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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

12 **JAMES MILLER et al.,**

13 Plaintiffs,

14 v.

15 **CALIFORNIA ATTORNEY**
16 **GENERAL ROB BONTA et al.,**

17 Defendants.

Case No. 3:19-cv-01537-BEN-JLB

**DECLARATION OF JOHN D.
ECHEVERRIA RE SUBMISSION
OF SURVEYS IN RESPONSE TO
THE COURT'S ORDER ENTERED
ON DECEMBER 15, 2022**

Dept: 5A
Judge: Hon. Roger T. Benitez

Action Filed: August 15, 2019

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19 I, John D. Echeverria, declare as follows:

20 1. I am a Deputy Attorney General with the California Department of
21 Justice and serve as counsel to Defendants Rob Bonta, in his official capacity as
22 Attorney General of the State of California, and Allison Mendoza, in her official
23 capacity as Acting Director of the Bureau of Firearms ("Defendants"),¹ in the
24 above-captioned matter. Except as otherwise stated, I have personal knowledge of

25 ¹ Rob Bonta has succeeded former Attorney General Xavier Becerra as the
26 Attorney General of the State of California, and Allison Menndoza, now Acting
27 Director of the Bureau of Firearms, has succeeded former Acting Director Blake
28 Graham, who in turn succeeding former Director Luis Lopez, who succeeded
former Interim Director Brent E. Orick. Pursuant to Federal Rule of Civil
Procedure 25(d), Attorney General Bonta and Acting Director Mendoza, in their
respective official capacities, are substituted as the defendants in this case.

1 the facts set forth in this declaration, and if called upon as a witness I could testify
2 competently as to those facts.

3 2. On December 15, 2022, the Court entered an Order providing that
4 “[t]he state defendants shall create, and the plaintiffs shall meet and confer
5 regarding, a survey or spreadsheet of relevant statutes, laws, or regulations in
6 chronological order.” Dkt. 161. The Order provides:

7 The listing shall begin at the time of the adoption of the Second
8 Amendment and continue through twenty years after the Fourteenth
9 Amendment. For each cited statute/law/regulation, the survey shall
10 provide: (a) the date of enactment; (b) the enacting state, territory, or
11 locality; (c) a description of what was restricted (e.g., dirks, daggers,
12 metal knuckles, storage of gunpowder or cartridges, or use regulations);
13 (d) what it was that the law or regulation restricted; (e) what type of
14 weapon was being restricted (e.g., knife, Bowie Knife, stiletto, metal
15 knuckles, pistols, rifles); (f) if and when the law was repealed and
16 whether it was replaced; (g) whether the regulation was reviewed by a
17 court and the outcome of the courts review (with case citation).
18 Defendants may create a second survey covering a time period following
19 that of the first list. If opposing parties cannot agree on the inclusion of a
20 particular entry on the survey, the disagreement shall be indicated and
21 described on a separate list.

22 3. On January 4, 2023, undersigned counsel for Defendants emailed
23 surveys of laws that Defendants have determined are relevant to this action. On
24 January 10, 2023, George Lee, counsel for Plaintiffs in this action, emailed the
25 following response: “You may indicate to the court that due to the length of
26 defendants’ surveys, plaintiffs will reserve all objections to the form of the surveys,
27 and the relevance of the purported statutes contained therein, until the filing of their
28 responsive brief in thirty (30) days per the court’s order of Dec. 12, 2022 (ECF
161).”

29 4. In compliance with the Court’s Order, Defendants are hereby
30 submitting Defendant’s two surveys of relevant laws.

31 5. Attached hereto as **Exhibit 1** is a true and correct copy of Defendants’
32 Survey of Relevant Statutes (Pre-Founding – 1888).

33 6. Attached hereto as **Exhibit 2** is a true and correct copy of Defendants’
34 Survey of Relevant Statutes (1889 – 1930s).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 11, 2023, at San Francisco, California.