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11 *Attorneys for Plaintiffs*

12 UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 WILLIAM WIESE, et al.,
15 Plaintiffs,
16 vs.
17 ROB BONTA, in his official capacity as
18 Attorney General of California, et al.,
19 Defendants.
20

Case No. 2:17-cv-00903-WBS-KJN

**DECLARATION OF FRANK FEDERAU IN
SUPPORT OF PLAINTIFFS' MOTION AND
MOTION FOR SUMMARY JUDGMENT**

[FRCP 56]

Date: None Set
Judge: Hon. William B. Shubb

21 DECLARATION OF FRANK FEDERAU

22 I, Frank Federau, declare as follows:

23 1. I am an adult resident of the County of Santa Cruz, California, and a named
24 plaintiff in this matter. I have personal knowledge of the facts stated in this declaration, and if
25 called as a witness, could competently testify thereto. This declaration is executed in support of
26 Plaintiffs' Motion for Summary Judgment.
27
28

SEILER EPSTEIN LLP
Attorneys at Law

1 2. I am not prohibited from possessing or acquiring firearms under State or federal
2 law.

3 3. I am a member of organization plaintiffs California Gun Rights Foundation
4 (formerly named “The Calguns Foundation”), Firearms Policy Coalition, FPC Action Foundation
5 (formerly named “Firearms Policy Foundation”), and Second Amendment Foundation. I am also
6 employed by plaintiff Firearms Policy Coalition.

7 4. I lawfully acquired a firearm magazine which holds ten (10) rounds of .458
8 SOCOM ammunition for a rifle chambered in that caliber. However, that magazine is also
9 capable of holding over ten rounds of 5.56 x 45mm ammunition, and therefore, the State bans it
10 as a “large-capacity” magazine.

11 5. In addition to maintaining possession of the “large-capacity” magazine that I
12 already own and possess, I desire and intend to acquire more magazines capable of holding more
13 than ten rounds of ammunition, and would, but for the State’s laws challenged in this case and its
14 enforcement of them.

15 6. Removing from the State or selling the magazine already in my possession
16 outside of the State would adversely affect my right to keep and bear arms for self-defense and
17 other lawful purposes.

18 7. As an ordinary, peaceable citizen, I do not qualify for any exception to the State’s
19 prohibition on the possession of “large-capacity” magazines.

20 8. Unless the enforcement of the State’s “large-capacity” magazine ban laws is
21 declared unconstitutional and enjoined, I will suffer a physical deprivation of property that is
22 both independently valuable and a necessary part of a functional firearm.

23
24 I declare under penalty of perjury that the foregoing is true and correct. Executed on
25 March 28, 2023.

26 /s/ Frank Federau

27

Frank Federau

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