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David W. Slayton,  
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By S. Bolden, Deputy Clerk

6 Attorneys for Petitioner - Plaintiff  
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES**

10 FRANKLIN ARMORY, INC., et al.,

11 Petitioners-Plaintiffs,

12 v.

13 CALIFORNIA DEPARTMENT OF JUSTICE,  
14 et al.,

15 Respondents-Defendants.  
16

Case No.: 20STCP01747

[Assigned for all purposes to the Honorable  
Daniel S. Murphy; Department 32]

**DECLARATION OF NEIL OPDAHL-  
LOPEZ IN SUPPORT OF PLAINTIFF'S  
OPPOSITION TO DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT,  
OR IN THE ALTERNATIVE, FOR  
SUMMARY ADJUDICATION**

Hearing Date: July 10, 2024  
Hearing Time: 8:30 a.m.  
Department: 32  
17 Judge: Hon. Daniel S. Murphy  
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21 Action Filed: May 27, 2020  
22 FPC Date: August 8, 2024  
23 Trial Date: August 20, 2024  
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1 **DECLARATION OF NEIL OPDAHL-LOPEZ**

2 I, Neil Opdahl-Lopez, hereby declare as follows:

3 1. I make this declaration in support of Plaintiff’s Opposition to Defendants’ Motion for  
4 Summary Judgment, or in the Alternative, for Summary Adjudication. I have personal knowledge of the  
5 facts set forth herein and if called as a witness, I could and would competently testify hereto.

6 2. I am a law-abiding citizen residing in the City of Glendora, in the county of Los Angeles,  
7 California. I am not prohibited from owning or possessing firearms or ammunition under state or federal law.

8 3. On or about June 23, 2020, I paid a deposit and entered into a contract with Franklin Armory, Inc.  
9 (“FAI”) for the purchase of one FAI Title 1 model firearm, a long gun chambered in 5.56 NATO, a centerfire  
10 cartridge.

11 4. At the time I paid my deposit, it was my understanding that the FAI Title 1 model firearm  
12 was lawful to own, possess, and transfer, and I made my deposit, I intended to complete the purchase of  
13 my FAI Title 1 model firearm.

14 5. I was, however, unable to receive my lawful FAI Title 1 model firearm when I placed my  
15 deposit because, as I understood at the time, an issue with the California Department of Justice’s “DES”  
16 website was blocking the lawful transfer of the Title 1. I also believed that FAI was committed to  
17 pursuing corrective efforts with the California Department of Justice to alleviate the DES barrier to the  
18 delivery of Title 1 firearms and that I would, someday, be able to complete the purchase of and take  
19 lawful possession of my FAI Title 1 model firearm.

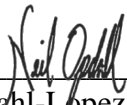
20 6. With the adoption of Senate Bill 118 in August 2020, however, the centerfire FAI Title 1  
21 model firearm became an “assault weapon” under California law. Because I was not in possession of the  
22 Title 1 firearm for which I made a deposit before September 1, 2020, I was unable to take lawful  
23 possession of it in time to register it under the registration window provided by SB 118. And I can no  
24 longer take the steps required to register and lawfully possess the centerfire Title 1 firearm for which I  
25 made a deposit.

26 7. If the California Department of Justice had corrected the DES to facilitate the lawful  
27 transfer of centerfire FAI Title 1 model firearms before SB 118 designated them “assault weapons,” I  
28 would have completed the purchase of and take lawful possession of the FAI Title 1 model firearm for

1 which I paid a deposit.

2 8. I am a named plaintiff in the case of *Briseno v. Bonta*, Case No. 21-cv-09018, a proposed class  
3 action lawsuit pending in the federal district court for the Central District of California. In that case, I am seeking,  
4 among other things, injunctive relief ordering the California Department of Justice, the Attorney General, and the  
5 Chief of the California Department of Justice Bureau of Firearms to allow me to submit the statutorily required  
6 firearm purchaser information through DES for, complete the transfer of, take possession of, and register pursuant  
7 to Penal Code section 30900(c) the centerfire Title 1 firearm for which I made earnest money deposits before  
8 August 6, 2020, notwithstanding the fact that I could not possess that firearm before September 1, 2020. If such  
9 relief is granted in that case, I intend to complete the purchase of and take lawful possession of the FAI Title 1  
10 model firearm for which I paid a deposit.

11 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
12 true and correct. Executed on June 26, 2024, at 1401 PST, in Glendora, CA.

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16 Neil Opdahl-Lopez  
17 Declarant  
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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA  
3 COUNTY OF LOS ANGELES

4 I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County, California. I  
5 am over the age eighteen (18) years and am not a party to the within action. My business address is 180  
6 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On June 26, 2024, I served the foregoing document(s) described as

8 **DECLARATION OF NEIL OPDAHL-LOPEZ IN SUPPORT OF PLAINTIFF’S OPPOSITION**  
9 **TO DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE,**  
10 **FOR SUMMARY ADJUDICATION**

11 on the interested parties in this action by placing  
12 [ ] the original  
13 [X] a true and correct copy  
14 thereof by the following means, addressed as follows:

15 Kenneth G. Lake  
16 Deputy Attorney General  
17 Email: [Kenneth.Lake@doj.ca.gov](mailto:Kenneth.Lake@doj.ca.gov)  
18 Andrew Adams  
19 Email: [Andrew.Adams@doj.ca.gov](mailto:Andrew.Adams@doj.ca.gov)  
20 California Department of Justice  
21 300 South Spring Street, Suite 1702  
22 Los Angeles, CA 90013  
23 *Attorney for Respondents-Defendants*

24 X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic  
25 transmission through One Legal. Said transmission was reported and completed without error.

26 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
27 true and correct.

28 Executed on June 26, 2024, at Long Beach, California.



Laura Palmerin