

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE.

Philadelphia Bar Association
Lawyer Referral and Information Service
One Reading Center
Philadelphia, PA 19107
Telephone (215) 238-1701

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Asociacion De Licenciados De Filadelfia
Servicio De Referencia E Informacion Legal
One Reading Center
Filadelfia, Pennsylvania 19107

Case ID: 230702394
Control No.: 23123703

Telefono: (215) 238-1701

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Bucks County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

PENGLASE & BENSON

By:



John S. Benson, Esquire
Attorney I.D. No. 83550
18 North Main Street
Doylestown, PA 18901
(215) 348-4416

Attorney for Defendant WRT Management, Inc.

PENGLASE & BENSON, Inc.
John S. Benson, Esquire I.D. No. 83550
18 North Main
Doylestown, PA 18901
(215) 348-4416

Attorney for Defendant WRT Management, Inc.

CITY OF PHILADELPHIA, a municipal Corporation	:	IN THE COURT OF COMMON PLEAS
1515 Arch Street	:	PHILADELPHIA, PA
Philadelphia, PA 19102	:	
Plaintiff	:	CIVIL ACTION - LAW
	:	
v.	:	
	:	
WRT MANAGEMENT, INC. f/k/a TANNER'S SPORT CENTER, INC.	:	NO. 230702394
2560 Dark Hollow Road	:	
Jamison, PA 18929	:	
	:	
FRANK'S GUN SHOP & SHOOTING RANGE LLC	:	
4730 Blakiston Street	:	
Philadelphia, PA 19136	:	
	:	
MAD MINUTE ENTERPRISES, LLC d/b/a: DELIA'S GUN SHOP, and DELLIA'S GUN SHOP, INC.	:	
6104 Torresdale Avenue	:	
Philadelphia, PA 19135	:	

DEFENDANT WRT MANAGEMENT, INC f/k/a TANNER'S SPORT CENTER INC'S. PRELIMINARY OBJECTIONS TO PLAINTIFF'S FIRST AMENDED COMPLAINT

1. Plaintiff is a municipal corporation created under the laws of the Commonwealth of Pennsylvania.
2. Defendant WRT Management, Inc. f/k/a Tanner's Sport Center, Inc. (hereinafter "WRT") was a corporation, validly created and operated under the laws of the Commonwealth of Pennsylvania with its principal place of business at 2301 York

Road, Jamison, Bucks County Pennsylvania. Defendant WRT was in the business of buying and selling firearms to and from the general public.

3. Upon information and belief, Frank's Gun Shop & Shooting Range, LLC is a limited liability corporation, created under the laws of the Commonwealth of Pennsylvania and in the business of buying and selling firearms to the general public from their principal place of business at 4730 Blakiston Street, Philadelphia, Pennsylvania.

4. Upon information and belief, Mad Minute Enterprises, LLC d/b/a Delia's Gun Shop, Inc. is a corporation, created under the laws of the Commonwealth of Pennsylvania and in the business of buying and selling firearms to the general public from their principal place of business at 6104 Torresdale Avenue, Philadelphia, Pennsylvania.

5. There are at least 2,501 stores in the Commonwealth of Pennsylvania where the general public can buy and/or sell firearms.

6. Plaintiff's First Amended Complaint alleges that defendant WRT has "played an outsize role in supplying Philadelphia's secondary criminal gun market by repeatedly and unconscionably choosing to engage in illegal straw transactions."

7. Plaintiff's First Amended Complaint goes on for pages alleging that the City's gun violence is directly attributable to the actions of the Defendants and to no other causes.

8. Defendant WRT has lawfully purchased and/or sold thousands of guns, in accordance with the strictest of guidelines, for many years.

9. Defendant WRT is one of the largest firearms dealers in Bucks County, a neighboring county of Philadelphia.

10 Defendant WRT has cooperated extensively with law enforcement in Bucks County Pennsylvania along with the Warwick Township Police Department, the Philadelphia division of the United States Bureau of Alcohol Tobacco and Firearms and the Pennsylvania Attorney General's Office to instigate and halt "straw purchases" to unlicensed individuals.

