

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

MICHAEL CARGILL and
CTC HGC, LLC,
Plaintiffs,

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES; ATF
DIRECTOR STEVEN DETTELBACH,
in his official capacity; ATTORNEY
GENERAL MERRICK GARLAND,
in his official capacity; UNITED STATES
DEPARTMENT OF JUSTICE; and
UNITED STATES OF AMERICA,
Defendants.

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Civil Action No. _____

DECLARATION OF MICHAEL CARGILL

I, Michael Cargill, hereby declare as follows:

1. My name is Michael Cargill. I am over the age of eighteen years old, and I am fully competent to make this declaration. I have personal knowledge of the facts stated in this declaration, and all such facts are true and correct.
2. I own and operate Central Texas Gun Works in Austin, Texas.
3. I own CTC HGC, LLC and hold a federal firearms license through it.
4. I sell firearms and complete transfers. In the year before my 2018 inspection, I completed around 6500 sales and transfers. I will complete at least 8,000 sales and transfers this year and likely closer to 10,000.
5. In addition to selling and transferring firearms, I offer license to carry handguns classes, safety classes, and beginner firearm classes.

6. In conjunction with the classes I offer, students spend time at a firing range to practice using a firearm.
7. After the 2018 inspection, I received a "Report of Violations" that totaled 35 violations.
8. It listed four different types of violations: (1) failure to ensure that all of the information called for on the ATF Form 4473 as indicated by the headings and the instructions on or pertaining to the form was accurately or completely furnished (7 occurrences); (2) failure to obtain a complete or accurately executed ATF Form 4473 from the non-licensee completing the form, prior to making an over-the-counter transfer of a firearm (25 occurrences); (3) failure to attach supporting documentations in Question 18c (2 occurrences); and (4) failure to accurately or completely record on the ATF Form 4473 the date on which the licensee contacted NICS (1 occurrence).
9. None of these violations were willful, and none resulted in a prohibited possessor obtaining a firearm.
10. The ATF did not recommend revocation. The Report of Violations simply instructed me to ensure that all information on the ATF 4473 was filled out accurately and supporting documentation is attached when necessary.
11. I seek to abide by the Gun Control Act, and I teach my students the relevant federal, state, and local firearms laws so that they can be law abiding gun owners as well.

12. Since my 2018 inspection, I have instituted remedial measures in order to comply with the law, including purchasing a software system that better tracks transactions and required background checks.
13. I fear the ATF will still attempt to revoke my license even though I have made every effort to comply with the Gun Control Act.

Pursuant to 28 U.S.C. § 1746, I, Michael Cargill, declare under penalty of perjury that the foregoing is true and correct.

Executed on the 18th day of October, 2022, in Austin, Texas.



MICHAEL CARGILL