

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALEXANDER HAYWARD,
GUN OWNERS OF AMERICA, INC., and
GUN OWNERS FOUNDATION,

Plaintiffs,

v.

TODD BLANCHE, in his Official
Capacity as Attorney General of the
United States, LT. COL. GEORGE L. BIVENS,
in his Official Capacity as Acting Commissioner
of the Pennsylvania State Police, and the
FEDERAL BUREAU OF INVESTIGATION,

Defendants.

Civil Action No. _____

DECLARATION OF ERICH M. PRATT

1. My name is Erich M. Pratt. I am a U.S. citizen and resident of Virginia. I make this declaration in support of Plaintiffs' Complaint for Declaratory and Injunctive Relief. Unless otherwise stated, I make this declaration based on personal knowledge. If called as a witness, I can testify to the truth of the statements contained herein.

2. I am the Senior Vice President of Gun Owners of America, Inc. ("GOA") and the Senior Vice President of Gun Owners Foundation ("GOF"). I also personally contribute funds to GOF to further its mission.

3. In these capacities, I oversee staff that is in daily contact with members and supporters regarding their concerns, questions, requests, and suggestions on how GOA and GOF can best represent their interests.

4. Gun Owners of America, Inc. is a California non-stock corporation with its principal place of business in Springfield, Virginia. GOA is organized and operated as a nonprofit membership organization that is exempt from federal income taxes under Section 501(c)(4) of the U.S. Internal Revenue Code. GOA was formed in 1976 to preserve and defend the Second Amendment rights of gun owners. GOA has more than two million members and supporters across the country, including within this district. Many of GOA's members and supporters are law-abiding Americans who are legal adults under the age of 21. These members and supporters wish to be able to purchase firearms from federally licensed dealers, free from the indefinite age-based delays imposed by 18 U.S.C. § 922(t)(1)(C) and 34 U.S.C. § 40901(*l*) (the "Challenged Provisions"). Consequently, GOA members and supporters have been, are being, and will continue to be irreparably harmed by the Challenged Provisions' infringement of their Second Amendment rights.

5. Gun Owners Foundation is a Virginia non-stock corporation with its principal place of business in Springfield, Virginia. GOF was formed in 1983 and is organized and operated as a nonprofit legal defense and educational foundation that is exempt from federal income taxes under Section 501(c)(3) of the U.S. Internal Revenue Code. Although not a "traditional" membership organization, GOF possesses "indicia of membership" under *Hunt v. Wash. State Apple Advert. Comm'n*, 432 U.S. 333 (1977), for purposes of representing its supporters' interests in litigation. *See, e.g., Texas v. BATFE*, 737 F. Supp. 3d 426, 438 (N.D. Tex. 2024); *Silencer Shop Found. v. BATFE*, 2026 U.S. Dist. LEXIS 174125, at *23 (N.D. Tex. Aug. 5, 2026). GOF is financially supported by gun owners across the country, including myself and another of GOF's board members, as well as by contributions received from individuals through the Combined Federal Campaign. GOF supporters receive updates about GOF's activities and fund the organization's

activities so that it can, *inter alia*, file litigation such as this to preserve, protect, and defend their right to keep and bear arms. GOF brings this action on behalf of its supporters, many of whom are legal adults under the age of 21 who wish to be able to purchase firearms from federally licensed dealers, free from the indefinite age-based delays imposed by the Challenged Provisions. Consequently, GOF supporters have been, are being, and will continue to be irreparably harmed by the Challenged Provisions' infringement of their Second Amendment rights.

6. GOF funds its litigation efforts, in part, by way of individual contributions, along with contributions received from individuals through the Combined Federal Campaign. GOF's supporters provide the funds directly used to support GOF's litigation efforts, which efforts would be impossible without contributions from our supporters. Our supporters contribute to GOF specifically so that we can bring litigation like this. As part of keeping its supporters up to date on this and other litigation, and various other Second Amendment topics, GOF provides its supporters with a newsletter that provides updates directly to them, keeping them advised of what GOF is doing.

7. Prior to the filing of this case, GOA and GOF have heard from numerous of their members and supporters nationwide, including young adults under the age of 21, about how these persons are being and will continue to be irreparably harmed by the Challenged Provisions.

8. Indeed, the Challenged Provisions' delays are not unique to the individual Plaintiff in this case, or to Pennsylvania. Rather, GOA and GOF's members and supporters have been affected nationwide. For instance, by operation of the Challenged Provisions, GOA member Ethan McRorey experienced a delay of 10 days in 2023 before he could receive a firearm he had purchased in Texas. Likewise in 2023, Kaylee Flores, another GOA member in Texas, was forced to wait 15 days before her licensed dealer had the statutory option of transferring a firearm to her.

See Plaintiffs' Reply at 1, *McRorey v. Garland*, No. 7:23-cv-00047-O (N.D. Tex. May 26, 2023), ECF No. 20.¹ In Indiana, GOA member Hayden Haines was delayed 18 days in acquiring a firearm, also by virtue of his age. *See* Complaint for Declaratory and Injunctive Relief ¶6, *McRorey v. Garland*, No. 7:23-cv-00047-O (N.D. Tex. May 12, 2023), ECF No. 1.² And in Pennsylvania, GOA and GOF have heard from members and supporters under the age of 21 who continue to experience background check-related delays, as recently as this month, and within this district.

9. GOA and GOF's members and supporters desire and overwhelmingly support our involvement in litigation to protect their right to acquire firearms, a right that is being unconstitutionally infringed by the Challenged Provisions' background check-related waiting periods for young-adult purchasers.

10. Protection of the rights and interests advanced in this litigation is germane to GOA and GOF's respective missions, which include the effort to preserve and protect the Second Amendment and the rights of Americans to keep and bear arms. GOA and GOF routinely litigate cases throughout the country on behalf of their members and supporters, and GOA and GOF are capable of fully and faithfully representing the interests of their members and supporters without participation by each.

¹ <https://storage.courtlistener.com/recap/gov.uscourts.txnd.376789/gov.uscourts.txnd.376789.20.0.pdf>.

² <https://storage.courtlistener.com/recap/gov.uscourts.txnd.376789/gov.uscourts.txnd.376789.1.0.pdf>.

I, Erich M. Pratt, declare under penalty of perjury that the foregoing is true and correct.

10/09/2026

Date

A handwritten signature in black ink that reads "Erich Pratt". The signature is written in a cursive style with a large, stylized "E" and "P".

Erich M. Pratt