

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

5 Attorneys for Plaintiffs B&L Productions, Inc., California Rifle & Pistol Association,
6 Incorporated, Gerald Clark, Eric Johnson, Chad Littrell, Jan Steven Merson, Asian
Pacific American Gun Owner Association, Second Amendment Law Center, Inc.

7 Donald Kilmer-SBN 179986
Law Offices of Donald Kilmer, APC
8 14085 Silver Ridge Road
Caldwell, Idaho 83607
9 Telephone: (408) 264-8489
Email: Don@DKLawOffice.com

10 Attorney for Plaintiff Second Amendment Foundation

11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 B&L PRODUCTIONS, INC., d/b/a
14 CROSSROADS OF THE WEST;
GERALD CLARK; ERIC JOHNSON;
15 CHAD LITRELL; JAN STEVEN
MERSON; CALIFORNIA RIFLE &
16 PISTOAL ASSOCIATION,
INCORPORATED; ASIAN PACIFIC
17 AMERICAN GUN OWNERS
ASSOCIATION; SECOND
18 AMENDMENT LAW CENTER, INC.;;
and SECOND AMENDMENT
19 FOUNDATION,

20 Plaintiffs,

21 v.

22 GAVIN NEWSOM, in his official
capacity as Governor of the State of
23 California; ROB BONTA, in his official
capacity as Attorney General of the
24 State of California; KAREN ROSS, in
her official capacity as Secretary of
25 California Department of Food &
Agriculture and in his personal capacity;
26 TODD SPITZER, in his official capacity
as District Attorney of Orange County;
27 32nd DISTRICT AGRICULTURAL
ASSOCIATION; DOES 1-10;

28 Defendants.

CASE NO.: 8:22-cv-01518 JWH (JDEx)

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

Hearing Date: January 6, 2023
Hearing Time: 9:00 a.m.
Courtroom: 9D
Judge: John W. Holcomb

Action Filed: August 12, 2022

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DECLARATION OF RICHARD MINNICH

1. I, Richard Minnich, am an officer and the Treasurer of Plaintiff California Rifle & Pistol Association, Incorporated (CRPA). 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. CRPA is a non-profit, membership, and donor-supported organization classified under IRC section 501(c)(4) and incorporated under the laws of California with its headquarters in Fullerton, California.

3. The mission of CRPA is to protect and defend the Constitution of the United States and the individual’s right to keep and bear arms both in public and in private; to promote and educate the public regarding safe and responsible firearm ownership and use; provide firearm education and safety training; encourage participation in the shooting sports and sponsor competitive state championship matches and shooting teams; to sponsor legislation, regulatory policies and litigation that supports the mission of CRPA; promote the individual’s right of self-preservation, hunting, defense of family, and persons; and to oppose any actions which the CRPA believes infringe upon the individual rights guaranteed by the Second Amendment.

4. Before the adoption and implementation of Senate Bill 264, CRPA participated as a nonprofit vendor at the Crossroads of the West Gun Show, a recurring, safe, and family-friendly gun-show event produced by B&L Productions, Inc., d/b/a Crossroads of the West (“Plaintiff Crossroads”) and held at the Orange County Fair & Event Center (“the Fairgrounds”).

5. As an officer and member of the Board of Directors of CRPA , I regularly speak with donors, members, and supporters of the organization to discuss their interests, concerns, and reasons for supporting CRPA. As a result, I have personal knowledge that CRPA members have attended gun shows at the Fairgrounds in the past and wish to attend gun shows at the Fairgrounds in the

1 future. I also personally attend gun shows in California on behalf of CRPA to
2 promote the organization and talk with attendees, CRPA members, and potential
3 CRPA members.

4 6. Gun shows like the one at issue in this case, are events where
5 individuals engage in lawful trade, commerce, and the exchange of information
6 related to, and necessary for, exercising Second Amendment rights such as self-
7 defense, hunting, and target shooting. They are a forum for lectures, training, and
8 discussions about gun rights. Gun shows also present a unique place for the
9 exchange of knowledge regarding the market for firearms, firearms accessories, and
10 other related products.

