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19 Attorneys for Plaintiffs

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA**
22 **SOUTHERN DIVISION**

23 RENO MAY, an individual; ANTHONY
24 MIRANDA, an individual; ERIC HANS,
25 an individual; GARY BRENNAN, an
26 individual; OSCAR A. BARRETTO, JR.,
27 an individual; ISABELLE R.
28 BARRETTO, an individual; BARRY
BAHRAMI, an individual; PETE
STEPHENSON, an individual; ANDREW
HARMS, an individual; JOSE FLORES,
an individual; DR. SHELDON HOUGH,
DDS, an individual; SECOND
AMENDMENT FOUNDATION; GUN
OWNERS OF AMERICA; GUN
OWNERS FOUNDATION; GUN
OWNERS OF CALIFORNIA, INC.; THE
LIBERAL GUN CLUB, INC.; and
CALIFORNIA RIFLE & PISTOL
ASSOCIATION, INCORPORATED,

Plaintiffs,

v.

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

Defendants.

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

**EVIDENTIARY OBJECTIONS OF
PLAINTIFFS TO DECLARATION
OF LEAH GLASER FILED IN
SUPPORT OF DEFENDANT’S
OPPOSITION TO MOTION FOR
PRELIMINARY INJUNCTION**

Hearing Date: December 20, 2023
Hearing Time: 1:30 p.m.
Courtroom: 9 B
Judge: Hon. Cormac J.
Carney

1 **TO THIS HONORABLE COURT:**

2 Plaintiffs Reno May, Anthony Miranda, Eric Hans, Gary Brennan, Oscar A.
3 Barretto, Jr., Isabelle R. Barretto, Barry Bahrami, Pete Stephenson, Andrew Harms,
4 Jose Flores, Dr. Sheldon Hough, DDS, The Second Amendment Foundation, Gun
5 Owners of America, Inc., Gun Owners of California, Inc., The Liberal Gun Club,
6 Inc., and California Rifle & Pistol Association, Incorporated, hereby jointly object,
7 pursuant to Fed. R. Evid. 401, 402, 403, 601, 702, 703, and 704 to the Declaration
8 of Leah Glaser, lodged by Defendant in support of his Brief in Opposition to
9 Plaintiffs' Motion for Preliminary Injunction. These objections are raised on the
10 following grounds and as to the following matters contained within the declaration:

11 **1. Objection to Paragraph 15:**

12 Relevance. A discussion of park laws lacking a discussion of any firearms
13 regulations is not relevant to whether historical analogues regulating firearms
14 existed. Colonial era and English park laws are not relevant to the historical
15 analogue analysis which focuses on the Founding and continues up through
16 Reconstruction. *See New York State Rifle & Pistol Ass'n v. Bruen*, 597 U.S. ___, 142
17 S. Ct. 2111, 2133 (2022).

18 **2. Objection to Paragraphs 18-19:**

19 Foundation. The declarant provides no citations to any sources for her
20 opinion regarding the changing need or reason for public parks.

21 **3. Objection to Paragraph 20:**

22 Foundation. There is no citation to facts or sources provided to support the
23 opinion expressed by the declarant, and no other information is provided by the
24 declarant to support the origin of or veracity of the declarant's opinion.

25 Relevance. Opinions discussing Post-Reconstruction era non-firearm
26 regulations are manifestly not relevant evidence of Founding through
27 Reconstruction historical analogue firearm laws and regulations that governments
28 must produce to show a history and tradition of firearms regulation. *Bruen* at 2153-

1 54.

2 **4. Objection to Paragraphs 21-22:**

3 Foundation. The declarant provides no citations to any sources for her
4 opinion regarding the changing need or reason for public parks.

5 Relevance. Opinions discussing a single public park designer's purported
6 influences in designing parks, with no discussion of firearms laws or regulations,
7 are not relevant to the evidence of Founding through Reconstruction historical
8 analogues that governments must produce to show a history and tradition of
9 firearms regulation.

10 **5. Objection to Paragraph 23:**

11 Foundation. Most of the declarant's opinions, including the broad
12 conclusions about historical views of parks, have no citation to sources or other
13 information to allow the court to assess the origin or veracity of the declarant's
14 opinion.

15 **6. Objection to Paragraph 24:**

16 Relevance. Opinions discussing the history and purported purpose behind
17 the establishment of public parks are not relevant evidence of Founding through
18 Reconstruction historical analogues that governments must produce to show a
19 history and tradition of firearms regulation.

20 **7. Objection to Paragraphs 25-27:**

21 Relevance/Foundation. The declarant's generalized discussion of history
22 has no relevance to the issue of firearm analogues, and none of the declarant's
23 opinions have citation to sources or other information to allow the court to assess
24 the origin or veracity of the declarant's opinions.

