organization, while it has a vision to
18 become a national force in the Second Amendment field, for the time being its
19 focus is on California. 2ALC had planned to begin financing and being a Plaintiff
20 in Second Amendment-based lawsuits in California, after having gotten its start
21 with recent amicus briefing before the Supreme Court last year.

22 4. Those plans are now in serious doubt due to the newly enacted
23 California Code of Civil Procedure section 1021.11. Under that law, if we are not
24 successful in all our claims in gun-related litigation, it is possible that 2ALC could
25 be found to be liable (together with its attorneys and the other Plaintiffs) for the
26 State’s attorney’s fees and costs. As 2ALC is still so young, such a financial blow
27 would effectively end the new organization.

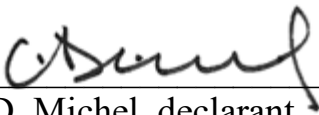
28 5. 2ALC can of course just not bring any lawsuits in California, but if it

1 takes that route, its funding from donors will dry up. As most of 2ALC’s donors are
2 based in California, if the organization does not challenge California gun laws at
3 least initially, then those donors will have little reason to support 2ALC.

4 6. If Section 1021.11 is not enjoined, 2ALC’s access to the court system
5 to challenge California gun laws will effectively be eliminated. 2ALC will be
6 unable to serve its stated mission due to a lack of funding and would essentially
7 have to dissolve. The law thus represents an existential threat to 2ALC and we hope
8 it is promptly enjoined.

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

11 Executed on October 17, 2022.

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14 C.D. Michel, declarant

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