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Harris, On Target Indoor Shooting Range, LLC, Gaalswyk Enterprises, Inc.
(D/B/A/ Smokin’ Barrel Firearms), Gun Owners of California, Inc., Gun Owners of
7 America, Inc., Gun Owners Foundation, and California Rifle & Pistol Association,
Incorporated
8

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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 ADAM RICHARDS, an individual;
JEFFREY VANDERMEULEN, an
16 individual; GERALD CLARK, an
individual; JESSE HARRIS, an
17 individual; ON TARGET INDOOR
SHOOTING RANGE, LLC;
18 GAALSWYK ENTERPRISES, INC.
(D/B/A/ SMOKIN’ BARREL
19 FIREARMS); GUN OWNERS OF
CALIFORNIA, INC.; GUN OWNERS
20 OF AMERICA, INC.; GUN OWNERS
FOUNDATION; CALIFORNIA RIFLE
21 & PISTOL ASSOCIATION,
INCORPORATED; and SECOND
22 AMENDMENT FOUNDATION, a
California Corporation,
23

24 Plaintiffs,

25 v.

26 GAVIN NEWSOM, in his official
capacity as Governor of the State of
California; ROBERT BONTA, in his
27 official capacity as Attorney General of
the State of California, and DOES 1-10,
28

Defendants.

Case No.:

**DECLARATION OF ROBERT
GAALSWYK IN SUPPORT OF
PLAINTIFFS’ COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF**

DECLARATION OF ROBERT GAALSWYK

1
2 1. I, Robert Gaalswyk, represent plaintiff Smokin’ Barrel Firearms in the
3 above-entitled action. I make this declaration of my own personal knowledge and if
4 called as a witness, I could and would testify competently to the truth of the matters
5 set forth herein.

6 2. I am the owner of Smokin’ Barrel Firearms in Tulare County, CA. I
7 oversee the day-to-day activity of the facility, including firearms sales and transfers.

8 3. Smokin’ Barrel Firearms is a family-owned small business.

9 4. Smokin’ Barrel Firearms is a brick-and-mortar gun shop that handles
10 firearms sales, firearms transfers, layaway sales, consignment firearms, and e-
11 transfers.

12 5. Smokin’ Barrel Firearms is a 1300 square foot facility which would
13 require 5 cameras plus the hardware and wiring to record 24 hours per day (even
14 when not open and transacting business) under SB 1384 rules.

15 6. Smokin’ Barrel Firearms estimates that to comply with SB 1384, we
16 would have to spend an estimated \$5,000 to \$12,000 dollars. The cost to a small
17 business like ours would be very challenging especially in the current economy.

18 7. As an FFL, Smokin’ Barrel Firearms has conversations with customers
19 that are confidential in nature regarding their needs to protect themselves and keep
20 them and others safe as well as collecting their personal and private information.
21 We also discuss the types of firearms that are good for their needs and the laws that
22 they must follow as well as pending laws that the state is trying to pass against
23 lawful gun owners.

24 8. Smokin’ Barrel Firearms would also be forced to target a camera
25 directly at the computer screen where the online transfers occur which would
26 directly collect all of the customer data being put into the system for processing and
27 thus create a defacto gun registry that the state DOJ could access at any time.

28 9. Smokin’ Barrel Firearms supports groups like CRPA, GOC, GOF, and

1 SAF and encourages and speaks to customers about why it is so important to join
2 these groups to fight for their rights as gun owners in a state that is constantly trying
3 to restrict their basic constitutional rights.

4 10. The recording of these conversations and private information being
5 entered would make gun owners less likely to ask questions and speak openly for
6 fear of the anti-Second Amendment government watching and listening to them.

7 11. Smokin' Barrel Firearms' customers and students would be injured by
8 SB 1384 because those recordings could be accessed on demand by the DOJ as well
9 as by subpoena for any criminal or civil action against the customers who did not
10 consent to be recorded in the first place.

11 12. Smokin' Barrel Firearms is also concerned about the additional
12 liability of audio recording these confidential conversations without the other
13 persons giving their consent. This opens them up to liability for future legal action
14 that we would not have absent SB 1384.

15 13. Beyond driving the customers and students away, SB 1384 will impact
16 Smokin' Barrel Firearms financially by forcing them to purchase costly commercial
17 recording equipment that is beyond what is necessary for security of the store.
18 Additional equipment, audio recording, space to store the recordings and wiring of
19 the space are all a huge financial burden.

20 14. If SB 1384 is fully implemented, Smokin' Barrel Firearms will see
21 reduced number of gun owners purchasing from their store, reduced number of gun
22 owners willing to have open and honest conversations about their firearms and the
23 laws surrounding their possession and use, and will be greatly impacted by the
24 financial cost this bill would mandate on businesses like Smokin' Barrel Firearms.

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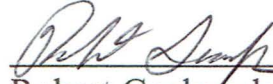
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I declare under penalty of perjury that the foregoing is true and correct.

Executed within the United States on 12 - 19, 2023.



Robert Gaalswyk
Declarant