

1 C. D. Michel – SBN 144258
cmichel@michellawyers.com
2 Sean A. Brady – SBN 262007
sbrady@michellawyers.com
3 Konstadinos T. Moros – SBN 306610
kmoros@michellawyers.com
4 MICHEL & ASSOCIATES, P.C.
180 E. Ocean Blvd., Suite 200
5 Long Beach, CA 90802
Telephone: (562) 216-4444
6 Facsimile: (562) 216-4445

7 Donald Kilmer-SBN 179986
Law Offices of Donald Kilmer, APC
8 14085 Silver Ridge Road
Caldwell, Idaho 83607
9 Telephone: (408) 264-8489
Email: Don@DKLawOffice.com

10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **SOUTHERN DIVISION**

14 RENO MAY, an individual;
15 ANTHONY MIRANDA, an individual;
ERIC HANS, an individual; GARY
16 BRENNAN, an individual; OSCAR A.
BARRETTO, JR., an individual;
17 ISABELLE R. BARRETTO, an
individual; BARRY BAHRAMI, an
18 individual; PETE STEPHENSON, an
individual; ANDREW HARMS, an
19 individual; JOSE FLORES, an
individual; DR. SHELDON HOUGH,
20 DDS, an individual; SECOND
AMENDMENT FOUNDATION; GUN
21 OWNERS OF AMERICA; GUN
OWNERS FOUNDATION; GUN
22 OWNERS OF CALIFORNIA, INC.;
THE LIBERAL GUN CLUB, INC.; and
23 CALIFORNIA RIFLE & PISTOL
ASSOCIATION, INCORPORATED,

24 Plaintiffs,

25 v.

26 ROBERT BONTA, in his official
capacity as Attorney General of the
27 State of California, and DOES 1-10,

28 Defendants.

Case No.: 8:23-cv-01696 CJC (ADSx)

**DECLARATION OF OSCAR A.
BARRETTO, JR. IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

42 U.S.C. §§ 1983 & 1988

Hearing Date: December 4, 2023
Hearing Time: 1:30 p.m.
Courtroom: 9 B
Judge: Hon. Cormac J. Carney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF OSCAR A. BARRETTO, JR.

1. I, Oscar A. Barretto, Jr., am a plaintiff in the above-entitled action. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. I am a current resident of Ventura County, California.

3. I am a law-abiding adult who is not prohibited from owning firearms under the laws of the United States of America or the state of California. I have never been found by any law enforcement agency, any court, or any other government agency to be irresponsible, unsafe, or negligent with firearms in any manner.

4. I have a valid and current California concealed carry weapon (“CCW”) permit issued by the Ventura County Sheriff’s Department, as does my wife Isabelle who is also a Plaintiff in this matter.

5. I legally carry a concealed firearm with me on a daily basis, so that I may be armed and be able to defend myself and potentially others in the event of a life-threatening emergency situation. Prior to SB 2, I only didn’t carry my pistol when planning on going to one of the few places where carry was not permitted, such as a school or courthouse.

6. Because SB 2 would prohibit me from carrying in many places where I am accustomed to concealed carrying a firearm, the utility of my CCW permit, and thus my right to be armed for self-defense in public, will be outright eliminated in nearly all common contexts.

7. For example, under SB 2 I cannot carry in any establishment where alcohol is served, even though my wife and I do not drink. That means I cannot conceal carry at most of the restaurants that I patronize on a regular basis, nor can I even carry in the parking area of such establishments.

8. Those two provisions of SB 2 are hardly the only two that will impact me. I can’t carry while I stop at a gas station to fill up my car, because most gas stations sell lottery tickets inside, making them off limits for carry. Under SB 2, carry is

1 also prohibited at financial institutions such as my local bank that I frequent, and a
2 variety of other places that I regularly visit. The parks my wife and I often go to for
3 family barbeques are now unavailable to us if we are exercising our right to carry.

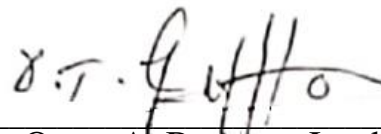
4 9. I have specific personal safety concerns thanks to my former career. I am a
5 retired California Bail Fugitive Recovery Agent (colloquially known as a “bounty
6 hunter”), a role which saw me deal with many unsavory individuals who likely still
7 harbor ill-will towards me. Indeed, that former role is one of the major reasons I
8 decided that my wife and I should get CCW permits. Now, SB 2 will make those
9 permits mostly useless and, I fear, has put our lives in danger.

10 10. I also require regular visits for medical attention given my need for physical
11 therapy and to treat my diabetes. On these visits, I have always carried, but SB 2
12 makes medical facilities prohibited places.

13 11. My wife and I also frequently attend church and teach Sunday School. Prior
14 to SB 2, we carried to church in case of a violent attack against people of faith like
15 us. Now, we can no longer do so. Even if our church was willing to post signs
16 allowing us to carry, the church’s parking lot being on government-run airport
17 grounds restricts it anyway under SB 2.

18 12. These are, of course, just a few examples of how SB 2 affects me, and as I
19 go about my daily life, I am sure to discover several more. SB 2 has essentially
20 destroyed my constitutional right to carry, as so few of the places I go to on a daily
21 basis will permit carry, and I don’t want to expose my firearm to theft by constantly
22 leaving it in my vehicle. But for SB 2 and my fear of criminal prosecution, I would
23 continue to carry in all of these places as I did before the law took effect.

24 I declare under penalty of perjury that the foregoing is true and correct.
25 Executed on September 29, 2023.

26 

27 _____
28 Oscar A. Barretto, Jr., declarant

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *May, et al. v. Bonta*
Case No.: 8:23-cv-01696 CJC (ADSx)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

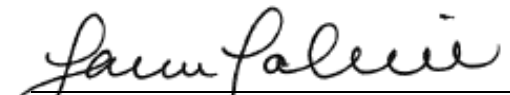
**DECLARATION OF OSCAR A. BARRETTO, JR. IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Robert L. Meyerhoff, Deputy Attorney General
California Department of Justice
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Email: Robert.Meyerhoff@doj.ca.gov
Attorney for Defendant

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

Executed September 29, 2023.



Laura Palmerin