11 7. As a vendor at Crossroads' guns shows at the Fairgrounds and
12 throughout California, CRPA engages with gun show attendees to sell organization
13 memberships, promote its programs, including firearm safety training, competitive
14 and recreational shooting events, and fundraisers, advertise events, solicit donations
15 for programs, distribute publications, and sell merchandise, some of which includes
16 expressly pro-gun messaging.

17 8. CRPA volunteers engage gun show attendees in discussions about the
18 lawful uses of firearms, including self-defense, hunting, target shooting, safety
19 training, gunsmithing, and appreciation of firearms as historical objects and
20 technological artifacts.

21 9. CRPA has also invited speakers to give lectures about, inter alia,
22 hunting, firearm safety, and state and federal firearms law, at Crossroads' gun shows
23 at the Fairgrounds. And, sometimes, CRPA presents comprehensive training on
24 firearm-related topics.

25 10. CRPA also has individual members and business affiliate members
26 that, before the adoption and enforcement of SB 264, also participated in gun shows
27 at the Fairgrounds and at state-owned properties throughout California. Many of
28 CRPA's members were themselves regular vendors at gun shows, where they

1 engaged the public in discussions about the organization and its purposes, the
2 shooting sports, firearms and firearm safety, and the Second Amendment and other
3 political issues. Other CRPA-member gun-show vendors also sold firearms,
4 ammunition, and/or other firearm-related products.

5 11. CRPA, as well as its individual and business affiliate members,
6 participate in and are members of the “gun culture,” a discrete and identifiable group
7 of people and organizations, who share a desire to exercise fundamental rights
8 protected by the Second Amendment. They also seek to participate in public
9 discourse and share in the benefits of public resources like the use of the Venue.
10 Participating in that culture is one of the primary reasons people attend gun shows.

11 12. SB 264 and SB 915 will diminish, for CRPA, and in the aggregate for
12 the community that comprises the “gun culture,” the dissemination of information
13 and commerce related to CRPA’s exercise of constitutional rights under the First
14 Amendment and Second Amendment at the Fairgrounds.

15 13. CRPA promotes its programs and memberships in its organization and
16 engages members of the public and those attending gun shows in political
17 discussions related to firearms and constitutional rights. As a result of the adoption
18 and enforcement of SB 264 and SB 915, CRPA will sustain and has, in fact,
19 sustained lost opportunities to engage those people and to speak to potential
20 members.

21 14. CRPA is a membership organization that expends resources and
22 advocates on behalf of their members’ First and Second Amendment rights at many
23 public forums throughout California.

24 15. CRPA has engaged in advocacy and expenditure of resources at gun
25 shows throughout California, including gun shows that have historically taken place
26 at the Fairgrounds.

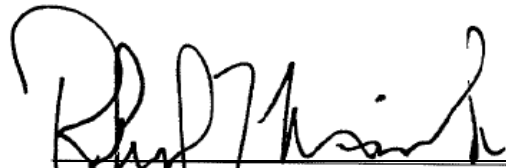
27 16. But for the adoption and enforcement of SB 264 and SB 915, which
28 prohibit the sale of firearms, ammunition, and firearm precursor parts at the

1 Fairgrounds, CRPA would resume its participation as a nonprofit vendor at gun
2 show events at the Fairgrounds.

3 17. If this Court were to enjoin the enforcement of SB 264 and SB 915,
4 allowing Plaintiff Crossroads' gun show events to return to the Fairgrounds, CRPA
5 would resume its participation as a nonprofit vendor at gun show events at the
6 Fairgrounds.

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

8 Executed within the United States on November 16, 2022.

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12 Richard Minnich
13 Declarant
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CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *B & L Productions, Inc., et al. v. Newsom, et al.*
Case No.: 8:22-cv-01518 JWH (JDEx)

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:

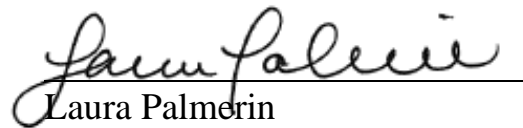
**DECLARATION OF RICHARD MINNICH IN SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY INJUNCTION**

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

Nicole J. Kau, Deputy Attorney General
nicole.kau@doj.ca.gov
300 South Spring Street, Suite 1702
Los Angeles, CA 90013-1230
Attorney for Defendants

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

Executed November 16, 2022.



Laura Palmerin