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14 Attorneys for Plaintiffs

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

17 Lana Rae Renna; Danielle Jaymes; Laura
18 Schwartz; Michael Schwartz; Robert
19 Macomber; Clint Freeman; John Klier;
20 Justin Smith; John Phillips; Cheryl
21 Prince; Darin Prince; Ryan Peterson;
22 PWGG, L.P.; North County Shooting
23 Center, Inc.; Gunfighter Tactical, LLC;
24 Firearms Policy Coalition, Inc.; San
25 Diego County Gun Owners PAC;
26 Citizens Committee for the Right to
27 Keep and Bear Arms; and Second
28 Amendment Foundation,

Case No.: 20-cv-2190-DMS-DEB

**DECLARATION OF MICHAEL
SCHWARTZ IN SUPPORT OF
MOTION FOR PRELIMINARY
INJUNCTION**

Date: TBD
Time: TBD
Courtroom 13A (13th Floor)
Hon. Dana M. Sabraw

Plaintiffs,

v.

Robert Bonta, Attorney General of
California; and Luis Lopez, Director of
the California Department of Justice
Bureau of Firearms,

Defendants.

1 I, Michael Schwartz, declare:

2 1. I have personal knowledge of the matters set forth in this declaration, and
3 would be able to testify competently to these facts if called as a witness.

4 2. I am not prohibited under state or federal law from possessing, receiving,
5 owning, or purchasing a firearm.

6 3. I hold an active license to carry a concealed weapon (“CCW”) issued by
7 my county sheriff, after proving “good cause” and “good moral character” to my
8 licensing authority, successfully completing a course of training on the law and
9 firearms proficiency under § 26165 and passing an extensive Live Scan-based
10 background check and placement into the State’s system for monitoring law
11 enforcement contact, arrests, and criminal convictions (“Rap Back”).

12 4. I am the Executive Director of Plaintiff San Diego County Gun Owners
13 PAC (“SDCGO”), a local political organization whose purpose is to protect and
14 advance the Second Amendment rights of residents of San Diego County, California,
15 through their efforts to support and elect local and state representatives who support
16 the Second Amendment right to keep and bear arms. SDCGO’s membership and
17 donors consist of Second Amendment supporters, people who own guns for self-
18 defense and sport, firearms dealers, shooting ranges, and elected officials who want
19 to restore and protect the right to keep and bear arms in California. SDCGO’s
20 members include Individual Plaintiffs who desire to purchase new constitutionally
21 protected arms for self-defense or other lawful purposes which are not currently on or
22 eligible under the Unsafe Handgun Act to be added to Defendants’ Handgun Roster,
23 and Retailer Plaintiffs who desire to sell the same to their eligible law-abiding
24 customers. These members would each undertake the desired and protected activity
25 but for the criminal liability that they face under the laws, regulations, policies,
26 practices, and customs being challenged in this action.

27 5. I am a member and supporter of Plaintiffs FIREARMS POLICY
28 COALITION, SAN DIEGO COUNTY GUN OWNERS PAC, CITIZENS

1 COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS, and SECOND
2 AMENDMENT FOUNDATION.

3 6. But for California’s Handgun Ban and Defendants’ active thereof, I
4 would purchase for self-defense and other lawful purposes a Glock 19 Gen5 and/or
5 Springfield Armory Hellcat, which are both handguns in common use for self-defense
6 and other lawful purposes and widely sold and possessed outside of California.

7 7. I would also like to self-build a handgun based on a common,
8 commercially available platform compatible with the Glock 43 design, such as the
9 “SS80” available from GlockStore.com, a retailer of products based at 4770 Ruffner
10 Street in San Diego, California, at <https://www.glockstore.com/SS80-MModel>, for
11 self-defense and other lawful purposes, including sport, but cannot because
12 California’s Handgun Ban and Defendants’ enforcement thereof bars me from doing
13 so under pain of criminal sanction.

14 8. I wish to purchase the Glock 19 Gen5 because of the ambidextrous slide
15 release. This is crucial to my gun safety training. I specifically train to be able to use
16 both my right hand and my left hand to safely shoot a gun for self-defense purposes.
17 If I were to shoot with my left hand using the current Glock 19 Gen3 on Defendants’
18 Roster, it would be very unsafe because there is no left-handed slide release.
19 Additionally, the Glock 19 Gen3 does not come with adjustable backstraps. I have
20 unusually shaped hands and in order to get a solid and safe grip on the gun, I need the
21 adjustable hand straps. The Glock 19 Gen5 provides adjustable straps that makes it
22 more accurate for me to shoot and safer for me to shoot.

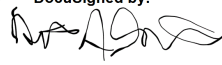
23 9. I wish to purchase the Springfield Armory Hellcat because it is a more
24 appropriate concealed carry handgun that still holds 10 rounds. I am not able to
25 purchase a suitable concealed carry weapon that still holds 10 rounds on Defendants’
26 Roster.

27 10. Because the handguns that I seek to purchase for lawful purposes are
28 currently excluded from Defendants’ Roster of purportedly “safe” handguns,

1 California's Handgun Ban bars me from purchasing and taking possession of such
2 handguns from a licensed retailer, who are likewise prohibited from selling them to
3 me on pain of criminal sanction.

4 11. Other than buying these handguns through a licensed retailer, I have no
5 other lawful method of purchasing these handguns in California.

6 I declare under penalty of perjury under the laws of the United States America
7 and State of California that the foregoing is true and correct. Executed December 22,
8 2022.

9 DocuSigned by:

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11 MICHAEL SCHWARTZ
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