

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NORTHWEST SCHOOL OF SAFETY, a
Washington sole proprietorship, PUGET
SOUND SECURITY, INC., a Washington
corporation, PACIFIC NORTHWEST
ASSOCIATION OF INVESTIGATORS, INC.,
a Washington corporation, FIREARMS
ACADEMY OF SEATTLE, INC., a
Washington corporation, DARRYL LEE, XEE
DEL REAL, JOE WALDRON, GENE
HOFFMAN, ANDREW GOTTLIEB, ALAN
GOTTLIEB, GOTTLIEB FAMILY
REVOCABLE LIVING TRUST, a Washington
trust, and SECOND AMENDMENT
FOUNDATION, a non-profit organization,

Plaintiffs,

v.

BOB FERGUSON, Attorney General of
Washington (in his official capacity),
WASHINGTON ATTORNEY GENERAL'S
OFFICE, and JOHN R. BATISTE, Chief of the
Washington State Patrol (in his official
capacity), and DOES I-V,

Defendants.

Case No. 3:14-cv-06026 BHS

**DECLARATION OF STEVEN W. FOGG
IN SUPPORT OF PLAINTIFFS'
RESPONSE TO CHERYL STUMBO,
WASHINGTON ALLIANCE FOR GUN
RESPONSIBILITY, AND EVERYTOWN
FOR GUN SAFETY ACTION FUND FOR
I-594'S MOTION TO INTERVENE AS
DEFENDANTS**

DECLARATION OF STEVEN W. FOGG IN SUPPORT OF
PLAINTIFFS' RESPONSE TO MOTION TO INTERVENE - 1
Case No. 3:14-cv-6026 BHS

CORR CRONIN MICHELSON
BAUMGARDNER FOGG & MOORE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 Steven W. Fogg declares as follows:

2 1. I am an attorney at Corr Cronin Michelson Baumgardner Fogg & Moore LLP,
3 attorneys of record for Plaintiffs in the above-captioned matter. I am over eighteen years of age,
4 competent to testify and submit this declaration based upon personal knowledge in support of
5 Plaintiffs' Response to Cheryl Stumbo, Washington Alliance for Gun Responsibility, and
6 Everytown for Gun Safety Action Fund for I-594's Motion to Intervene as Defendants.

7 2. A true and correct copy of a mass email sent by the Washington Alliance for Gun
8 Responsibility on February 23, 2015 is attached as Exhibit A.

9 3. A true and correct copy of a mass email sent by the Washington Alliance for Gun
10 Responsibility on February 28, 2015 is attached as Exhibit B.

11 I declare under penalty of perjury under the laws of the state of Washington that the
12 foregoing is true and correct.

13 DATED this 9th day of March, 2015, at Seattle, Washington.

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15 /s/ Steven W. Fogg
16 Steven W. Fogg, WSBA No. 23528

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DECLARATION OF STEVEN W. FOGG IN SUPPORT OF
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Case No. 3:14-cv-6026 BHS

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CERTIFICATE OF SERVICE

The undersigned certifies as follows:

1. I am employed at Corr Cronin Michelson Baumgardner Fogg & Moore LLP, attorneys for Plaintiffs herein.

2. On March 9, 2015, I filed the foregoing document through the Court's ECF service which will send notification of filing to the following parties indicated below:

Noah G. Purcell, WSBA No. 43492

Solicitor General

noahp@atg.wa.gov

R. July Simpson, WSBA No. 45869

Assistant Attorney General

RJulyS@atg.wa.gov

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By Email & U.S. Mail

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

DATED: March 9, 2015, at Seattle, Washington.

/s/ Gina Chan

Gina Chan

DECLARATION OF STEVEN W. FOGG IN SUPPORT OF
PLAINTIFFS' RESPONSE TO MOTION TO INTERVENE - 3
Case No. 3:14-cv-6026 BHS

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EXHIBIT A

It's official, [REDACTED] -- We're in.

We have formally filed papers to intervene in the gun lobby's frivolous lawsuit against I-594 – the background check initiative that we all helped pass.

If the court grants our request, we will stand shoulder-to-shoulder with the Attorney General to defend the law. We know this law better than anyone because we've spent nearly two years making the case to the people of Washington and defending it against the gun lobby's arguments.

We're putting the gloves back on and taking on the gun lobby again.

We knew this day could come. The gun lobby is a powerful and relentless force in our politics, and they're determined to overturn Initiative 594 and crush our movement to help prevent gun violence and save lives in Washington.

