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13 Attorneys for Plaintiffs

14 **UNITED STATES DISTRICT COURT**  
15 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

16 LANA RAE RENNA, an individual;  
17 DANIELLE JAYMES, an individual;  
18 HANNAH SPOUSTA, an individual;  
19 LAURA SCHWARTZ, an individual;  
20 MICHAEL SCHWARTZ, an individual;  
21 ROBERT MACOMBER, an individual;  
22 CLINT FREEMAN, an individual;  
23 RICHARD BAILEY, an individual;  
24 JOHN KLIER, an individual; JUSTIN  
25 SMITH, an individual; JOHN  
26 PHILLIPS, an individual; PWGG, L.P., a  
27 California Limited Partnership;  
28 CHERYL PRINCE, an individual;  
DARIN PRINCE, an individual; NORTH  
COUNTY SHOOTING CENTER, INC.,  
a California Corporation; RYAN  
PETERSON, an individual;  
GUNFIGHTER TACTICAL, LLC, a  
California Limited Liability Company,  
FIREARMS POLICY COALITION,

Case No. 3:20-cv-02190-DMS-DEB

**DECLARATION OF PLAINTIFF  
JOHN KLIER IN SUPPORT OF  
PLAINTIFFS' OPPOSITION TO  
DEFENDANTS' MOTION TO  
DISMISS**

Date/Time: To Be Set By Court  
Time: 13A  
Judge: Hon. Dana M. Sabraw  
Trial Date: None set  
Action Filed: 11/10/2020

1 INC.; SAN DIEGO COUNTY GUN  
2 OWNERS PAC; CITIZENS  
3 COMMITTEE FOR THE RIGHT TO  
4 KEEP AND BEAR ARMS; and  
5 SECOND AMENDMENT  
6 FOUNDATION,

7 Plaintiffs,

8 vs.

9 XAVIER BECERRA, in his official  
10 capacity as Attorney General of  
11 California; and LUIS LOPEZ, in his  
12 official capacity as Director of the  
13 Department of Justice Bureau of  
14 Firearms,

15 Defendants.

16 I, JOHN KLIER, declare as follows:

17 1. I am an adult resident of the County of San Diego, California, and am  
18 a named Plaintiff in the above matter. I have personal knowledge of the facts stated  
19 herein, and if called as a witness, I could competently testify to these facts.

20 2. This declaration is executed in support of Plaintiffs' Opposition to  
21 Defendants' Motion to Dismiss.

22 3. I am not prohibited under state or federal law from possessing,  
23 receiving, owning, or purchasing a firearm.  
24  
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1           4. I am a veteran of the Navy, having been disabled and honorably  
2 discharged after serving in Iraq as a “Seabee” member of the United States Naval  
3 Construction Battalions.  
4

5           5. I am a trained and respected firearms instructor who owns and operates  
6 Active Shooter Defense School (“ASDS”), which “employs the best instructors in  
7 the industry,” with “former [Navy] SEALs, Rangers, engineers, SWAT officers,  
8 combative instructors and current top performing competitive shooters on staff to  
9 ensure students master each technique being taught.” ASDS’s “mission is to  
10 provide the most up to date tactical weapons training available to the public, law  
11 enforcement and military.” See “Meet our Team” on ASDS’s website at  
12 <https://asdschool.com/asds-instructors>.  
13  
14  
15

16           6. I am a member and supporter of Plaintiffs FIREARMS POLICY  
17 COALITION, SAN DIEGO COUNTY GUN OWNERS PAC, CITIZENS  
18 COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS, and SECOND  
19 AMENDMENT FOUNDATION.  
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22           7. But for California’s Handgun Ban and Defendants’ active  
23 enforcement thereof, I would purchase for self-defense and other lawful purposes a  
24 Glock 19 Gen5, a handgun which is in common use for self-defense and other  
25 lawful purposes, widely sold and possessed outside of California.  
26  
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1           8.       The Glock 19 Gen5 has had many technological advancements from  
2 the Glock 19 Gen3 (which remains grandfathered on Defendants’ Roster). The  
3 ergonomics are better, the sight and grip on the gun is better, it is lighter and fires  
4 faster than the Glock 19 Gen 3. This translates to an overall safer gun. I shoot  
5 more in a few months than the average American does in their lifetime. The Glock  
6 Gen3 on Defendants’ Roster wears out very easily and is an overall subpar  
7 handgun. When the Glock Gen3 wears out from shooting, I am not able to repair  
8 or refurbish the gun because the parts I am able to purchase only fit the newer  
9 models, like the Glock 19 Gen5. Therefore, I end up having to throw away many  
10 guns that are on Defendants’ Roster and it is a waste of materials and money. I  
11 would not have to throw the Glock 19 Gen5 away from shooting so much because  
12 it is a better-quality gun, lasts longer, and I would be able to purchase new parts to  
13 keep it from wearing out.  
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19           9.       Because the handgun that I seek to purchase for lawful purposes is  
20 currently excluded from Defendants’ Roster of purportedly “not unsafe” handguns,  
21 California’s Handgun Ban bars me from purchasing and taking possession of such  
22 handguns from a licensed retailer, who are likewise prohibited from selling them to  
23 me on pain of criminal sanction.  
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26           10.       I have no other lawful method of purchasing this handgun in  
27 California.  
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I declare under penalty of perjury that the foregoing is true and correct.

02/13/2021

Executed on \_\_\_\_\_.



\_\_\_\_\_  
JOHN KLIER