

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

JEFFREY W. HULBERT, FIREARMS *
POLICY COALITION, and FIREARMS *
POLICY FOUNDATION, *

Plaintiffs, *

v. *

CASE NO: 1:16-CV-4121

MIKE PANTELIDES, in his Official *
Capacity as Mayor of the City of *
Annapolis, MICHAEL A. PRISTOOP, *
in his Official Capacity as Chief of Police *
of Annapolis, and THE CITY OF *
OF ANNAPOLIS, *

Defendants. *

* * * * *

**DEFENDANTS’ ANSWER TO PLAINTIFFS’ COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

Defendants, Mike Pantelides, Michael A. Pristoop, and City of Annapolis, by their undersigned attorneys, Michael G. Leahy, City Attorney, and Gary M. Elson, Assistant City Attorney, respond to Plaintiffs’ Complaint for Declaratory and Injunctive Relief as follows:

PARTIES

1. Defendants are without knowledge or information to admit or deny the allegations of paragraph 1. Therefore, Defendants deny such allegations.
2. Defendants are without sufficient knowledge or information to admit or deny the allegations of paragraph 2 regarding the organization and description of Plaintiff Firearms Policy Coalition, of funds spent or research conducted by Plaintiff Firearms Policy Coalition, or the

intentions of members of Plaintiff Firearms Policy Coalition. Therefore, Defendants deny such allegations. Defendants deny the allegation that City Code 11.44.070 is unconstitutional.

3. Defendants are without sufficient knowledge or information to admit or deny the allegations of paragraph 3 regarding the organization and description of Plaintiff Firearms Policy Foundation, of funds spent or research conducted by Plaintiff Firearms Policy Foundation, or the intentions of members of Plaintiff Firearms Policy Foundation. Therefore, Defendants deny such allegations. Defendants deny the allegation that Annapolis City Code 11.44.070 is unconstitutional.

4. Defendants admit that Defendant Mike Pantelides is Mayor of the City of Annapolis and that he has been sued in his official capacity and the address of service of process. Defendants admit that his powers are governed by Annapolis City Charter, Article V, Section 1 and 2, and Chapter 2.12 of the Annapolis City Code.

5. Defendants admit that Defendant Michael A. Pristoop is Chief of Police of Annapolis and that he has been sued in his official capacity and the address of service of process. Defendants admit that his powers are governed by Annapolis City Charter, Article VI, Section 8, and Chapter 2.36 of the Annapolis City Code.

6. Defendants admit that the City of Annapolis is governed by its Charter and Code and the address of service of process.

7. Defendants admit the allegations of paragraph 7.

8. Defendants admit the allegations of paragraph 8.

9. Defendants admit the allegations of paragraph 9.

10. Defendants admit the allegations of paragraph 10 and state further that the Second Amendment does not guarantee that all types of arms may be kept and carried for self defense and defense of others in the event of a violent confrontation.

11. Defendants admit that the references cited by Plaintiffs in paragraph 11 are as stated.

12. Defendants admit that the references cited by Plaintiffs in paragraph 12 are as stated.

13. Defendants admit that the references cited by Plaintiffs in paragraph 13 are as stated.

14. Defendants admit that the references cited by Plaintiffs in paragraph 14 are as stated.

15. Defendants admit that the references cited by Plaintiffs in paragraph 15 are as stated.

16. Defendants are without knowledge or information to admit or deny the allegations of paragraph 16. Therefore, Defendants deny such allegations.

17. Defendants are without knowledge or information to admit or deny the allegations of paragraph 17. Therefore, Defendants deny such allegations.

18. Defendants are without knowledge or information to admit or deny the allegations of paragraph 18. Therefore, Defendants deny such allegations.

19. Defendants are without knowledge or information to admit or deny the allegations of paragraph 19. Therefore, Defendants deny such allegations.

20. Defendants are without knowledge or information to admit or deny the allegations of paragraph 20. Therefore, Defendants deny such allegations.

21. Defendants admit the allegations of paragraph 21.

22. Defendants are without knowledge or information to admit or deny the allegations of paragraph 22. Therefore, Defendants deny such allegations.

23. Defendants are without knowledge or information to admit or deny the allegations of paragraph 23. Therefore, Defendants deny such allegations.

24. Defendants are without knowledge or information to admit or deny the allegations of paragraph 24. Therefore, Defendants deny such allegations.

25. Defendants are without knowledge or information to admit or deny the allegations of paragraph 25. Therefore, Defendants deny such allegations.

26. Defendants are without knowledge or information to admit or deny the allegations of paragraph 26. Therefore, Defendants deny such allegations.

27. Defendants are without knowledge or information to admit or deny the allegations of paragraph 27. Therefore, Defendants deny such allegations.

28. Defendants are without knowledge or information to admit or deny the allegations of paragraph 28. Therefore, Defendants deny such allegations.

29. Defendants are without knowledge or information to admit or deny the allegations of paragraph 29. Therefore, Defendants deny such allegations.

30. Defendants are without knowledge or information to admit or deny the allegations of paragraph 30. Therefore, Defendants deny such allegations.

31. Defendants are without knowledge or information to admit or deny the allegations of paragraph 31. Therefore, Defendants deny such allegations.

32. Defendants are without knowledge or information to admit or deny the allegations of paragraph 32. Therefore, Defendants deny such allegations.

