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16 IN THE UNITED STATES DISTRICT COURT  
17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18	Ivan Peña, et al.,	)	Case No. 2:09-CV-01185-KJM-CKD
19	Plaintiffs,	)	
20		)	<b><u>DECLARATION OF CROSTON</u></b>
21	v.	)	
22		)	In Support of Plaintiffs' Motion
23	Stephen Lindley,	)	For Summary Judgment
24	Defendant.	)	
25	_____	)	

26 I, Doña Croston, am competent to state, and to declare the following based on my personal  
27 knowledge:

- 28 1. I am a citizen of the United States and the State of California.
- 29 2. I am a member of the Second Amendment Foundation and a supporter of their  
30 activities.
- 31 3. I am a board member of the CalGuns Foundation, Inc. and a supporter of their  
32 activities.

1           4.       I sought to purchase a Springfield Armory XD-45 Tactical 5" Bi-Tone stainless  
2 steel/black handgun in .45 ACP, model number XD9623, and have identified a willing seller who  
3 stands ready to deliver said handgun to me.

4           5.       But, I cannot lawfully purchase and take possession of the handgun as that handgun  
5 is not on the California Handgun Roster.

6           6.       I fear arrest, prosecution, fine and incarceration if I complete this handgun purchase.  
7 Additionally, the fact that California firearms dealers cannot sell this handgun to the public greatly  
8 limits my access to this handgun, reduces price competition for it, and would cause me to expend  
9 money I would otherwise not spend in shipping the handgun from out of state and then transferring it  
10 through an in-state dealer, even were that legal.

11           7.       I would acquire new semiautomatic handguns of the kind in common use throughout  
12 the United States, for traditional lawful purposes including self-defense, but cannot do so owing to  
13 California's rostering scheme.

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

15           Executed this the 24<sup>th</sup> day of October, 2013, in San Francisco, California

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21           Doña Croston  
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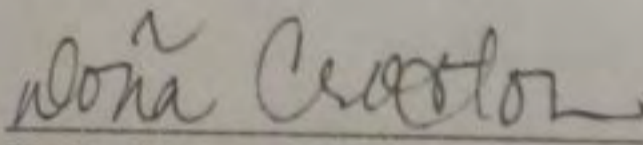
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