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Attorneys for Plaintiffs

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

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 JEFF SILVESTER IN
SUPPORT OF PLAINTIFFS’ MOTION AND
MOTION FOR SUMMARY JUDGMENT**

[FRCP 56]

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

21 DECLARATION OF JEFF SILVESTER
22

23 I, Jeff Silvester, declare as follows:

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

27 2. I am Executive Director of FPC Action Foundation (formerly named “Firearms
28 Policy Foundation”) (“FPCAF”), an organizational plaintiff in this matter, and I have held that

1 position since 2021.

2 3. FPCAF is a non-profit membership organization incorporated under the laws of
3 Delaware with its principal place of business in Sacramento, California, with members residing
4 both within and outside of this state, that serves its members and the public through direct and
5 grassroots advocacy, legal efforts, and education. The purposes of FPCAF include defending the
6 United States Constitution and the People’s rights, privileges and immunities deeply rooted in
7 the Nation’s history and tradition, especially the fundamental right to keep and bear arms.

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

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

13 6. The State’s enforcement of its ban on so-called “large-capacity” firearm
14 magazines adversely affects FPCAF members in the exercise of their right to keep and bear arms
15 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. FPCAF’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.

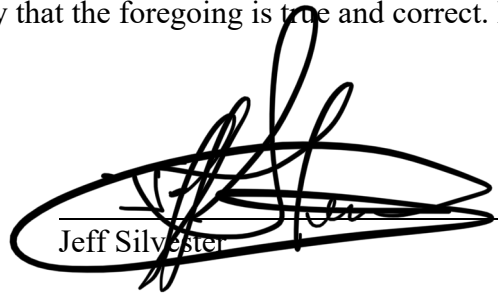
23 8. Removing from the State, or selling magazines already in individuals’ possession
24 outside of the State, would adversely affect FPCAF’s members’ right to keep and bear arms for
25 self-defense and other lawful purposes as well as their property rights.

26 9. Unless the enforcement of the State’s “large-capacity” magazine ban laws is
27 declared unconstitutional and enjoined, FPCAF’s members will suffer a physical deprivation of
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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 March 24th, 2023.

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6 Jeff Silvester

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