

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**

CITY OF PHILADELPHIA, a municipal corporation,

Plaintiff,

v.

WRT MANAGEMENT, INC. f/k/a
TANNER'S SPORT CENTER INC.,
FRANK'S GUN SHOP & SHOOTING
RANGE LLC, MAD MINUTE
ENTERPRISES, LLC d/b/a DELIA'S GUN
SHOP, and DELIA'S GUN SHOP, INC.,

Defendants.

CIVIL DIVISION

Case No. 230702394

**DECLARATION OF JAMES MILLER IN SUPPORT OF PLAINTIFF CITY OF
PHILADELPHIA'S RESPONSE IN OPPOSITION TO DEFENDANT MAD MINUTE
ENTERPRISES, LLC'S MOTION FOR SUMMARY JUDGMENT**

I, James E. Miller, being over 18 years old and competent to testify, do declare, pursuant to 18 PA CONST. STAT. § 4904, as follows:

1. I am a Deputy Director of Affirmative Litigation at Everytown Law, which is outside counsel to Plaintiff the City of Philadelphia ("City") in this action. I am an attorney in good standing licensed in the State of New York and have been admitted to appear before this Court *pro hac vice*.

2. Attached hereto as Exhibit 1 are true and correct copies of firearms transaction records produced by Delia's pertaining to a customer named Anthony Cipriano (using an alias with initials W.M.), consisting of ATF 4473 forms and Pennsylvania State Police Application/Record of Sale SP4-113 forms dated April 23, April 25, May 8, May 20, May 24, and May 26, 2021, and a sales receipt dated May 24, 2021.

3. Attached hereto as Exhibit 2 are true and correct copies of firearms transaction records produced by Delia's pertaining to a customer named Charles L. Thompson, consisting of ATF 4473 forms, Pennsylvania State Police Application/Record of Sale SP4-113 forms, dated September 7, 2019, October 19, 2019, November 30, 2019, January 28, 2020, and January 31, 2020 and sales receipts dated October 19, 2019, November 30, 2019, January 28, 2020, and January 31, 2020.

4. Attached hereto as Exhibit 3 are true and correct copies of firearms transaction records produced by Delia's pertaining to a customer named Gregg Dreghorn, consisting of ATF 4473 forms, Pennsylvania State Police Application/Record of Sale SP4-113 forms, and sales receipts from Delia's Gun Shop, dated June 13 and July 3, 2023.

5. Attached hereto as Exhibit 4 are true and correct copies of firearms transaction records produced by Delia's pertaining to a customer named Akeira Harcum consisting of ATF 4473 forms, Pennsylvania State Police Application/Record of Sale SP4-113 forms, and sales receipts from Delia's Gun Shop, dated February 24 and March 4, 2022.

6. Attached hereto as Exhibit 5 are true and correct copies of firearms transaction records produced by Delia's pertaining to a customer named Emmitt Smith consisting of ATF 4473 forms, Pennsylvania State Police Application/Record of Sale SP4-113 forms, and sales receipts from Delia's Gun Shop, dated January 19, March 30, June 9, and June 23, 2018.

7. Attached hereto as Exhibit 6 are true and correct copies of firearms transaction records produced by Delia's pertaining to a customer named Robert Otis Cooper III, consisting of ATF 4473 forms, Pennsylvania State Police Application/Record of Sale SP4-113 forms, and sales receipts from Delia's Gun Shop, dated June 22, June 29, and July 3, 2021.

8. Attached hereto as Exhibit 7 are true and correct copies of firearms transaction records produced by Delia's pertaining to a customer named Tyrone Gresham, consisting of ATF 4473 forms, Pennsylvania State Police Application/Record of Sale SP4-113 forms, and sales receipts from Delia's Gun Shop, dated December 19, 2019, February 8, 2021, and April 29, 2021.

9. Attached hereto as Exhibit 8 are true and correct copies of firearms transaction records produced by Delia's pertaining to a customer named Anthony Figueroa-Marko, consisting of ATF 4473 forms, Pennsylvania State Police Application/Record of Sale SP4-113 forms, and sales receipts from Delia's Gun Shop, dated November 6 and December 14, 2023.

10. The City has applied redactions to the firearms transaction records filed under seal as Exhibits 1 through 8 consistent with 204 Pa. Code § 213.81(7)(A).