33. Defendants are without knowledge or information to admit or deny the allegations of paragraph 33. Therefore, Defendants deny such allegations.

34. Defendants are without knowledge or information to admit or deny the allegations of paragraph 34. Therefore, Defendants deny such allegations.

35. Defendants are without knowledge or information to admit or deny the allegations of paragraph 35. Therefore, Defendants deny such allegations.

36. Defendants are without knowledge or information to admit or deny the allegations of paragraph 36. Therefore, Defendants deny such allegations.

37. Defendants are without knowledge or information to admit or deny the allegations of paragraph 37. Therefore, Defendants deny such allegations.

38. Defendants admit the allegations of paragraph 38.

39. Defendants admit the allegations of paragraph 39.

40. Defendants are without knowledge or information to admit or deny the allegations of paragraph 40. Therefore, Defendants deny such allegations.

41. Defendants are without knowledge or information to admit or deny the allegations of paragraph 41. Therefore, Defendants deny such allegations.

42. Defendants are without knowledge or information to admit or deny the allegations of paragraph 42. Therefore, Defendants deny such allegations.

43. Defendants are without knowledge or information to admit or deny the allegations of paragraph 43. Therefore, Defendants deny such allegations.

44. Defendants are without knowledge or information to admit or deny the allegations of paragraph 44. Therefore, Defendants deny such allegations.

45. Defendants are without knowledge or information to admit or deny the allegations of paragraph 45. Therefore, Defendants deny such allegations.

46. Defendants are without knowledge or information to admit or deny the allegations of paragraph 46. Therefore, Defendants deny such allegations.

47. Defendants are without knowledge or information to admit or deny the allegations of paragraph 47. Therefore, Defendants deny such allegations.

48. Defendants are without knowledge or information to admit or deny the allegations of paragraph 48. Therefore, Defendants deny such allegations.

49. Defendants are without knowledge or information to admit or deny the allegations of paragraph 49. Therefore, Defendants deny such allegations.

50. Defendants are without knowledge or information to admit or deny the allegations of paragraph 50. Therefore, Defendants deny such allegations.

51. Defendants are without knowledge or information to admit or deny the allegations of paragraph 51. Therefore, Defendants deny such allegations.

52. Defendants are without knowledge or information to admit or deny the allegations of paragraph 52. Therefore, Defendants deny such allegations.

53. Defendants are without knowledge or information to admit or deny the allegations of paragraph 53. Therefore, Defendants deny such allegations.

54. Defendants are without knowledge or information to admit or deny the allegations of paragraph 54. Therefore, Defendants deny such allegations.

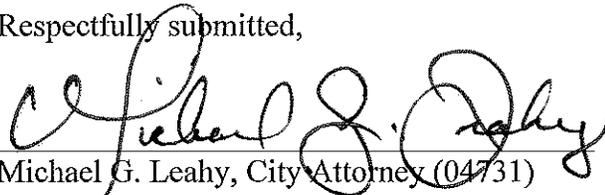
55. For the reasons stated in this Answer, Defendants admit the Taser prohibition alleged in paragraph 55 but deny the allegation of a violation of Plaintiffs' Second Amendment rights.

56. For the reasons stated in this Answer, Defendants deny the allegation of violations of Plaintiffs' Second Amendment rights and rights under 42 USC 1983 and that Plaintiffs are entitled to any relief

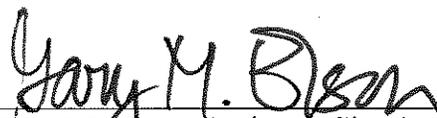
Wherefore, Defendants respectfully request the Court to dismiss Defendants' Answer to Plaintiffs' Complaint for Declaratory and Injunctive Relief with prejudice, assess Plaintiffs' with

Defendants' reasonable attorney fees, assess Plaintiffs with costs of this proceeding, and grant Defendants such other relief as this cause requires.

Respectfully submitted,



Michael G. Leahy, City Attorney (04731)
City of Annapolis Office of Law
160 Duke of Gloucester Street
Annapolis, Maryland 21401
(410) 263-7954, (410) 268-3916 Fax
mgleahy@annapolis.gov
Attorney for Defendants



Gary M. Elson, Assistant City Attorney (04843)
City of Annapolis Office of Law
160 Duke of Gloucester Street
Annapolis, Maryland 21401
(410) 263-7954, (410) 268-3916 Fax
gmelson@annapolis.gov
Attorney for Defendants

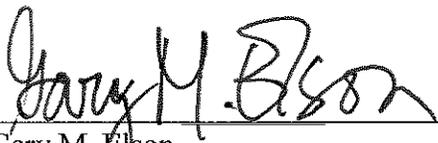
CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of January, 2017, the foregoing Defendants' Answer to Plaintiffs' Complaint for Declaratory and Injunctive Relief was served electronically via e-filing through the CM/ECF system to:

Leslie William Gawlik
Law Offices of Leslie W. Gawlik, LLC
100 North Charles Street
Suite 1700
Baltimore, MD 21201
(443) 650-0080
les.gawlik@lwg-law.com

Stephen D. Stamboulieh
Stamboulieh Law, PLLC
P.O. Box 4008
Madison, MS 39130
(601) 852-3440
stephen@sdslaw.com

Alan Alexander Beck
Law Office of Alan Beck
4780 Governor Drive
San Diego, CA 92122
(619) 905-9105
alan.alexander.beck@gmail.com



Gary M. Elson