Case 8:22-cv-01518-JWH-JDE Document 26-1 Filed 01/27/23 Page 1 of 4 Page ID #:1616 1 **ROB BONTA** Attorney General of California 2 R. MATTHEW WISE Supervising Deputy Attorney General 3 NIĈOLE J. KAU Deputy Attorney General State Bar No. 292026 4 300 South Spring Street, Suite 1702 Los Angeles, CA 90013-1230 Telephone: (213) 269-6220 Fax: (916) 731-2125 5 6 E-mail: Nicole.Kau@doj.ca.gov Attorneys for Defendants Governor Gavin Newsom, Attorney General Rob Bonta, Secretary Karen Ross, 7 8 and 32nd District Agricultural Association 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE CENTRAL DISTRICT OF CALIFORNIA 11 12 13 14 **B&L PRODUCTIONS, INC., d/b/a** 8:22-cv-01518 JWH (JDEx) **CROSSROADS OF THE WEST, et** 15 **DECLARATION OF ELENE** al., **MCGEE IN SUPPORT OF STATE** 16 Plaintiffs. DEFENDANTS' SUPPLEMENTAL BRIEF 17 v. Date: February 10, 2023 18 9:00 a.m. Time: 9D GAVIN NEWSOM, et al., Courtroom: 19 The Honorable John W. Judge: Defendants. Holcomb 20 Action Filed: August 12, 2022 21 I. Elene McGee, declare as follows: 22 1. I am employed by the California Department of Justice, Office of the 23 California Attorney General, in the Division of Law Enforcement, Bureau of 24 Firearms, as a Staff Services Manager II. My duties include planning, organizing, 25 directing and administering the work of professional staff responsible for a diverse 26 set of tasks and functions which are managed by four Staff Services Managers who 27 oversee the Training, Information and Compliance Unit and the Licensing and 28

Certificate of Eligibility Unit. I review and evaluate work flow and quality of 1 2 work; ensure processing time lines and deadlines are met by all units; establish and 3 maintain project priorities; monitor and exercise control over assigned 4 resources/projects in accordance with DLE/Bureau policies and procedures; and make recommendations to bureau-level management. I implement new 5 programs/procedures, manage projects and allocate resources. I have personal 6 7 knowledge of the following facts, and if called as a witness, I could and would 8 testify competently thereto.

9 2. The Bureau of Firearms maintains the Centralized List of Firearms
10 Dealers, and the registry of all licensed ammunition vendors.

The dealers on the Centralized List of Firearms Dealers are eligible to 11 3. sell firearms and ammunition as well as process private party transfers, internet 12 13 sales, and pawn broker/consignment (if properly licensed) transactions in the State of California. In order to be eligible, they have to obtain: (1) a valid federal firearm 14 15 license, (2) any regulatory or business license(s) required by local government, (3) 16 a valid Seller's Permit issued by the California Department of Tax and Fee 17 Administration, (4) a Certificate of Eligibility issued by the California Department 18 of Justice, (5) a license granted by the licensing authority of the respective city and county, and (6) a valid listing on the DOJ Centralized List of Firearms Dealers. 19

4. Licensed Ammunition Vendors are eligible to sell ammunition in the
 State of California. To be eligible to sell ammunition in the State of California, the
 vendor must obtain: (1) a valid federal firearm license, if the applicant is federally
 licensed, (2) any regulatory or business license(s) required by local government, (3)
 a valid Seller's Permit issued by the California Department of Tax and Fee
 Administration, and (4) a certificate of eligibility issued by the Department of
 Justice.

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5. As of January 11, 2023, there are 1,610 dealers on the Centralized List
 of Firearms Dealers. They are authorized to sell firearms and ammunition across
 the state, and are located in 456 cities, 680 zip codes, and 56 counties.

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6. As of January 11, 2023, there are 165 licensed vendors that sell ammunition, located in 129 cities, 148 zip codes, and 41 counties.

7. As of January 11, 2023, there are 150 dealers that sell firearms and
ammunition, as well as 12 vendors that sell ammunition, in Orange County; and,
there are 77 dealers that sell firearms and ammunition, as well as 16 vendors that
sell ammunition, in San Diego County. As of January 11, 2023, there are eight
dealers on the Centralized List of Firearms Dealers that are located in the city of
Costa Mesa. The Centralized List of Firearms Dealers also lists six dealers located
in the zip code 92626 (within the city of Costa Mesa).

13 8. The Bureau of Alcohol, Tobacco, Firearms and Explosives maintains a list of Federal Firearms Licenses, and the information can be filtered by state 14 15 (available at https://www.atf.gov/firearms/listing-federal-firearms-licensees). The difference between the information provided in this ATF database and that in the 16 17 Centralized List is that there may be Federal Firearms Licensees who have not 18 established or set up their business yet in California, and therefore, not conducting 19 any firearm sales. In addition, the ATF database captures other Federal Firearms 20 License types which are not listed on the Centralized List of Firearms Dealers. 21 Type 1 and type 2 of the Federal Firearms Licensees correlate with the licensees in 22 the Centralized List of Firearms Dealers.

I declare under penalty of perjury under the laws of the United States that theforegoing is true and correct.

25 26 Dated January 27, 2023, at Sacramento, California.

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Elene McGee

CERTIFICATE OF SERVICE

CaseB&L Productions, Inc., etNo.8:22-cv-01518 JWHName:al. v. Gavin Newsom, et al.(JDEx)

I hereby certify that on January 27, 2023, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

DECLARATION OF ELENE MCGEE IN SUPPORT OF STATE DEFENDANTS' SUPPLEMENTAL BRIEF

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on January 27, 2023, at Los Angeles, California.

Carol Chow Declarant /s/Carol Chow

Signature

SA2022303648