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14 Attorneys for Plaintiff Citizens Committee for the Right to Keep and Bear Arms

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 SAM PAREDES**  
**OF GOC IN SUPPORT OF**  
**PLAINTIFFS’ MOTION FOR**  
**PRELIMINARY INJUNCTION**

DATE: November 21, 2022  
COURTROOM: 5B

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**DECLARATION OF SAM PAREDES**

1. I, Sam Paredes, am the Executive Director of Gun Owners of California, Inc. (“GOC”), a plaintiff in the above-entitled action. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. GOC is recognized as a 501(c)(4) non-profit mutual benefit corporation under the Internal Revenue Code and a recognized non-profit membership corporation under the state of California. GOC is incorporated in the state of California and is currently headquartered in El Dorado Hills, California.

3. GOC is dedicated to the preservation and restoration of the Second Amendment in California. It was formed for the express purpose of promoting, encouraging, and advocating for the purchase, use, and ownership of firearms and related products. GOC opposes legislation that it deems harmful to the right to keep and bear arms, while fighting to protect the Second Amendment rights of all Californians at the capitol, in the courts, and through elections. GOC strongly believes that the rights enshrined in the Second Amendment guarantees those enshrined by the First Amendment.

4. GOC and its national sister organization, Gun Owners of America, are regulars in firearm-related litigation. Currently, GOC is a Plaintiff in *Junior Sports Magazines, Inc. v. Rob Bonta*, a case that challenges California’s new law that has the effect of ending youth sports shooting events and publications in the state.

5. That litigation now puts GOC in extreme financial danger due to the newly enacted California Code of Civil Procedure section 1021.11. Under that law, if we are not successful in all our claims in gun-related litigation, it is possible that GOC could be found to be liable (together with its attorneys and the other Plaintiffs) for the State’s attorney’s fees and costs. To our understanding, this applies to existing cases because section 1021.11 is not limited to cases filed after its effective date.

1           6.     At the time the GOC approved the filing of *Junior Sports Magazines,*  
2 *Inc. v. Rob Bonta*, it did so with the understanding that the award of fees to either  
3 plaintiffs or the State would be governed by federal law, i.e., 42 U.S.C. § 1988.  
4 Under that standard, we understood the only way the State would be entitled to  
5 recover a significant fee award against GOC or other plaintiffs was if we brought a  
6 frivolous suit or appeal that lacked merit. Because our challenge to the law was  
7 righteous and based on what we understood to be solid legal principles and  
8 arguments, we had no belief that the State could ever meet its burden of showing  
9 that our challenge in *Junior Sports Magazines, Inc. v. Rob Bonta* was frivolous such  
10 that GOC might ever have to pay the State's fees. Thus, GOC was comfortable  
11 investing the time and money it has thus far invested in the litigation given that the  
12 understood financial risk to GOC in bringing a constitutional challenge to the  
13 magazine ban was limited to only the resources that GOC would expend on that  
14 challenge, and not any other exposure.

15           7.     But with Section 1021.11, the rules have changed while the *Junior*  
16 *Sports Magazines, Inc. v. Rob Bonta* matter is ongoing and GOC has already  
17 invested its members' money in the case. Now, GOC's financial exposure is much  
18 greater, perhaps double what it was when GOC started (i.e., both the fees and costs  
19 GOC has paid for its own attorneys' efforts as well as the fees and costs that the  
20 State will be entitled under Section 1021.11)

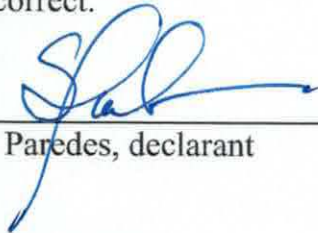
21           8.     If Section 1021.11 is not enjoined, GOC will cease bringing new  
22 lawsuits in California. GOC's access to the court system to challenge California  
23 gun laws, as well as the access of the tens of thousands of members it represents,  
24 will effectively be eliminated.

25           9.     Even if GOC were willing to take the financial risk of bankruptcy to  
26 file gun law challenges under the Section 1021.11 prevailing party standard, its  
27 attorneys would not be willing to take that risk. Given that GOC's attorneys would  
28 also be liable under Section 1021.11 for the State's legal expenses, GOC's

1 attorneys have informed GOC that they will have to cease representing GOC in  
2 gun-related cases. This is both because of the financial risk to them and because of  
3 the ethical concerns of the inherent conflicts that could arise in their representation  
4 of GOC under such circumstances.

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

7 Executed on October 10, 2022.

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10 Sam Paredes, declarant

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