

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF LANCASTER

**JOHN CRUMP,
GUN OWNERS OF AMERICA, INC.,
GUN OWNERS FOUNDATION,
VIRGINIA CITIZENS DEFENSE LEAGUE, and
VIRGINIA CITIZENS DEFENSE FOUNDATION,**

Plaintiffs,

v.

Case No. _____

**COLONEL JEFFREY S. KATZ,
In His Official Capacity as
Superintendent of the Virginia State Police
7700 Midlothian Turnpike
North Chesterfield, VA 23235,**

Defendant.

AFFIDAVIT OF PHILIP VAN CLEAVE

This day personally appeared before me, a Notary Public in and for the Commonwealth and County aforesaid, the undersigned, after proof of identification, Philip Van Cleave, who being first duly sworn, gave oath to the best of the affiant's belief, knowledge, and intentions as follows:

1. I, Philip Van Cleave, am a United States citizen and resident of Virginia.
2. I make this affidavit in support of Plaintiffs' Complaint for Declaratory and Injunctive Relief. I have personal knowledge of the facts stated herein, and if called as a witness, I could competently testify thereto.
3. I am the President of Virginia Citizens Defense League ("VCDL") and the President of Virginia Citizens Defense Foundation ("VCDF"), and I am authorized to testify on behalf of VCDL and VCDF for matters set forth in this affidavit.

4. VCDL is a Virginia non-stock corporation with its principal place of business in Newington, Virginia.
5. VCDL was formed in 1998 and is organized and operated as a nonprofit civic league that is exempt from federal income taxes under Section 501(c)(4) of the U.S. Internal Revenue Code.
6. VCDL has tens of thousands of members and supporters across Virginia, including some within this jurisdiction, and operates as a nonprofit, nonpartisan, grassroots organization dedicated to advancing the enumerated right to keep and bear arms as guaranteed by Article I, Section 13 of the Constitution of the Commonwealth of Virginia.
7. VCDF is a Virginia non-stock corporation with its principal place of business in Newington, VA.
8. VCDF was formed in 2024 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.
9. VCDF is supported by gun owners across the country, including Virginia residents. Donations by supporters of VCDF fund the organization's activities, including litigation such as this to defend their right to keep and bear arms.
10. VCDF funds its litigation efforts, in part, by way of individual contributions. VCDF's supporters provide the funds directly used to support VCDF's litigation efforts, which efforts would be impossible without contributions from VCDF's supporters. VCDF's supporters contribute to VCDF specifically so that it can bring

litigation like this, and VCDF regularly provides updates to them regarding its activities, as well as various Second Amendment-related topics.

11. In my leadership capacity, I am in regular contact with VCDL and VCDF members and supporters regarding their concerns, questions, requests, and suggestions on how VCDL and VCDF can best represent their interests.
12. Ever since Va. Code §§ 18.2-287.4:1, 18.2-308.09(1), 18.2-308.1:9, 18.2-308.2:1, 18.2-308.2:2(A), 18.2-308.2:3, 18.2-308.2:2(F)(4)(1)-(7), 18.2-308.2:5(E), 18.2-287.4, 18.2-309.1, and 19.2-386.28 (the “Challenged Statutes”) were enacted or otherwise amended via SB749 and SB727, a material concern of a significant number of VCDL and VCDF’s members and supporters has been that the Challenged Statutes prohibit the importation, sale, manufacture, purchase, barter, transfer, and public carry of pejoratively named “assault firearms” and “large capacity ammunition feeding devices” after July 1, 2026.
13. These VCDL and VCDF members and supporters currently own and carry firearms and magazines that now will be restricted under the Challenged Statutes.
14. Likewise, these VCDL and VCDF members and supporters overwhelmingly wish to continue to be able to import, sell, manufacture, purchase, acquire, transfer, and publicly carry “assault firearms” and “large capacity ammunition feeding devices” following the Challenged Statutes’ effective date, and they would do so but for Defendant’s threat of criminal enforcement against them.
15. Indeed, being ordinary citizens, the vast majority of these VCDL and VCDF members and supporters do not qualify under any of the exceptions to the

