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15 *Attorneys for Plaintiffs*

16 UNITED STATES DISTRICT COURT
17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18 WILLIAM WIESE, et al.,
19
20 Plaintiffs,
21
22 vs.
23
24 ROB BONTA, in his official capacity as
25 Attorney General of California, et al.,
26
27 Defendants.

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

**DECLARATION OF GENE HOFFMAN IN
SUPPORT OF PLAINTIFFS' MOTION AND
MOTION FOR SUMMARY JUDGMENT**

[FRCP 56]

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

DECLARATION OF GENE HOFFMAN

I, Gene Hoffman, declare as follows:

1. I am an adult resident of the County of San Mateo, California. I have personal knowledge of the facts stated in this declaration, and if called as a witness, could competently testify thereto. This declaration is executed in support of Plaintiffs' Motion for Summary Judgment.

2. I am the Chairman and President of the California Gun Rights Foundation

1 (“CGF”), an organizational plaintiff in this matter, and have held that position since the
2 organization was founded in 2008.

3 3. CGF is a California non-profit organization founded in 2008 that serves its
4 members, supporters, and the public through educational, cultural, and judicial efforts to defend
5 and advance Second Amendment and related civil rights. The Court’s interpretation of the laws
6 and rights at stake in this case impacts members and supporters who reside in or visit California.

7 4. The relief that the plaintiffs seek in this lawsuit is germane and directly related to
8 CGF’s purposes, and CGF is thus suing on behalf of its members, including the individual
9 Plaintiffs in this case, who are members of CGF.

10 5. Most CGF members are ordinary, peaceable individuals who do not qualify for
11 any exception to the State’s prohibition on the possession of “large-capacity” magazines.

12 6. The State’s enforcement of its ban on so-called “large-capacity” firearm
13 magazines—standard magazines that hold more than ten (10) rounds (cartridges) or
14 ammunition—adversely affects CGF members in the exercise of their right to keep and bear
15 arms for self-defense and other lawful purposes in the State, including those who are existing
16 gunowners and already have lawfully purchased and possessed “large-capacity” firearm
17 magazines, gunowners who do not have such magazines, and gunowner visitors to California
18 who have such magazines but cannot bring them into the State.

19 7. CGF’s members and similarly situated gunowners who reside in or visit
20 California overwhelmingly desire and intend to acquire, keep, and bear “large-capacity” firearm
21 magazines for self-defense and other lawful purposes in California, and would do so, but for the
22 State’s laws challenged in this case and its enforcement of them.

23 8. Removing from the State, or selling magazines already in individuals’ possession
24 outside of the State, would adversely affect CGF’s members’ right to keep and bear arms for
25 self-defense and other lawful purposes as well as their property rights.

26 9. Unless the enforcement of the State’s “large-capacity” magazine ban laws is
27 declared unconstitutional and enjoined, CGF’s members will suffer a physical deprivation of
28

1 property that is both independently valuable and a necessary part of a functional firearm.

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

3 Mar 28, 2023

4
5 Gene Hoffman

Gene Hoffman (Mar 28, 2023 13:56 EDT)

6 Gene Hoffman

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