

Exhibit 5

to

Plaintiffs' Cross-Motion for Summary Judgment

and

Opposition to Defendants' Motion for Summary  
Judgment

**DECLARATION OF CAROL WINK**

I, Carol Wink, under penalty of perjury, declare and state, to the best of my knowledge, information, and belief, as follows:

1. I am over the age of 18, have personal knowledge of the facts and events referred to in this Declaration, and am competent to testify to the matters stated below.
2. I am an owner and operator of Wink's Sporting Goods, a federal firearm licensed dealer and Maryland regulated firearms dealer located in Princess Anne, Maryland.
3. In addition to offering gunsmithing and appraisal services, Wink's Sporting Goods engages in the sale of firearms, including regulated firearms, firearm parts and equipment, magazines and ammunition.
4. The implementation of SB 281 has caused Wink's Sporting Goods significant economic injury, as Wink's Sporting Goods sold firearms which have been prohibited by SB 281. Furthermore, regulated long guns classified as "assault weapons" by SB 281 represented a substantial number of all long guns sold by Wink's Sporting Goods. Additionally, Wink's Sporting Goods will no longer be able to sell standard capacity detachable magazines holding in excess of ten rounds, which not only represents the loss of a significant portion of revenue for Wink's Sporting Goods, but also has necessitated the refunding to purchasers of regulated handguns some amount of the purchase price to compensate them for receiving a handgun with no included magazines, significantly diminishing our profit. Finally, there exists no market for detachable magazines holding ten rounds or fewer, in terms of magazines in circulation or scheduled for production, sufficient to provide all handgun purchasers with a magazine for their handgun; a purchaser may wait several months, or longer, before he or she can acquire any sort of magazine for a handgun purchased on or after October 1, 2013, rendering that handgun either

a single-shot or totally unusable. In fact, as I discussed in my deposition in this case, my distributors have expressly told me that they cannot provide me with the majority of the 10 round magazines I commonly request for my customers and their purchases.

5. The effects of SB 281 on my business and my employees, to say nothing of my customers, is very real. My sales are down considerably, to the point that I almost certainly will have to lay some of my employees off or reduce their hours. Furthermore, the regulations of SB 281 have created confusion and tension in the firearms market. Some of my distributors will no longer sell legal firearms not restricted under the Act to my store, because they contend they cannot be sure that their products are lawful in Maryland.

6. Wink's is a local sporting goods store in a small community. Our customers rely on us to provide them with the firearms they want and are legally entitled to purchase, for hunting, shooting and self-defense.

I declare under penalty of perjury that the foregoing is true and correct..

Carol Wink  
Carol Wink

3-14-14  
Date