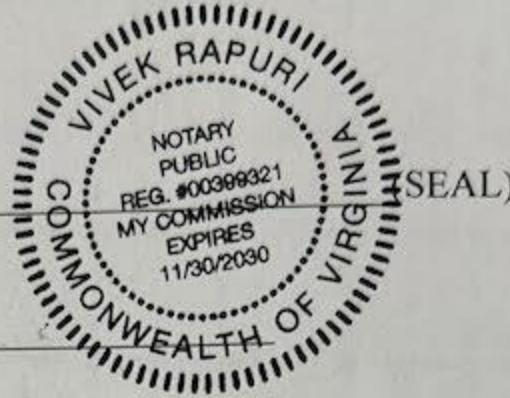
Challenged Statutes' general prohibitions on "assault firearms" and "large capacity ammunition feeding devices."

16. For example, VCDL member, VCDF supporter, and Virginia resident John Crump wishes to engage in conduct now proscribed by the Challenged Statutes. Mr. Crump wishes to purchase a number of semi-automatic center-fire rifles, pistols, and shotguns, as well as standard-capacity magazines for these firearms with capacities in excess of the 15-round legal limit, following the Challenged Statutes' effective date.
17. VCDL and VCDF have heard from other of their members and supporters who wish to engage in the same and similar activities as Mr. Crump, including the import, sale, manufacture, purchase, acquisition, transfer, and public carry of "assault firearms" and "large capacity ammunition feeding devices."
18. VCDL and VCDF's members and supporters desire and overwhelmingly support VCDL and VCDF's involvement in litigation to protect their right to import, sell, manufacture, purchase, acquire, transfer, and publicly carry "assault firearms" and "large capacity ammunition feeding devices."
19. Protection of the rights and interests advanced in this litigation is germane to VCDL and VCDF's mission, which includes protecting Article I, Section 13 of the Virginia Constitution and the rights of Virginians and VCDL and VCDF members and supporters to keep and bear "assault firearms" and "large capacity ammunition feeding devices." VCDL and VCDF routinely litigate cases within Virginia and throughout the country on behalf of their members and supporters, and are capable

of fully and faithfully representing the interests of their members and supporters without individual participation by each.

20. Separately, VCDL also suffers direct, organizational harm under the Challenged Statutes. As an organization, VCDL has conducted and wishes to continue to conduct fundraising raffles and drawings involving firearms, often including firearms now labeled “assault firearms,” the proceeds of which fund the organization’s activities. Likewise, at membership events and meetings, VCDL often conducts giveaways of magazines now classified as “large capacity ammunition feeding devices,” drawing interest from prospective members. Similarly, VCDL conducts and hosts “range days” and training events where staff, members, supporters, and the public can view, experience, learn about, and use firearms and magazines prohibited by the Challenged Statutes. For each of these reasons, the Challenged Statutes harm VCDL directly, causing VCDL to suffer losses of membership revenue, along with the inability to conduct its activities and further its mission.
21. VCDL, VCDF, Mr. Crump, and other members and supporters of VCDL and VCDF all wish to sell, manufacture, purchase, acquire, transfer, and publicly carry “assault firearms” and “large capacity ammunition feeding devices,” after July 1, 2026, free from criminal liability under the Challenged Statutes.
22. I certify under penalty of perjury that the foregoing is true and correct.

Philip Van Cleave
Philip Van Cleave



COMMONWEALTH OR STATE OF Virginia
CITY/COUNTY OF Chesterfield, to wit:

I, Vivek Rapuri, a Notary Public in and for the State and County aforesaid, do hereby certify that Philip Van Cleave, whose name is signed to the foregoing Affidavit this 15th day of May, 2026, has this day personally appeared and acknowledged the same before me after sufficient proof of identity.

Given under my hand this 15th day of May, 2026.

[Signature]
Notary Public

My commission expires: 11/30/2030

Registration #: 00399321