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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, )  
individually and in her official )  
17 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 PHILLIP  
WILLMS 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 PHILLIP WILLMS**

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

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

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

11 4. I practice shooting firearms regularly at my local shooting range and I  
12 belong to a club where I regularly engage in shooting competitions. As such, I am  
13 well versed in safe firearm handling procedures.

14 5. I often have expensive handguns that I transport unloaded and in locked  
15 containers for recreation and competition purposes.

16 6. I own a successful business in Orange County, California.

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

21 8. On or about November 1, 2011, I submitted to the Orange County  
22 Sheriff’s Department an official Department of Justice application for a license to  
23 publicly carry a handgun. Exhibit “1” that is attached hereto is a true and correct  
24 copy of the relevant pages of my completed application, which has been partially  
25 redacted by the Orange County Sheriff’s Department.

26 9. In my application to the Orange County Sheriff’s Department for a  
27 license to publicly carry a handgun, my asserted “good cause” was based upon self-  
28 defense. Particularly, my asserted “good cause” was based upon my safety due to

1 expanding business sales, my handling of significant cash deposits, and protection  
2 of myself while transporting my own expensive firearms to and from shooting  
3 competitions. See Exhibit "1".

4 10. On or about January 24, 2012, my application for a Carry License was  
5 denied by the Orange County Sheriff's Department for lack of "good cause."  
6 Exhibit "2" that is attached hereto is a true and correct copy of the letter I received  
7 from the Orange County Sheriff's Department, which they have partially redacted.

8 11. In a letter dated February 22, 2012, I provided additional information in  
9 support of my application for the license to publicly carry a handgun. Exhibit "3"  
10 that is attached hereto is a true and correct copy of that letter.

11 12. On March 21, 2012, the Orange County Sheriff's Department again  
12 denied my request for a license to publicly carry a handgun. Exhibit "4" that is  
13 attached hereto is a true and correct copy of the second denial letter I received from  
14 the Orange County Sheriff's Department.

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

17 Executed in the United States on September 10, 2012.

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20 Phillip Willms  
21 Plaintiff  
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