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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
RYAN PETERSON 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, RYAN PETERSON, 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 4. I am a proprietor of the business and an individual licensee associated
25 with Plaintiff Gunfighter Tactical, L.L.C. (“GT”).
26
27

1 5. I am a member and supporter of Plaintiffs FIREARMS POLICY
2 COALITION, SAN DIEGO COUNTY GUN OWNERS PAC, CITIZENS
3
4 COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS, and SECOND
5 AMENDMENT FOUNDATION.

6 6. I possess a current COE issued by the Defendants' Department of
7
8 Justice Bureau of Firearms.

9 7. I am a DOJ Certified Instructor.

10 8. But for California's Handgun Ban and Defendants' active
11
12 enforcement thereof, I would purchase for self-defense and other lawful purposes,
13
14 among others, a Fabrique Nationale 509 Tactical, Sig Sauer P220 Legion (10mm),
15 a Staccato 2011, a Glock 19 Gen5, a Glock 17 Gen5 MOS, and/or a Wilson
16 Combat Elite CQB 1911 (9mm), all handguns in common use for lawful purposes
17
18 and widely sold and possessed outside of California.

19 9. Ironically, even though I am the owner and operator of a gun store
20
21 (Plaintiff GT), and even though I am highly trained in the safe handling of
22
23 firearms, and I am a DOJ Certified Instructor, and I sell handguns not on the
24
25 Defendants' Roster to those who can lawfully purchase them, and I keep and carry
26
27 for self-defense a Fabrique Nationale 509 Tactical while inside GT, I cannot
28
transfer that same firearm to myself—or any other law-abiding citizen not exempt
from California's Handgun Ban—for self-defense in the home.

1 10. The Fabrique Nationale 509 Tactical is a fully ambidextrous gun. There
2 is no other fully ambidextrous gun on Defendants’ Roster. This is especially
3
4 important in certain self-defense situations where you may have to shoot with your
5 left hand. The ergonomics of the Fabrique are better than the other non-Roster
6
7 guns, and the firearm is already cut for holographic sights (which are superior to
8 standard iron sights). The Fabrique Nationale 509 Tactical is also a much better-
9 balanced gun and has better recoil characteristics than the guns on Defendants’
10 Roster.
11

12 11. Likewise, the Sig Sauer P220 Legion is a superior 10mm handgun
13 compared to any option on Defendants’ Roster. There is an extremely limited
14 amount of 10mm guns on Defendants Roster. These guns are older, clunkier
15 models including older generation Glocks and 1911s (a gun that is based on a
16 design that is over 100 years old). These guns are ill-balanced and have terrible
17 ergonomics. They are not practical as home-defense guns.
18
19

20 12. The Staccato 2011 is a competition gun. Currently, there is no gun on
21 Defendants’ Roster that is appropriate to use in a modern handgun competition.
22 This gun has specific features that make it impractical to use for home defense but
23 perfect for matches. This gun shoots fast for competitions and there is nothing on
24 Defendants’ Roster that is even close to shooting as fast as the Staccato 2011.
25
26
27
28

1 13. The Glock 19 Gen5 and Glock 17 Gen5 MOS are vastly different than
2 their Gen3 counterparts. The Gen3 versions of these guns have built in finger
3 grooves in the polymer frame. My hands are smaller than most and do not fit well
4 in the finger grooves. When I hold a Gen3 Glock, my fingers are in the ridges of
5 the grooves and not the valleys as they are intended to be. The Gen5 has no finger
6 grooves and is flat so it is much easier to hold and allows for a safer and tighter
7 grip. The Gen5 Glocks are already cut for electronic sights and are fully
8 ambidextrous. As stated above, there are no guns on the Roster that are fully
9 ambidextrous. The Gen5 Glocks also have a better texture than the Gen3. This
10 texture allows for a better grip on the gun and better handling of the gun under
11 home defense or self-defense conditions i.e., if your hands are wet. The Gen5
12 Glock also has a front serration on the slide as opposed to a back serration. This is
13 particularly important for a person who does not have the best hand strength or,
14 again, if your hands are wet in an emergency situation. The front serration allows
15 for better leverage and allows an individual to rack the slide more safely.
16
17
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22 14. The Wilson Combat Elite CQB 1911 9mm is a very high end 1911 gun.
23 All the 1911 guns on Defendants' Roster are extremely outdated and obsolete.
24 This gun is much faster than the 1911 guns on the Roster. The guns available on
25 Defendants' Roster are an older style of gun for an older style of shooting that is
26 not practical today.
27
28

1 15. Because the handguns that I seek to purchase for lawful purposes are
2 currently excluded from Defendants’ Roster of purportedly “safe” handguns,
3
4 California’s Handgun Ban bars me from purchasing and taking possession of such
5 handguns from a licensed retailer, who are likewise prohibited from selling them to
6 me on pain of criminal sanction.
7

8 16. I have no other lawful method of purchasing these handguns in
9 California.
10

11 17. Further, as the proprietor of Plaintiff GT, but for California’s Handgun
12 Ban and Defendants’ active enforcement thereof, I would make commercially
13 available all handguns in common use for self-defense and other lawful purposes
14 that are widely sold and possessed outside of California, which are currently
15 excluded from Defendants’ handgun Roster, and sell and transfer them to law-
16 abiding customers.
17
18

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

20 02/13/2021

21 Executed on _____.

Ryan J Peterson

22 _____
23 RYAN PETERSON
24
25
26
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