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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”),<sup>1</sup> in the  
 24 above-captioned matter. Except as otherwise stated, I have personal knowledge of

25 <sup>1</sup> 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).

