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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

17 **FOR THE COUNTY OF LOS ANGELES**

18 THE PEOPLE OF THE STATE OF CALIFORNIA,

19 Plaintiffs,

20 vs.

21
22 POLYMER80, INC., a Nevada Corporation;
23 DAVID BORGES, an individual; LORAN
KELLEY, an individual,

24 Defendants.
25
26
27
28

Case No. 21STCV06257

[Related to Case No. 21STCV29196]

[Assigned for all purposes to the Hon. Daniel
S. Murphy, Department 32]

**COMPENDIUM OF EVIDENCE IN
SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT OR, IN
THE ALTERNATIVE, FOR SUMMARY
ADJUDICATION**

Date: June 5, 2023

Time: 8:30 a.m.

Department: 32

Reservation ID: 428792836008

Complaint Filed: February 17, 2021

Trial Date: May 30, 2023

1 **EVIDENCE IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**
2 **OR, IN THE ALTERNATIVE, FOR SUMMARY ADJUDICATION**

3 **I. DECLARATION OF MICHAEL MARRON**

4 **EXHIBIT DOCUMENT**

- 5 **A.** Declaration of Loran Kelley
- 6 **B.** Pertinent portions of the transcript of the deposition of Loran Kelley, taken in this
7 action
- 8 **C.** Pertinent portions of the transcript of the deposition of David Borges, taken in
9 this action
- 10 **D.** Plaintiff's Complaint for Injunctive Relief, Statutory Penalties, and Abatement
11 for Violations of Bus. & Prof. Code Section 17200 and Public Nuisance, filed in
12 this action
- 13 **E.** Pertinent portions of the transcript of the deposition of Dan McCalmon, Volume
14 I, taken in this action
- 15 **F.** ATF's Determination Letter and Polymer80's Submission Letter regarding the
16 Polymer80 PF940C product
- 17 **G.** Cooperation Agreement between Polymer80 and the United States Attorney's
18 Office for the Central District of California
- 19 **H.** Plaintiff's Responses and Objections to Defendant Polymer80, Inc.'s Special
20 Interrogatories, Set One, served in this action
- 21 **I.** Letter from State Attorneys General to Hon. Merrick Garland, *Comment on*
22 *Proposed Rule entitled "Definition of 'Frame or Receiver' and Identification of*
23 *Firearms"; Docket No. ATF 2021R-05 (86 Fed. Reg. 27,720 (May, 21, 2021)*
24 *(Aug. 19, 2021)*
- 25 **J.** Press Release of Hon. Rob Bonta, *Attorney General Bonta Applauds Biden*
26 *Administration Effort to Regulate Ghost Guns (Aug. 19, 2021)*
- 27 **K.** Defendants' Supplemental Responses and Objections to Plaintiff the People of
28 the State of California's Fourth Set of Special Interrogatories to Defendants
- L.** Polymer80's announcement of "Polymer80 Product Changes in Accordance with
ATF Final Rule"

DATED: March 16, 2023

GREENSPOON MARDER LLP

By: 

MICHAEL MARRON

Attorney for Defendants Polymer80, Inc., David
Borges, and Loran Kelley

1 **PROOF OF SERVICE**

2 *The People of The State of California vs. Polymer80, Inc., David Borges, Loran Kelley*
3 Case No. 21STCV06257

4 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
5 **FOR THE COUNTY OF LOS ANGELES**

6 I am employed in the County of Jefferson, State of Alabama. I am over the age of eighteen
7 years and not a party to this action. My business address is 1819 5th Avenue N, Birmingham, AL
8 35203. On March 16, 2023, I served true and correct copies of the following document(s) described
9 as **COMPENDIUM OF EVIDENCE IN SUPPORT OF DEFENDANTS’ MOTION FOR
10 SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, FOR SUMMARY ADJUDICATION**
11 on the interested parties in this action as follows:

12 **SEE ATTACHED SERVICE LIST**

13 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an
14 agreement of the parties to accept service by e-mail or electronic transmission, I caused the
15 document(s) to be sent from e-mail address clamar@bradley.com to the persons at the e-mail addresses
16 listed in the Service List. I did not receive, within a reasonable time after the transmission, any
17 electronic message or other indication that the transmission unsuccessful.

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

20 Executed on March 16, 2023, at Birmingham, Alabama.

21 */s/ W. Chadwick Lamar, Jr.*
22 _____
23 W. Chadwick Lamar, Jr.

1 **SERVICE LIST**

2 *The People of The State of California vs. Polymer80, Inc., David Borges, Loran Kelley*
3 *Case No. 21STCV06257*

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