

Nos. 23-1793, 23-1825, 23-1826, 23-1827 & 23-1828 (consol.)

**United States Court of Appeals
for the Seventh Circuit**

CALEB BARNETT, et al.

Plaintiffs-Appellees,

v.

KWAME RAOUL, Attorney General of Illinois,
and BRENDAN F. KELLY, Director of the Illinois State Police,

Defendants-Appellants.

On Appeal from the United States District Court for
the Southern District of Illinois
No. 3:23-cv-00209-SPM

**MOTION FOR LEAVE TO FILE BRIEF *AMICUS CURIAE* OF DC
PROJECT FOUNDATION, INC., OPERATION BLAZING SWORD,
INC., AND LIBERAL GUN CLUB IN SUPPORT OF PLAINTIFFS-
APPELLEES AND AFFIRMANCE**

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Dated: June 26, 2023

CIRCUIT RULE 26.1 DISCLOSURE STATEMENT

The undersigned counsel for *Amici Curiae* furnishes the following statement in compliance with Circuit Rule 26.1:

- (1) The full name of every party that the attorney represents in the case:

Amici Curiae (Court of Appeals)

DC Project Foundation, Inc.
Operation Blazing Sword, Inc.
Liberal Gun Club

Amicus Curiae (3:23-cv-209-SPM)

The Illinois Sheriffs' Association

- (2) The names of all law firms whose partners or associates have appeared for the party in the case (including proceedings in the district court or before an administrative agency) or are expected to appear for the party in this court:

Amici Curiae (Court of Appeals)

Harrison Law LLC

Amicus Curiae (3:23-cv-209-SPM)

Harrison Law LLC

- (3) If the party or amicus is a corporation:

- i) Identify all its parent corporations, if any:

DC Project Foundation, Inc. and Operation Blazing Sword, Inc.
have no parent corporations.

- ii) List any publicly held company that owns 10% or more of the party's or amicus' stock:

No publicly held company owns 10% or more of DC Project Foundation, Inc. or Operation Blazing Sword, Inc.

s/ Michael L. Rice

Michael L. Rice

Counsel for *Amici Curiae*

June 26, 2023

1. Pursuant to Rule 29(a) of the Federal Rule of Appellate Procedure, DC Project Foundation, Inc. (DCPF), Operation Blazing Sword, Inc. (operating as Operation Blazing Sword - Pink Pistols) (OBSPP), and The Liberal Gun Club (LGC) respectfully move for leave to file the attached brief as *amici curiae* in support of plaintiff-appellees and in support of affirmance of the preliminary injunction entered by the district court.

2. DCPF is a non-profit 501(c)(4) organization established in 2016 by retired police officer and professional shooting competitor, Dianna Muller, with over 3,000 members throughout the United States. A woman from each state originally met in Washington DC to organize nationally and advocate in each state for the right of women in America to own firearms and for the training and safe use of firearms by women. DCPF members work together in a bipartisan fashion to educate legislators on firearm safety and culture. DCPF has participated as *amicus curiae* in a number of cases addressing the Second Amendment across the country.

3. OBSPP is a non-profit 501(c)(3) organization established to advocate on behalf of lesbian, gay, bisexual, transgender, and queer (“LGBTQ”) firearm owners, with specific emphasis on self-defense issues. Operation Blazing Sword, founded in 2016 the day after the Orlando Pulse Nightclub Massacre, has over 1,500 volunteer firearm instructors in nearly a thousand locations across all 50

states who will teach anyone the basics of firearm safety, operation and ownership for no cost and without judgment for race, gender, sexual orientation, biology, or manner of dress. Pink Pistols, founded in 2000 and incorporated into Operation Blazing Sword in 2018, is a shooting society that honors gender and sexual diversity and advocates the responsible use of firearms for self-defense. It represents portions of the American population that are disproportionately the targets of hate crimes and armed criminal violence, and consists of 45 chapters across the country. OBSPP has participated as *amicus curiae* in a number of cases addressing the Second Amendment across the country in order to advocate for the rights of LGBTQ firearm owners.

4. LGC is a non-profit 501(c)(4) organization founded to provide a forum and resources for left-of-center firearms owners who are pro-Second Amendment but do not subscribe to the right-wing ideology and rhetoric that is often associated with other Second Amendment groups. Given this alternative perspective that resonates with a large contingent of politically moderate and left-of-center firearms owners, LGC membership has grown significantly over the past seven years with chapters now in thirty-five states, including Illinois, and new chapters opening across the country. LGC encourages expression of differing viewpoints and active debate among its members and focuses on root cause mitigation to address violence, such as strengthening mental health treatment and

finding solutions for poverty, homelessness and unemployment rather than imposing prohibitions on firearms and firearms owners. LGC has participated as *amicus curiae* in a number of cases addressing the Second Amendment across the country in order to advocate against laws that infringe on the rights of law-abiding gun owners because, in part, of their disproportionate effect on already marginalized communities, members of whom make up a significant proportion of LGC's membership.

5. DCPF, OBSPP and LGC have a strong interest in this case. Women, LGBTQ people and persons of all political leanings have a keen interest in protecting their ability to defend themselves against violent crimes. The *Amici* offer this Court a perspective that no other party offers in this action – the perspective of citizens and visitors in Illinois that are at a greater risk of being victims of violence based entirely upon their lifestyles and personal identity. *Amici* seek to file their brief to emphasize the importance of the rights guaranteed by the Second Amendment to marginalized individuals whose history has made all too clear that their need for self-defense is very real.

6. Pursuant to Federal Rule of Appellate Procedure 29(a)(4)(E), *amici* state that no party or counsel for a party other than *amici*, their members, or their counsel authored this brief in whole or in part or made a monetary contribution intended to fund the preparation and submission of this brief.

7. Counsel for *amici* have conferred with counsel for the parties regarding the relief requested in this motion. Counsel for plaintiff-appellees consent to the filing of *amici*'s brief. Counsel for defendant-appellants do not consent to the filing of *amici*'s brief.

8. For the foregoing reasons, *amici* respectfully request leave to file the attached brief as *amici curiae* in support of plaintiffs-appellees and in support of affirmance of the district court's preliminary injunction.

Respectfully submitted,

/s/ Michael L. Rice

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Counsel for Amici Curiae

Dated: June 26, 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2023, an electronic PDF of the foregoing Brief *Amici Curiae* of the DC Project Foundation, Inc., *et al.* was uploaded to the Court's CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service on those registered attorneys will be accomplished by the CM/ECF system.

/s/ Michael Rice _____

Michael Rice

Counsel for *Amici Curiae*