

# Exhibit E

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

SANDY PHILLIPS, individually and as surviving parent )  
of Jessica Ghawi, decedent; LONNIE PHILLIPS, )  
individually and as surviving parent of Jessica Ghawi, )  
decedent. )

v. )

Case No. \_\_\_\_-cv-\_\_\_\_

LUCKY GUNNER, d/b/a/ BULKAMMO.COM, )  
a Tennessee Corporation; )  
THE SPORTSMAN'S GUIDE, a Minnesota Corporation; )  
Brian Platt, d/b/a/ BTP ARMS, )  
Gold Strike E Commerce LLC d/b/a/ )  
BULLETPROOFBODYARMORHQ.COM, an Arizona )  
Corporation; )  
and JOHN DOES 1 through 10, unknown individuals. )

**DECLARATION IN SUPPORT OF NOTICE OF REMOVAL**

I, Jeffrey J. Felde, declare under penalty of perjury that the following is true and correct.

1. I am over eighteen and am competent to make the following declaration based upon my personal knowledge.

2. I am the Chief Executive Officer (“CEO”) of LuckyGunner, LLC (“LG”). As CEO of LG, I work with and have personal knowledge of the accounting and related records regarding sales of ammunition by LG and its domain of BulkAmmo.com, and income generated from those sales.

3. I have reviewed the Amended Complaint in the above captioned litigation. Plaintiffs are seeking injunctive relief against all of the defendants, including LG. They seek to enjoin LG from engaging in its “commercial” activities until it changes its “business practices” related to online ammunition sales. Plaintiffs are not specific about the changes to LG’s business practices they seek.

4. If the Court were to enjoin LG's sales of ammunition, LG would suffer monetary losses far exceeding \$75,000. LG sells ammunition to customers in forty-seven states, including Colorado. From January 1, 2014 through June 30, 2014, pre-tax net income from ammunition sales from BulkAmmo.com was approximately \$158,362 in Colorado alone. Prohibiting LG from conducting the business of selling ammunition would cause significantly more economic damage to LG than the \$75,000 jurisdictional threshold.

I declare under the penalty of perjury under the laws of the United States of America, and pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge and belief.

Dated this 15<sup>th</sup> day of October, 2014.

  
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Jeffrey J. Felde