

03/17/2026

By: \_\_\_\_\_ P. Vue Deputy

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13 Attorneys for Plaintiffs

14 **SUPERIOR COURT OF CALIFORNIA**

15 **COUNTY OF SACRAMENTO**

16 POWAY WEAPONS & GEAR, INC. and SGR  
VENTURES LLC (D/B/A SACRAMENTO  
17 GUN RANGE),

18 Plaintiffs,

19 v.

20 CALIFORNIA DEPARTMENT OF TAX AND  
FEE ADMINISTRATION, TRISTA  
21 GONZALEZ, in her official capacity as Director  
of the California Department of Tax and Fee  
22 Administration,

23 Defendant.  
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Case No.: 25CV018964

**EX PARTE APPLICATION OF  
NICHOLAS A. VARONE TO APPEAR  
PRO HAC VICE; VERIFIED  
APPLICATION OF NICHOLAS A.  
VARONE; DECLARATION OF ANNA M.  
BARVIR IN SUPPORT; DECLARATION  
OF LAURA FERA IN SUPPORT**

Application Date: March 18, 2026  
Application Time: 1:30 PM  
Department: 54  
Reservation ID: 019019220663

Complaint filed: August 11, 2025



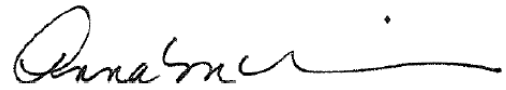
1 reservation was September 17, 2026, which is after the proposed hearing date for the demurrer  
2 (May 14, 2026) and the current hearing dates for Defendants' pending demurrer (July 21, 2026)  
3 and the parties' cross-motions for summary judgment (August 25, 2026). Plaintiffs request that  
4 Mr. Varone be available to argue these motions on their behalf, and a September hearing on this  
5 application will come far too late.

6 As required by the rules, counsel for Plaintiffs has notified and provided copies of this  
7 application and supporting documents to the State Bar of California and submitted the required  
8 fifty-dollar fee for the application of Nicholas A. Varone. (Barvir Decl., ¶ 6; Fera Decl., ¶ 2.)

9 Based on these facts and the supporting information provided in the attached verified  
10 application of Nicholas A. Varone and declarations of Anna M. Barvir and Laura Fera, counsel  
11 for Plaintiffs hereby requests that Nicholas A. Varone be permitted to appear as counsel pro hac  
12 vice for Plaintiffs in this action.

13 Dated: March 17, 2026

**MICHEL & ASSOCIATES, P.C.**

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16 Anna M. Barvir, SBN 268728  
17 Attorney for Plaintiffs

1           **VERIFIED EX PARTE APPLICATION OF NICHOLAS A. VARONE FOR PRO HAC**  
2           **VICE ADMISSION TO APPEAR AS COUNSEL FOR PLAINTIFFS**

3           I, Nicholas A. Varone, hereby petition the above-entitled court to permit me to appear and  
4 participate in this case, and in support of the petition state:

5           1.       My residence address is 420 7th St. NW Apt. 1012, Washington, DC 20004.

6           2.       My office address is Cooper & Kirk, PLLC, 1523 New Hampshire Avenue, NW,  
7 Washington, DC 20036.

8           3.       I was admitted to, and am a member in good standing of, the State Bars of the  
9 State of New York, Bar No. 5669981, in 2019, and the District of Columbia, Bar No. 1739141, in  
10 2021, and I am admitted to, and am a member in good standing of, all courts of the State of New  
11 York and the District of Columbia.

12          4.       I was admitted to, am a member in good standing of, and am eligible to practice  
13 before the following federal courts as of the following dates:

14

<b>U.S. Court of Appeals for the:</b>	
Eleventh Circuit	08/13/2021
Federal Circuit	07/19/2023
<b>Other Federal Courts:</b>	
U.S. Court of Federal Claims	02/08/2022

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20          5.       I am not currently suspended or disbarred in any court.

21          6.       I am not regularly engaged in the practice of law or other business in the State of  
22 California.

23          7.       I have filed applications to appear pro hac vice in the following matters in the past  
24 two years:

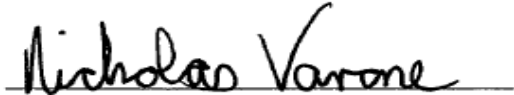
- 25                   a.   U.S. District Court for the Northern District of California, in *In re: Social*  
26                            *Media Adolescent Addiction/Personal Injury Products Liability Litigation*,  
27                            No. 4:22-md-03047; the application was filed on June 16, 2025, and  
28                            granted on June 18, 2025.

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8. Local counsel of record with whom I am associated in this matter is Anna M. Barvir, SBN 268728, Michel & Associates, P.C., 180 E. Ocean Blvd., Suite 200, Long Beach, CA 90802, (562) 216-4444, abarvir@michellawyers.com.

I declare under penalty of perjury of the laws of the State of California and the District of Columbia that the foregoing is true and correct. If called to testify, I would testify to the above facts.

Dated this 17<sup>th</sup> day of March, 2026, at Washington, DC.



