

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHRISTOPHER M. FLETCHER :
187 Pearl Street :
Cambridge, MA 02139, :

Civil Action No. 11-CV-10644-DPW

EOIN M. PRYAL :
200 Hudson Street :
Apartment 21 :
Northborough, MA 01532 :

SECOND AMENDMENT :
FOUNDATION, INC. :
12500 NE 10th Place :
Bellevue, WA 98005 :

COMMONWEALTH SECOND :
AMENDMENT, INC. :
22 River Street :
Braintree, MA 02184 :

Plaintiffs

v.

ROBERT C. HAAS :
in his official capacity as :
Cambridge Commissioner of Police :
125 Sixth Street :
Cambridge, MA 02142 :

MARK K. LEAHY :
in his official capacity as :
Northboro Chief of Police :
211 Main Street :
Northborough, MA 01532 :

JASON A. GUIDA, ESQ. :
in his official capacity as :
Director of the Firearms Records Bureau :
200 Arlington Street :
Suite 2200 :
Chelsea, MA 02150 :

Defendants.

PLAINTIFFS LOCAL RULE
56.1 STATEMENT OF
MATERIAL FACTS AS TO
WHICH THERE IS NO
GENUINE ISSUE TO BE
TRIED

No.	Material Fact	Support
1	Christopher M. Fletcher (“Dr. Fletcher”) and Eoin M. Pryal (“Mr. Pryal”) are resident aliens lawfully admitted into the United States for permanent residence.	Verified Complaint (doc no. 1), ¶¶ 2-3.
2	Mr. Pryal is a resident of Northborough, Massachusetts.	Id.
3	Dr. Fletcher is a resident of Cambridge, Massachusetts.	Id.
4	Second Amendment Foundation, Inc (“SAF”) is a non-profit membership organization incorporated under the laws of Washington with its principal place of business in Bellevue, Washington.	Verified Complaint (doc no. 1), ¶ 4.
5	The purposes of SAF include education, research, publishing and legal action focusing on the Constitutional right privately to own and possess firearms.	Id.
6	SAF brings this action on behalf of itself and its membership, including lawfully admitted aliens residing in the Commonwealth.	Id.
7	Commonwealth Second Amendment, Inc. (“C2A”) is an organization incorporated under the laws of Massachusetts with its principal place of business in Braintree, Massachusetts.	Verified Complaint (doc no. 1), ¶ 5.
8	C2A is currently seeking a determination of 26 U.S.C. § 501(c)(3) non-profit status from the Internal Revenue Service.	Id.
9	The purposes of C2A include education, research, publishing and legal action focusing on the Constitutional right privately to own and possess firearms.	Id.
10	C2A brings this action on behalf of itself and its supporters, which include many lawfully admitted aliens residing in the Commonwealth.	Id.
11	Defendant Robert C. Haas, Cambridge Commissioner of Police, is the authority charged with issuing Massachusetts Firearm Identification Cards and Licenses to Carry to residents residing in Cambridge, Massachusetts.	Verified Complaint (doc no. 1), ¶ 6.
12	Defendant Mark K. Leahy, Northborough Chief of Police, is the authority charged with issuing Massachusetts Firearm Identification Cards and Licenses to Carry to residents residing in Northborough, Massachusetts.	Verified Complaint (doc no. 1), ¶ 7.
13	Defendant Jason A. Guida, Esq., Director of the Firearms Records Bureau, is the authority charged with issuing Massachusetts Resident Alien Permits to lawfully admitted aliens residing in the Commonwealth.	Verified Complaint (doc no. 1), ¶ 8.
14	On or about December 21, 2010, Dr. Fletcher visited the Cambridge Police Department to complete a License to Carry application with all required documents and fees.	Verified Complaint (doc no. 1), ¶ 32.
15	Dr. Fletcher applied for a License to Carry to obtain the ability to possess firearms, namely a handgun, in his home for immediate self-defense.	Verified Complaint (doc no. 1), ¶ 33.
16	The Cambridge Police Department would not process Dr. Fletcher’s application as Dr. Fletcher is an alien.	Verified Complaint (doc no. 1), ¶ 35-37.

17	On or about January 5, 2011, Mr. Pryal delivered a complete License to Carry application, including payment of the required fee, letters of reference, and his Basic Firearms Safety Certificate, to the Northborough Police Department.	Verified Complaint (doc no. 1), ¶ 45.
18	Mr. Pryal applied for a License to Carry to obtain the ability to possess firearms, namely a handgun, in his home for immediate self-defense.	Verified Complaint (doc no. 1), ¶ 46.
19	The Northborough Police Department would not process Mr. Pryal's application as Mr. Pryal is an alien.	Verified Complaint (doc no. 1), ¶ 48-49.

Respectfully submitted,
Christopher M. Fletcher, Eoin M. Pryal, Second
Amendment Foundation, Inc., and Commonwealth
Second Amendment, Inc.

By their attorney,

/s/ Joseph M. Hickson III

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Dated: July 7, 2011

CERTIFICATE OF SERVICE

I, Joseph M. Hickson III, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent to those indicated as non-registered participants on July 7, 2011.

Dated: July 7, 2011

/s/ Joseph M. Hickson III

Joseph M. Hickson III