25 **8. Objection to Paragraphs 28-38:**

26 Relevance. Opinions discussing the history of Yosemite and other national
27 parks, and Frederick Olmsted's views on the parks, lacking any discussion of
28 firearms regulations applicable to such parks, are not relevant evidence of Founding

1 through Reconstruction historical analogues that governments must produce to
2 show a history and tradition of firearms regulation.

3 **9. Objection to Paragraph 39:**

4 Relevance. Opinions discussing the history of state park development,
5 lacking any discussion of firearms regulations applicable to such parks, are not
6 relevant evidence of Founding through Reconstruction historical analogues that
7 governments must produce to show a history and tradition of firearms regulation.
8 *Bruen* at 2153-54.

9 **10. Objection to Paragraph 40:**

10 Relevance. 1894 park laws are manifestly not relevant evidence of
11 Founding through Reconstruction historical analogues that governments must
12 produce to show a history and tradition of firearms regulation.

13 **11. Objection to Paragraph 41:**

14 Relevance. Opinions discussing the views of public parks of a single
15 urban “reformer” in the Post-Reconstruction era are manifestly not relevant
16 evidence of Founding through Reconstruction historical analogues that
17 governments must produce to show a history and tradition of firearms regulation.

18 **12. Objection to Paragraphs 42-60:**

19 Relevance. Post-Reconstruction era and 20th century park laws are
20 manifestly not relevant evidence of Founding through Reconstruction historical
21 analogues that governments must produce to show a history and tradition of
22 firearms regulation.

23 **13. Objection to Paragraph 61:**

24 Foundation. There is no citation to facts or sources provided to support the
25 opinions expressed by the declarant regarding the rise of recreational activities in
26 general, and no other information is provided by the declarant to support the origin
27 of or veracity of the declarant’s opinion.

28 Relevance. Opinions discussing the history of Pre-and-Post-

1 Reconstruction recreational activities, absent a discussion of or citation to firearms
2 regulations regarding such activities, are not relevant to the evidence of Founding
3 through Reconstruction historical analogues that governments must produce to
4 show a history and tradition of firearms regulation.

5 **14. Objection to Paragraph 62:**

6 Relevance. Opinions discussing the history of socializing activities, absent
7 a discussion of or citation to firearms regulations regarding such activities, are not
8 relevant to the evidence of Founding through Reconstruction historical analogues
9 that governments must produce to show a history and tradition of firearms
10 regulation.

11 **15. Objection to Paragraphs 63-65:**

12 Foundation. Opinions discussing the history of parks, museums, circuses,
13 and traveling exhibitions, absent a discussion of or citation to firearms regulations
14 regarding such places and events, are not relevant to the evidence of Founding
15 through Reconstruction historical analogues that governments must produce to
16 show a history and tradition of firearms regulation.

17 **16. Objection to Paragraph 66:**

18 Foundation. There is no citation to facts or sources provided to support the
19 opinion expressed by the declarant, and no other information is provided by the
20 declarant to support the origin of or veracity of the declarant's opinion.

21 Relevance. Opinions discussing the history of World's Fairs, including
22 Post-Reconstruction era fairs, absent a discussion of or citation to firearms
23 regulations regarding such places and events, are not relevant to the evidence of
24 Founding through Reconstruction historical analogues that governments must
25 produce to show a history and tradition of firearms regulation.

26 **17. Objection to Paragraph 67:**

27 Relevance. Post-Reconstruction era regulations for the World's Fair are
28 manifestly not relevant evidence of Founding through Reconstruction historical

1 analogues that governments must produce to show a history and tradition of
2 firearms regulation.

3 **18. Objection to Paragraph 68:**

4 Relevance. Post-Reconstruction era regulations for a single amusement
5 park are manifestly not relevant evidence of Founding through Reconstruction
6 historical analogues that governments must produce to show a history and tradition
7 of firearms regulation.

8 **19. Objection to Paragraph 69:**

9 Foundation. There is no citation to facts or sources provided to support the
10 opinion expressed by the declarant, and no other information is provided by the
11 declarant to support the origin of or veracity of the declarant's opinion.

12 **20. Objection to Paragraph 70:**

13 Relevance. Opinions discussing the Post-Reconstruction era history of
14 playground design and construction, also lacking any discussion of firearms
15 regulations applicable to such playgrounds, are manifestly not relevant evidence of
16 Founding through Reconstruction historical analogues that governments must
17 produce to show a history and tradition of firearms regulation.