11. Plaintiff attempts, through their First Amended Complaint, to blame the gun violence and their failure to halt the gun violence, on three gun stores.

12. Plaintiff writes prolifically, in the First Amended Complaint, about the gun violence in Philadelphia for the purpose of demonizing the defendants and to blame them for the city's inability to police its own streets.

13. Plaintiff writes "While some of the harms from Defendants' supply of firearms to the criminal market in Philadelphia are presently known, others remain unknown, because many of the firearms that Defendants illegally sold have yet to be recovered and are believed to remain in circulation. The City is certain to suffer additional harms and incur additional costs with respect to the illegal firearms that have yet to be recovered."

14. Plaintiff is attempting to blame Defendant WRT for harms that have not yet nor may ever be committed and seeks to demonize WRT, in the public's eyes for all the crime in the City, past, present, and future.

**FIRST OBJECTION
INCLUSION OF SCANDALOUS OR IMPERTINENT MATTER IN A
PLEADING UNDER RULE 1028(a)(2)**

15. Defendant hereby incorporates by reference the averments in the preceding paragraphs as though the same were fully set forth at length herein.

16. Plaintiff's complaint alleges in paragraph 1 that "Philadelphia, like many American cities, is awash with illegal guns. A tide of gun violence inevitably follows the flow of these guns into neighborhoods and communities, leaving behind the wreckage of broken lives, shattered bodies, and communities of traumatized survivors. "

17. Plaintiff's complaint alleges in paragraph 2 that "The tide of gun violence in not inevitable, it is in significant part the product of deliberate choices by certain gun dealers to engage in practices that supply the illegal and unregulated secondary market for guns."

18. Plaintiff's complaint alleges in paragraph 5 "Firearms that Defendants sold to gun traffickers and straw purchasers have been recovered in connection with crimes ranging from shooting to armed robbery, narcotics possession and distribution, and vehicle theft. PPD has recovered these guns in the possession of underage possessors, domestic abusers, unlicensed individuals, and others prohibited from owning or buying a gun."

19. Plaintiff then only alleges sales to three individuals in the body of the complaint.

20. Plaintiff's complaint alleges in paragraph 9 that "while some of the harms from Defendants' supply of firearms to the criminal market in Philadelphia are presently known, others remain unknown, because many of the firearms that Defendants illegally sold have yet to be recovered and are believed to remain in circulation. The City is certain to suffer additional harms and incur additional costs with respect to the illegal firearms that have yet to be recovered."

21. Plaintiff's complaint clearly intends demonize WRT in the mind of the future fact so that they will blame all the City's future criminal problems on WRT.

22. Plaintiff's complaint captions their fact section as "Philadelphia's Gun Violence Crisis Harms City Residents and Drives Substantial City Costs."

23. Plaintiff's complaint alleges from paragraphs 18 to 29 the facts pertaining to the City's crime problem and gun violence without a direct connection to any of the defendants or the specific straw purchases alleged.

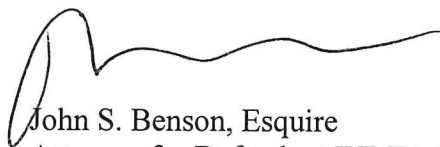
24. Plaintiff states these facts specifically to demonize WRT prior to trial.

25. Plaintiff states these general facts with the intent to corrupt a fact finder's mind into believing that but for the alleged straw purchases, there would be no crime or gun violence in the city of Philadelphia.

26. The inclusion of generalized criminal facts deprives WRT from a fair trial and fails to prove any of the facts at issue.

WHEREFORE, Defendant WRT respectfully requests this Honorable Court to dismiss the First Amended Complaint with prejudice for the intentional inclusion of scandalous and impertinent matter.

