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7 Attorneys for Plaintiffs / Petitioners

8 **IN THE UNITED STATES DISTRICT COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **SOUTHERN DIVISION**

11 DOROTHY McKAY, DIANA
12 KILGORE, PHILLIP WILLMS,
13 FRED KOGEN, DAVID WEISS, and
THE CRPA FOUNDATION,

14 Plaintiffs,

15 v.

16 SHERIFF SANDRA HUTCHENS,
17 individually and in her official
capacity as Sheriff of Orange County,
18 California, ORANGE COUNTY
SHERIFF-CORONER
19 DEPARTMENT, COUNTY OF
ORANGE, and DOES 1-10,

20 Defendants.

CASE NO: SACV 12-1458JVS (JPRx)

**DECLARATION OF DAVID WEISS
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

Date: October 15, 2012

Time: 1:30 p.m.

Location: Ronald Reagan Federal
Building
411 West Fourth Street
Room 1053
Santa Ana, CA 92701

Courtroom: 10C

Judge: James V. Selna

Date Action Filed: September 5, 2012

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DECLARATION OF DAVID WEISS

1. I, David Weiss, submit this declaration in support of Plaintiffs’ Motion for a Preliminary Injunction. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. I am a resident of Orange County, California and a United States Citizen over 21 years of age.

3. I am not prohibited under federal or California law from receiving or possessing firearms.

4. I am a Pastor who frequently visits parishioners of my own church both on and off my church’s property within Orange County. I also frequently visit various churches all over the state, and meet with their members in private off those churches’ property. I often travel very early morning or late evening for these visits. My obligations as a pastor often take me to unknown locations or to situations of crisis where emotions may run high.

5. I own a handgun and would carry a handgun in public for self-defense on occasions I deem appropriate, but do not do so because I fear prosecution since I do not possess a valid license to publicly carry a handgun pursuant to California Penal Code section 26150.

6. I submitted an official Department of Justice application to the Orange County Sheriff’s Department for a license to publicly carry a handgun. Exhibit “1” that is attached hereto is a true and correct copy of the relevant pages of my completed application, which has been partially redacted by the Orange County Sheriff’s Department.

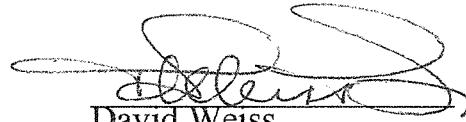
7. In my application for a license to publicly carry a handgun, my asserted “good cause” was based upon self-defense and defense of my spouse. In my

1 including the unusual times and unknown locations that I am required to travel, and
2 the emergency situations that I am called upon to confront. See Exhibit "1".

3 8. In a letter dated March 21, 2012, my application for a Carry License was
4 denied by the Orange County Sheriff's Department for lack of "good cause."
5 Exhibit "2" that is attached hereto is a true and correct copy of the letter I received
6 from the Orange County Sheriff's Department, which they have partially redacted.

7 I declare under penalty of perjury, under the laws of the United States and of
8 the state of California, that the foregoing is true and correct.

9 Executed in the United States on September 6, 2012.

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12 David Weiss
13 Plaintiff
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