

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHELLY PARKER, et al.,)	Case No. 03-CV-0213-EGS
)	
Plaintiffs,)	DECLARATION OF
)	ROBERT A. LEVY
v.)	
)	
DISTRICT OF COLUMBIA, et al.,)	
)	
Defendants.)	
_____)	

DECLARATION OF ROBERT A. LEVY

I, Robert A. Levy, am competent to state, and if called upon would testify to the following based on my personal knowledge:

1. I am counsel for plaintiffs in the above-captioned matter.
2. On the afternoon of Friday, April 4, 2003, I received email from Stephen Halbrook containing the complaint and motion to consolidate in Seegars v. Ashcroft, 03-0834-RBW, stating that the case was sponsored by the National Rifle Association and that the attached pleadings were being filed that day. Halbrook never sought to meet and confer with me or any of my co-counsel prior to filing the motion to consolidate or the Seegars action.
3. On October 23, 2002, I had retained Halbrook to conduct legal research into various substantive and strategic matters relating to the case that would become Parker. Halbrook completed his research on November 1, 2002, and was fully compensated for his efforts on November 11, 2002.
4. Halbrook (and others within the NRA) were kept apprised of developments in Parker, and were decidedly unenthusiastic about the litigation. Significant differences exist

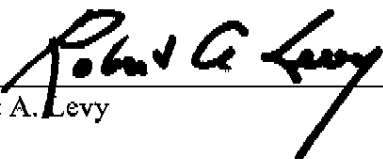
between Parker and NRA counsel as to how, and whether, to proceed with a challenge to the D.C. gun bans.

5. On April 8, 2003, I asked Halbrook to recuse himself from Seegars. Halbrook requested a meeting to discuss the matter. On April 10, Halbrook, Alan Gura, and I met to discuss the situation.

6. During the meeting, it became obvious that the two sides had numerous substantive differences about how to approach this litigation. For his part, Halbrook seemed unconcerned with delaying relief in Parker. Asked bluntly what benefit he saw to consolidation, Halbrook explained that the NRA wants him, in particular, to argue this case, and Halbrook and NRA believe that he is a better attorney, or better for our case, than we are. Halbrook added that filing Seegars and seeking consolidation was a means to assure him argument at the Court of Appeals. Halbrook further stated that he and the NRA would not be satisfied with merely submitting an *amicus curiae* brief. According to Halbrook, the Circuit Court might ignore his *amicus* brief, but it would be forced to listen to him at argument if the cases were consolidated. We requested, at a minimum, Halbrook and his associate Gardiner recuse themselves or withdraw the motion to consolidate, thereby minimizing their adversity to Parker. Halbrook requested more time to consider the matter, but has since rejected our request.

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

Executed this the 1st day of May, 2003



Robert A. Levy