11. Because the firearms transaction records attached as Exhibits 1 through 8 are voluminous, and to assist the Court in reviewing these records, counsel has prepared Appendix A to this declaration that transcribes and compiles information from these records into table format. Specifically, this table identifies the purchaser, transaction date, firearm make & model, firearm serial number, and the Bates numbers for the corresponding ATF Form 4473, Pennsylvania State Police Application/Record of Sale SP4-113, and sales receipt for each transaction.

12. Attached hereto as Exhibit 9 is a true and correct copy of Delia's Answer and Objections to Plaintiff's Amended First Requests for Admission, dated August 4, 2025. The City has redacted the name of third-party individual "W.M." from this document.

13. Attached hereto as Exhibit 10 is a true and correct copy of court records reflecting the convictions of Anthony Cipriano, Charles Thompson, Robert Otis Cooper III, Tyrone

Gresham, Gregg Dreghorn, Anthony Figueroa-Marko, Emmitt Smith, and Akeira Harcum, obtained from the Unified Judicial System of Pennsylvania web portal.

14. Attached hereto as Exhibit 11 is a true and correct copy of the Expert Witness Report of Andrew Traver dated November 3, 2025. The City has applied redactions to the publicly filed version of this report consistent with the Court's April 4, 2025 Amended Confidentiality Order.

15. Attached hereto as Exhibit 12 is a true and correct copy of a screenshot of the AXIS database showing the purchase history of Gregg Dreghorn, produced by Delia's in this matter as DGS000604.

16. Attached hereto as Exhibit 13 is a true and correct copy of a scan of the driver's license and Pennsylvania State ID of "W.M."

17. Attached hereto as Exhibit 14 is a true and correct copy of the photo of Anthony Cipriano after his arrest on May 29, 2021.

18. Attached hereto as Exhibit 15 is a true and correct copy of excerpts of the deposition transcript of Delia's corporate designee, Justin Evans, on April 2, 2025.

19. Attached hereto as Exhibit 16 is a true and correct copy of excerpts of the deposition transcript of Thomas Hazell on September 4, 2025.

20. Attached hereto as Exhibit 17 is a true and correct copy of excerpts of the deposition transcript of Justin Evans (in his individual capacity), on October 6, 2025.

21. Attached hereto as Exhibit 18 is a true and correct copy of excerpts of the deposition transcript of Charles Rastetter on October 9, 2025.

22. Attached hereto as Exhibit 19 is a true and correct copy of excerpts of the deposition transcript of Steve Winston on October 1, 2025.

23. Attached hereto as Exhibit 20 is a true and correct copy of excerpts of the deposition transcript of Nick Keys on May 28, 2025.

24. The City has applied redactions to the transcripts attached as Exhibits 15 through 20 consistent with the Court's April 4, 2025 Amended Confidentiality Order.

25. Attached hereto as Exhibit 21 is a true and correct copy of a compilation of correspondence between the ATF and Mad Minute Enterprises, LLC d/b/a Delia's Gun Shop dated August 30 and October 17, 2016, concerning a Notice to Revoke or Suspend License and/or Impose a Civil Fine.

26. Attached hereto as Exhibit 22 is a true and correct copy of the Expert Witness Report of Ted Miller dated November 3, 2025. The City has redacted the name of third-party individual "W.M." from the publicly filed version of this document.

27. Attached hereto as Exhibit 23 are true and correct copies of Philadelphia Police Department documents detailing the recovery, forensic testing, and additional connected crimes involving the Taurus handgun (serial no. TMU93285) Delia's sold to Charles Thompson on November 30, 2019.

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

January 16, 2026

/s/ James E. Miller
James E. Miller
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APPENDIX A