We defeated them at the ballot box, and I know that we can defeat them in court – but it's up to all of us to join in the fight.

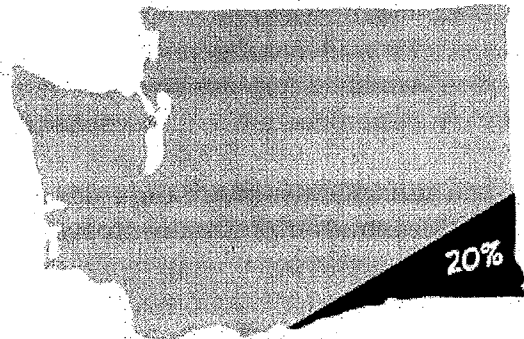
Make a donation right now. Let's build the 594 Legal Defense Fund. Join the fight!

Stay tuned. We're just getting started.

Zach

SUPPORT OUR LEGAL DEFENSE FUND

FEBRUARY GOAL: \$35,000



**STAND UP TO THE GUN LOBBY
DONATE NOW**

Paid for by Paid for by Washington Alliance for Gun Responsibility, PO Box 21712 Seattle, WA 98111.

This email was sent by **Washington Alliance for Gun Responsibility**, PO Box 21712, Seattle, WA 98111.

Email is an important way for us to keep supporters like you informed about critical issues and to build a winning grassroots campaign. If you no longer want to hear from Washington Alliance for Gun Responsibility, [click here to get off all our lists instantly](#). Questions or concerns? **Contact us here**.

EXHIBIT B

From: "Stephanie Ervin, Washington Alliance for Gun Responsibility"
<info@wagunresponsibility.org<mailto:info@wagunresponsibility.org><mailto:info@wagunresponsibility.org>>
Date: February 28, 2015 at 11:19:44 AM EST
To: [REDACTED]
Subject: So sue us. We mean it.

[<http://action.wagunresponsibility.org/page/-/Email%20Images/emaillogo.png>]<http://action.wagunresponsibility.org/page/m/737623ca/2efcbeb/6c26f43a/7119886e/1165789205/VEsH/>>

[<http://files.mandatemail.com/media/uploads/wagr/wagr.thermometer.80.jpg>]<http://action.wagunresponsibility.org/page/m/737623ca/2efcbeb/6c26f43a/71198869/1165789205/VEsE/>>Friends --

Getting sued is no fun. Most people try to avoid it. But not us. In fact, we've asked to join the people of Washington as co-defendants in the gun lobby's lawsuit attacking Initiative 594 – our new universal background checks law.

Why'd we do it? Because 594 is keeping guns out of the hands of criminals. And it's making our communities safer. We've spent the last two years fighting to pass the initiative and defending the initiative against the gun lobby's attacks.

And we know how to beat them.

Make a donation right now. Join the fight!<http://action.wagunresponsibility.org/page/m/737623ca/2efcbeb/6c26f43a/71198869/1165789205/VEsF/>>

We're asking grassroots supporters to raise \$35,000 by the end of the month – that's midnight tonight – to help us build the 594 Legal Defense Fund. This is going to be tough fight, and we need all hands on deck.

We're getting close to hitting the goal, but we're almost out of time. Chip in a donation right now, and let's show the gun lobby that we won't back down!<http://action.wagunresponsibility.org/page/m/737623ca/2efcbeb/6c26f43a/71198869/1165789205/VEsC/>>

Let's do this!

Stephanie

Paid for by Washington Alliance for Gun Responsibility, PO Box 21712 Seattle, WA 98111.

This email was sent by Washington Alliance for Gun Responsibility<http://action.wagunresponsibility.org/page/m/737623ca/2efcbeb/6c26f43a/7119886e/1165789205/VEsD/>>, PO Box 21712, Seattle, WA 98111.

Email is an important way for us to keep supporters like you informed about critical issues and to build a winning grassroots campaign. If you no longer want to hear from Washington Alliance for Gun Responsibility, get off all our lists instantly.<<http://action.wagunresponsibility.org/page/m/737623ca/2efcbeb/6c26f43a/71198868/1165789205/VEsA/p/eyJKU1ZGVFVGSIRDVWwiOiJwaGlsaXBsaI53YXRzb25AZ21haWwuY29tIn0=>>/> Questions or concerns? Contact us here<<http://action.wagunresponsibility.org/page/m/737623ca/2efcbeb/6c26f43a/7119886b/1165789205/VEsB/>>.