18 **21. Objection to Paragraph 71:**

19 Relevance. Opinions discussing the views of Progressives regarding Post-
20 Reconstruction era history of playground usage, also lacking any discussion of
21 firearms regulations applicable to such playgrounds, are manifestly not relevant
22 evidence of Founding through Reconstruction historical analogues that
23 governments must produce to show a history and tradition of firearms regulation.

24 **22. Objection to Paragraph 72:**

25 Foundation. There is no citation to facts or sources provided to support the
26 opinion expressed by the declarant, and no other information is provided by the
27 declarant to support the origin of or veracity of the declarant's opinion.

28 Relevance. Opinions discussing the Post-Reconstruction era usage of and

1 philosophies regarding playgrounds, also lacking any discussion of firearms
2 regulations applicable to such playgrounds, are manifestly not relevant evidence of
3 Founding through Reconstruction historical analogues that governments must
4 produce to show a history and tradition of firearms regulation.

5 **23. Objection to Paragraph 73:**

6 Relevance. Opinions discussing the Post-Reconstruction era usage of and
7 philosophies regarding playgrounds, also lacking any discussion of firearms
8 regulations applicable to such playgrounds, are manifestly not relevant evidence of
9 Founding through Reconstruction historical analogues that governments must
10 produce to show a history and tradition of firearms regulation.

11 **24. Objection to Paragraph 74:**

12 Foundation. There is no citation to facts or sources provided to support the
13 opinion expressed by the declarant, and no other information is provided by the
14 declarant to support the origin of or veracity of the declarant's opinion.

15 Relevance. The Post-Reconstruction era and 20th century history of
16 libraries, also lacking any discussion of firearms regulations applicable to such
17 libraries, are manifestly not relevant evidence of Founding through Reconstruction
18 historical analogues that governments must produce to show a history and tradition
19 of firearms regulation.

20 **25. Objection to Paragraphs 75-76:**

21 Relevance. Opinions discussing the Post-Reconstruction era and 20th
22 century history of spectator sports, also lacking any discussion of firearms
23 regulations applicable to such events, are manifestly not relevant evidence of
24 Founding through Reconstruction historical analogues that governments must
25 produce to show a history and tradition of firearms regulation.

26 **26. Objection to Paragraphs 77-78:**

27 Relevance. Opinions discussing the Post-Reconstruction era and 20th
28 century history of the development of recreational activities and those activities at

1 parks, also lacking any discussion of firearms regulations applicable to such places
2 and activities, are manifestly not relevant evidence of Founding through
3 Reconstruction historical analogues that governments must produce to show a
4 history and tradition of firearms regulation.

5 **27. Objection to Paragraph 79:**

6 Foundation. There is no citation to facts or sources provided to support the
7 opinion expressed by the declarant as to what restrictions on firearms and hunting
8 in parks would or wouldn't be allowed.

9 Relevance. Opinions on the Post-Reconstruction era and 20th century
10 restrictions on hunting in parks, even if such opinions were based upon citations to
11 reliable sources, are manifestly not relevant evidence of Founding through
12 Reconstruction historical analogues that governments must produce to show a
13 history and tradition of firearms regulation.

14 **28. Objection to Paragraph 80:**

15 Foundation. There is no citation to facts or sources provided to support the
16 broad opinion expressed by the declarant as to what the motivations were for
17 political and business leaders to control behavior or provide leisure opportunities.
18 Prior opinions by the declarant on these subjects similarly lacked citation to reliable
19 sources or authorities that the court could reference to assess the bases for and
20 veracity of the declarant's opinions.

21 Relevance. Opinions on the history of leisure and recreation and the
22 places where those occurred, without identifying analogical histories or traditions of
23 restricting firearms during the relevant period in those venues or at those events, is
24 not helpful to the court or relevant evidence of Founding through Reconstruction
25 historical analogues that governments must produce to show a history and tradition
26 of firearms regulation.

27 For the reasons set forth above, the court should strike or disregard the
28 declaration in its entirety in ruling on Plaintiffs' motion, or, in the alternative, strike

1 and disregard those identified opinions.

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Dated: November 20, 2023

MICHEL & ASSOCIATES, P.C.

/s/ C.D. Michel
C.D. Michel
Counsel for Plaintiffs

Dated: November 20, 2023

LAW OFFICES OF DON KILMER

/s/ Don Kilmer
Don Kilmer
Counsel for Plaintiff The Second Amendment
Foundation

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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:

**EVIDENTIARY OBJECTIONS OF PLAINTIFFS TO DECLARATION OF
LEAH GLASER FILED IN SUPPORT OF DEFENDANT'S OPPOSITION
TO 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 November 20, 2023.


Christina Castron