Table Summarizing Firearms Transaction Records

Straw Purchaser	Transaction Date	Firearm make/model	Firearm Serial #	ATF Form 4473 Bates #	PA Form SP4-113 Bates #	Sales Receipt Bates #
Anthony Cipriano [alias W.M.] <i>(Exhibit 1)</i>	Apr. 23, 2021	Ruger P95DC	313-11092	DGS000134-39	DGS000459	<i>none</i>
	Apr. 25, 2021	SCCY CPX1	C117446	DGS000022-27	DGS000468	<i>none</i>
	May 8, 2021	EA Girsan	T6368-21AV02816	DGS000031-36	<i>none</i>	<i>none</i>
	May 20, 2021	EA Girsan	T6368-20AV12674	DGS000037-42	DGS000044	<i>none</i>
	May 24, 2021	Glock 21 gen 4	AFMB785	DGS000094-99	DGS000423	DGS000447
	May 24, 2021	S&W M&P 15-22	LAA8460	DGS000086-91	<i>none</i>	DGS000447
	May 26, 2021	Ruger 57	643-01877	DGS000045-50	<i>none</i>	<i>none</i>
Charles Thompson <i>(Exhibit 2)</i>	Sept. 7, 2019 ¹	Taurus G2C	TMS67497	DGS000174-76	DGS000178	<i>none; transaction cancelled, no payment made</i>
	Oct. 19, 2019	Taurus G2C	TMU96480	DGS000192-94	DGS000197	DGS000681
	Nov. 30, 2019	Taurus G2C	TMU93285	DGS000187-89	DGS000190	DGS000682
	Jan. 28, 2020	Taurus G2C	TMW78892	DGS000198-200	DGS000201	DGS000683
	Jan. 28, 2020	Taurus G2C	TMW76023	DGS000198-200	DGS000202	DGS000683
	Jan. 31, 2020	Taurus G2C	AAL049440	DGS000183-85	DGS000181	DGS000685

¹ The transaction dated September 7, 2019 in which Charles Thompson attempted to purchase a Taurus G2C, Serial Number TMS67497, was cancelled. Thompson did not pay for the firearm according to the documents produced in this matter as DGS000174.

Straw Purchaser	Transaction Date	Firearm make/model	Firearm Serial #	ATF Form 4473 Bates #	PA Form SP4-113 Bates #	Sales Receipt Bates #
Gregg Dreghorn <i>(Exhibit 3)</i>	June 13, 2023	Glock 19 Gen5	CAHD366	DGS000054-60	DGS000063-64	DGS000712
	June 13, 2023	Glock 19 Gen5	CAHD367	DGS000054-60	DGS000065-66	DGS000712
	July 3, 2023	Glock 19 Gen5	CAHC433	DGS000069-75	DGS000080-81	DGS000713
	July 3, 2023	Ruger 57	643-83062	DGS000069-75	DGS000082-83	DGS000713
Akeira Harcum <i>(Exhibit 4)</i>	Feb. 24, 2022	Glock 26	AGKC359	DGS000236-41	DGS000244	DGS000673
	Feb. 24, 2022	Glock 43	AFZB488	DGS000236-41	DGS000245	DGS000673
	Mar. 4 2022	Glock 26 gen5	AGFZ796	DGS000247-52	DGS000255	DGS000670
	Mar. 4 2022	Glock 26 gen5	AGPW701	DGS000247-52	DGS000256	DGS000670
Emmitt Smith <i>(Exhibit 5)</i>	Jan. 19, 2018	FEG PMK	N2Y961	DGS000286-88	DGS000290	DGS000706
	Mar. 30, 2018	Taurus PT111 G2	TLM03419	DGS000280-82	DGS000285	DGS000707
	June 9, 2018	Taurus PT111 G2	TLP04139	DGS000274-76	DGS000279	DGS000708
	June 23, 2018	Taurus G2C	TLP19022	DGS000292-94	DGS000297	DGS000705
Robert Cooper III <i>(Exhibit 6)</i>	June 22, 2021	Glock 43X	BSSD856	DGS000385-93	DGS000315	DGS000695
	June 29, 2021	Glock G30	BSRS550	DGS000394-400	DGS000319	DGS000696
	July 3, 2021	Glock 23	BSRF672	DGS000401-07	DGS000324	DGS000697
Tyrone Gresham <i>(Exhibit 7)</i>	Dec. 19, 2019	Glock 27	BCTE962	DGS000264-66	DGS000267	DGS000709
	Feb. 8, 2021	Taurus G3C	ACA424476	DGS000258-60	DGS000261	DGS000710
	Apr. 29, 2021	Glock 24	BMTM861	DGS000270-72 <i>(partial)</i>	DSG000273	DGS000711

Straw Purchaser	Transaction Date	Firearm make/model	Firearm Serial #	ATF Form 4473 Bates #	PA Form SP4-113 Bates #	Sales Receipt Bates #
Anthony Figueroa-Marko <i>(Exhibit 8)</i>	Nov. 6, 2023	Glock 43X	AHUV037	DGS000653-59	DGS000662	DGS000668
	Nov. 6, 2023	Taurus G3C	AEH581322	DGS000653-59	DGS000663	DGS000668
	Dec. 14, 2023	Palmetto State Armory Dagger Compact	FG172034	DGS000642-48	DGS000649-50	DGS000667