Respectfully,



John S. Benson, Esquire
Attorney for Defendant WRT Management, Inc.

known, others remain unknown, because many of the firearms that Defendants illegally sold have yet to be recovered and are believed to remain in circulation. The City is certain to suffer additional harms and incur additional costs with respect to the illegal firearms that have yet to be recovered.”

18. Plaintiff’s complaint clearly intends demonize WRT in the mind of the future fact so that they will blame all the City’s future criminal problems on WRT.

19. Plaintiff’s complaint captions their fact section as “Philadelphia’s Gun Violence Crisis Harms City Residents and Drives Substantial City Costs.”

20. Plaintiff’s complaint alleges from paragraphs 18 to 29 the facts pertaining to the City’s crime problem and gun violence without a direct connection to any of the defendants or the specific straw purchases alleged.

21. Plaintiff states these facts specifically to demonize WRT prior to trial.

22. Plaintiff states these general facts with the intent to corrupt a fact finder’s mind into believing that but for the alleged straw purchases, there would be no crime or gun violence in the city of Philadelphia.

23. The inclusion of generalized criminal facts deprives WRT from a fair trial and fails to prove any of the facts at issue.

WHEREFORE, Defendant WRT respectfully requests this Honorable Court to dismiss the First Amended Complaint with prejudice for the intentional inclusion of scandalous and impertinent matter.

Respectfully,

John S. Benson, Esquire

Attorney for Defendant WRT Management, Inc.

☐ VERIFICATION

I, Walter Tanner, III, verify that I am an Agent of WRT Management, Inc. the statements made in the forgoing document are true and correct to the best of our f/k/a Tanner’s Sport Center, Inc., that I am authorized to make this verification on behalf of the defendant WRT Management, Inc. f/k/a Tanner’s Sport Center, Inc., and that the facts in the forgoing Preliminary Objection are true and correct to the best of my knowledge or information and belief.



Walter Tanner, III

☐ PROOF OF SERVICE

I hereby certify that I served a copy of the Preliminary Objections upon the persons and in the following manner indicated below:

SERVICE BY ELECTRONIC SERVICE AS FOLLOWS:

Office of the Prothonotary
1301 Filbert Street
Philadelphia, PA 19106

SERVICE BY FIRST CLASS MAIL AS FOLLOWS:

City of Philadelphia Law Department
Renee M., Garcia, Esquire, Chair, Litigation
1515 Arch Street, 15th Floor
Philadelphia, PA 19102-1595

Everytonw Law
Eric Tirschwell, Esquire
450 Lexington Ave, PO Box 4184
New York, NY 10017

PROOF OF SERVICE

I hereby certify that I served a copy of the Preliminary Objections upon the persons and in the following manner indicated below:

SERVICE BY ELECTRONIC SERVICE AS FOLLOWS:

Office of the Prothonotary
1301 Filbert Street
Philadelphia, PA 19106

SERVICE BY FIRST CLASS MAIL AS FOLLOWS:

City of Philadelphia Law Department
Renee M., Garcia, Esquire, Chair, Litigation
1515 Arch Street, 15th Floor
Philadelphia, PA 19102-1595

Everytown Law
Eric Tirschwell, Esquire
450 Lexington Ave, PO Box 4184
New York, NY 10017

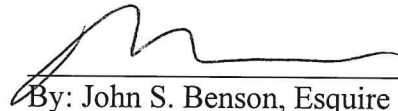
Everytown Law
Alla Lefkowitz, Esquire
PO BOX 14780
Washington, DC 20044

Kramer Levin Naftalis & Frankel, LLP
Jordan Estes, Esquire
1177 Avenue of the Americas
New York, NY 10036

Kramer Levin Naftalis & Frankel, LLP
Chloe Bootstaylor, Esquire
2000 K Street NW, 4th Floor
Washington, DC 20006

Dated: December 14, 2023

Penglase & Benson, Inc.



By: John S. Benson, Esquire
Attorney for Plaintiff
Attorney I.D. #83550
P.O. Box 327
Doylestown, PA 18901
(215) 348-4416