

1 broad and unduly burdensome. (*IPV, Inc. v. Mercantile Bank of Topeka* (D KS 1998) 179 FRD
2 316, 321 – Providing “every fact” could require “laborious, time-consuming analysis, search and
3 description of incidental, secondary, and perhaps irrelevant and trivial details.”)

4 RESPONSE: Without waiving the above referenced objection, Plaintiff states that, I
5 cannot adequately defend myself or my family with the firearms that are usually kept at home.
6 My need and desire to protect self and family extend beyond the home, and include other
7 locations such as boats, cars, businesses, and other locations.

8 Moreover, at any given time, my firearms may be: not immediately physically available
9 due to the firearm’s proximity to my physical location – both within the home and outside of the
10 home; underpowered for certain self-defense scenarios; over-powered for certain self-defense
11 scenarios; inoperable; stolen; broken; unclear for reliable operation or otherwise unreliable; out
12 for service; loaned to another individual for up to a 30 day period in accordance with California
13 law; there may be a lack of ammunition available for the current firearm; an act of terrorism may
14 make the firearm[s] owned by me insufficient to defend self, family, or home; riots and looting
15 may render the firearm[s] owned by me to be insufficient; earthquakes and other natural disasters
16 may render any and all firearms possessed by me to be insufficient for self-defense and defense
17 of others; temporary seizures of firearms lawfully possessed may render the firearms insufficient
18 for self-defense.

19 In fact, under the Militia Act of 1792, many were required to have more than one firearm
20 – “and to be armed with a sword and pair of pistols, the holsters of which to be covered with
21 bearskin caps.”
22

23 INTERROGATORY NO. 7

24 Identify and describe in full and complete detail all harms that you suffer by, per
25 California Penal Code sections 26815(a) and/or 27540, having to wait 10 days between
26 purchasing and taking delivery of a firearm.

27 RESPONSE TO INTERROGATORY NO. 7

28 OBJECTION: Contention interrogatories asking for each and every fact, or application

1 of law to fact, that supports particular allegations in an opposing pleading may be held to be
 2 overly broad and unduly burdensome. (*IPV, Inc. v. Mercantile Bank of Topeka* (D KS 1998) 179
 3 FRD 316, 321 – Providing “every fact” could require “laborious, time-consuming analysis,
 4 search and description of incidental, secondary, and perhaps irrelevant and trivial details.”)

5 **RESPONSE:** Without waiving the above referenced objection, Plaintiff states that the
 6 California Penal Code sections that require me to wait 10 days between purchasing a firearm and
 7 taking delivery of a firearm, thereby deprive me of the use, custody, control, and ability to
 8 defend self, family, and home with said firearm that I already own; mandate a brief window of
 9 20 days from which I must return to obtain physical possession of property that I already own;
 10 cause an additional increased 10 day delay and added expenses of Dealer Record of Sale fees,
 11 storage fees, and transportation fees when I am unavailable to take physical possession of the
 12 firearm within the 20 day window; cause increased travel expenses upon firearm purchases
 13 coinciding with distance from my home to the licensed firearm dealer’s premises due to the
 14 requirement that I must make a second trip to receive custody of the firearm purchased; limit my
 15 out-of-town purchases and gun show purchases; and limit the market of firearms available to
 16 areas I am willing to travel to twice during a period of at least 10 days and at most 30 days; cause
 17 added burden and expense of locating and paying another more local dealer who may be willing,
 18 but is not statutorily obligated, to process a firearms transfer originating at a competitor licensed
 19 firearm dealer; and cause me to lose the opportunity cost of the time spent on the second trip to
 20 receive a firearm I already own.

21 **INTERROGATORY NO. 8**

22 If you contend that it is unconstitutional to apply California Penal Code section
 23 26815(a)’s “waiting period” (between purchase and delivery of a firearm) to first-time firearms
 24 purchasers, state all facts supporting this contention.

25 **RESPONSE TO INTERROGATORY NO. 8**

26 **OBJECTION:** Contention interrogatories asking for each and every fact, or application of
 27 law to fact, that supports particular allegations in an opposing pleading may be held to be overly
 28 broad and unduly burdensome. [*IPV, Inc. v. Mercantile Bank of Topeka* (D KS 1998) 179 FRD