

Declaration of Alan Beck

I, Alan Beck, do declare as follows,

1. I have been an attorney since Sept. 2009 and I am licensed to practice before the Ninth Circuit Court of Appeals.
2. I drafted the response to the motion to strike and the proposed supplemental brief.
3. I attest that everything stated there within is true and accurate.
4. This declaration is based upon my personal knowledge of the matters stated here within and if called to testify, I could and would testify competently thereto.
5. I called Defendant's Counsel prior to the filing of motion to strike at issue April 2nd, 2013 filed due to a misunderstanding regarding a ECF transmission filed that day.
6. I spoke to Mr. Michael Udovic and informed him that I would in short order file a final notice which would contain an affidavit.
7. I had planned to use the 350 words to explicitly state the relief I asked for based on the previous notices.
8. I take no position as to whether this had any relation to the filing of the motion to strike at issue.
9. I do strongly believe that the motion to strike should have been revised to omit the insinuation in the conclusion that the Defendants were unaware of the status of the notices. I also am of the position that as this matter is one determined by equity the memorandum should have been revised to acknowledge our conversation.
10. After determining the relief sought should include the admittedly obvious necessity of ammunition and magazines, I began constructing a model to show, how and why ammunition and magazines are protected by the Second Amendment.
11. After I completed a rough model which I determined to be logically sound, I contacted Dr. Greg Andreev to present the model in an easy to follow manner. He consented to construct a series of flow charts to display the model.

12. He immediately began working on the matter but as the original filing date was April 25th he has not completed the project as there was some underlying groundwork that had to be completed first.
13. Prior to filing the Notice containing the assault pistols argument I came to agreement with both Gunnery Sergeant Barbour and Luke Barker to draft affidavit/declarations regarding them.
14. As I explicitly stated this was a new argument, the reasons why I believed the new argument were proper and did not receive a prompt response I instructed both to begin drafting their respective documents independent of one another.
15. I have no intention of filing any more notices that even arguably could be considered new arguments.
16. While I would prefer a directed verdict, I am aware that it is unlikely and have arranged for the proper logistical support to litigate the instant matter on remand.
17. I will agree to at least one 30 day extension past the May 24th date if the Defendant's require one due to the notices at issue.

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

Dated April 10th, 2013 San Diego, CA

/Alan Beck

Alan Beck