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17 Attorneys for Plaintiffs

18 UNITED STATES DISTRICT COURT
19 EASTERN DISTRICT OF CALIFORNIA

20 TRACY RIFLE AND PISTOL LLC;
21 MICHAEL BARYLA; TEN PERCENT
22 FIREARMS; WESLEY MORRIS;
23 SACRAMENTO BLACK RIFLE, INC.;
24 ROBERT ADAMS; PRK ARMS, INC.;
25 JEFFREY MULLEN; IMBERT & SMITHERS,
26 INC.; and ALEX ROLSKY,

27 Plaintiffs,

28 v.

KAMALA D. HARRIS, in her official capacity
as Attorney General of California; and
STEPHEN J. LINDLEY, in his official capacity
as Chief of the California Department of Justice
Bureau of Firearms,

Defendants.

Case No.: 2:14-cv-02626-TLN-DB

DECLARATION OF ALEX ROLSKY IN
SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT

Hearing Date: January 12, 2017
Time: 2:00 p.m.
Courtroom: 2
Judge: Troy L. Nunley

Action filed Nov. 10, 2014

1 I, Alex Rolsky, declare:

2 1. I have personal knowledge of the matters set forth in this declaration, and would be
3 able to testify competently to these facts if called as a witness.


4 2. I am the proprietor of Imbert & Smithers, a firearms dealership in San Carlos,
5 California. Imbert & Smithers is listed as a firearms dealer in the California Department of
6 Justice's Centralized List of Firearms Dealers, and I am the individual licensee associated with the
7 dealership.

8 3. On January 28, 2015, the DOJ Bureau of Firearms inspected Imbert & Smithers. At
9 the time of the inspection, the building's exterior displayed a sign featuring the dealership's logo,
10 which incorporates the outline of a single-action revolver. A picture depicting the dealership's
11 logo as it appeared on the date of the inspection is attached as Exhibit 1.

12 4. The Bureau of Firearms issued a "Notification of Inspection Findings" citing Imbert
13 & Smithers and Rolsky for violating Section 26820, and requiring them to take corrective action
14 by July 28, 2015.

15 5. By demanding that Imbert & Smithers remove or modify the sign, our First
16 Amendment rights have been directly infringed by the enforcement of the handgun advertising
17 ban, and our speech continues to be chilled by the statute. But for Section 26820, I would continue
18 to display the dealership's logo, and would display additional truthful, nonmisleading material
19 advertising the sale of handguns at the dealership.

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct. Executed November 29, 2016 in California.

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23 
24 ALEX ROLSKY
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