Nicholas A. Varone, declarant

1       **DECLARATION OF ANNA M. BARVIR IN SUPPORT OF EX PARTE APPLICATION**  
2       **OF NICHOLAS A. VARONE FOR PRO HAC VICE ADMISSION TO APPEAR AS**  
3       **COUNSEL FOR PLAINTIFFS**

4       I, Anna M. Barvir, declare:

5       1.       I am an attorney who is duly licensed to practice law before all courts of the State  
6       of California. My firm, Michel & Associates, P.C., represents Plaintiffs Poway Weapons & Gear,  
7       Inc., and SGR Ventures LLC (d/b/a Sacramento Gun Range), in the matter of *Poway Weapons &*  
8       *Gear, Inc. v. California Department of Tax and Fee Administration*. I make this declaration in  
9       support of the Ex Parte Application of attorney Nicholas A. Varone to appear pro hac vice in this  
10      matter. The following facts are within my personal knowledge and if called as a witness, I can  
11      and will competently testify hereto.

12      2.       Nicholas A. Varone and his firm Cooper & Kirk, PLLC, of Washington, DC, have  
13      been directing all of the substantive issues in the case, and Plaintiffs seek to have him serve as  
14      trial counsel for the matter.

15      3.       I have reviewed and executed the ex parte application for the admission pro hac  
16      vice of Nicholas A. Varone and am informed and believe that all the information contained  
17      therein is true and correct.

18      4.       I am informed and believe that Nicholas A. Varone is a member of the State Bar of  
19      New York, to which he was admitted to practice in 2019, and a member of the Bar of the District  
20      of Columbia, to which he was admitted to practice in 2021.

21      5.       This declarant requests that this Court allow Nicholas A. Varone to appear as  
22      counsel pro hac vice and to be associated as co-counsel in connection with the above-entitled case  
23      and to participate in all aspects thereof, including all trial and pre-trial proceedings.

24      6.       My office has served a copy of this declaration and the application for admission  
25      on the Sacramento offices of the State Bar of California with the necessary fee.

26      7.       On March 16, 2026, I sent an e-mail to Defendant's counsel of record, Asha  
27      Albuquerque, notifying her that the hearing on this application would be held on March 18, 2026,  
28      at 1:30 PM in Department 54. Ms. Albuquerque responded and stated that Defendant would not  
29      oppose this ex parte application for admission.

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

Executed this 17th day of March, 2026, at Temescal Valley, California.



Anna M. Barvir, declarant



1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA  
3 COUNTY OF SACRAMENTO

4 I, Laura Fera, 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  
6 is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On March 17, 2026, I served the foregoing document(s) described as:

8 **NOTICE OF HEARING AND APPLICATION OF NICHOLAS A. VARONE TO  
9 APPEAR PRO HAC VICE; MEMORANDUM IN SUPPORT; VERIFIED APPLICATION  
10 OF NICHOLAS A. VARONE; DECLARATION OF ANNA M. BARVIR IN SUPPORT**

11 on the interested parties in this action by placing

- 12  the original  
13  a true and correct copy

14 thereof by the following means, addressed as follows:

15 **BY ELECTRONIC MAIL**

16 Asha Albuquerque  
17 Deputy Attorney General  
18 455 Golden Gate Ave., Suite 11000  
19 San Francisco, CA 94102

20 [Asha.Albuquerque@doj.ca.gov](mailto:Asha.Albuquerque@doj.ca.gov)

21 *Attorneys for Defendants California  
22 Department of Tax and Fee Administration  
23 and Trista Gonzalez*

24 **BY ELECTRONIC SUBMISSION**

25 Office of Admissions  
26 The State Bar of California  
27 180 Howard Street  
28 San Francisco, CA 94105

<https://admissions.calbar.ca.gov/s/login/>

(BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date is more than one day after date of deposit for mailing an affidavit.

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

(BY ELECTRONIC SUBMISSION) As follows:  
I served a true and correct copy by electronic submission at  
<https://admissions.calbar.ca.gov/s/login/>. Said transmission was reported and completed without error.

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

Executed on March 17, 2026, at Long Beach, California.

  
\_\_\_\_\_  
Laura Fera



## Court Reservation Receipt

<b>Reservation</b>	
Reservation ID: 019019220663	Status: RESERVED
Reservation Type: Ex Parte Application (of Nicholas A. Varone to Appear Pro Hac Vice)	Number of Motions: 1
Case Number: 25CV018964	Case Title: IN THE MATTER OF: POWAY WEAPONS & GEAR, INC.
Filing Party: Poway Weapons & Gear, Inc. (Plaintiff)	Location: Hall of Justice - Department 54
Date/Time: March 18th 2026, 1:30PM	Confirmation Code: CR-WNHYB8RUMFGY3WN5B

<b>Fees</b>			
Description	Fee	Qty	Amount
Ex Parte Application (name extension)	0.00	1	0.00
<b>TOTAL</b>			<b>\$0.00</b>

<b>Payment</b>	
Amount: \$0.00	Type: NOFEE

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