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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,
California, ORANGE COUNTY
18 SHERIFF-CORONER
DEPARTMENT, COUNTY OF
19 ORANGE, and DOES 1-10,

20 Defendants.
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CASE NO: SACV 12-1458JVS (JPRx)

**DECLARATION OF DIANA
KILGORE 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 DIANA KILGORE

1. I, Diana Kilgore, 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 member of The California Rifle and Pistol Association and a contributor to The CRPA Foundation.

5. I own a handgun and I 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 have not applied to the Orange County Sheriff’s Department for a license to publicly carry a handgun pursuant to California Penal Code section 26150 because I do not meet the “good cause” standard articulated in the Orange County Sheriff’s Department’s official written policy for issuing such licenses, as I have no specific threat against me nor engage in any particular business indicated in the policy as possibly warranting a license. (See Exhibit #)

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1 7. Since "general concerns about personal safety" are not considered "good
2 cause" by Sheriff Hutchens (*see* Exhibit 1), and I only have general concerns about
3 my safety, any attempt by me to obtain a license to publicly carry a handgun from
4 Sheriff Hutchens pursuant to California Penal Code section 26150 would be futile
5 and a waste of my time and money.

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

8 Executed in the United States on September 5, 2012.

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Diana Kilgore
Plaintiff