

**SUPPLEMENTAL AFFIDAVIT OF STEPHEN J. BARBORINI**

I, Stephen J. Barborini, hereby declare:

1. I have reviewed the Affidavit of Stephen J. Lindley. In light of the assertions contained in that Affidavit, I offer the following as a supplement to my previous Affidavit. I have personal knowledge of the facts set forth in this Supplemental Affidavit, unless the facts are set forth as information and belief, in which case I believe them to be true. I offer this Supplemental Affidavit in my personal capacity. Any views expressed herein are mine alone, and do not necessarily reflect the views of my past or current employers.

2. There is a fundamental distinction between a modification of a firearm itself, and a modification of an ammunition feeding device. Devices like magazine extenders and SKS kits do not alter the fundamental characteristics of the firearm, such as the firing mechanism. Magazine extenders change only the tubular magazine of a shotgun. SKS kits change only the magazine that comes standard with that rifle. These devices are not heavily regulated and can be purchased through the mail. Magazine extenders and SKS kits can generally be equipped in less than five minutes with ordinary household tools or no tools at all.

3. There are hundreds of different models of semi-automatic rifles currently in circulation. Thus, the four additional examples of semi-automatic rifles identified by Mr. Lindley do not alter my expert opinion that the proposed amendment would be a virtual ban on semi-automatic rifles. I also offer the following observations about two of these rifles. Mr. Lindley identified the Marlin Model 60. Marlin Model 60s are sold with 14-round fixed magazines. Marlin may have previously sold a special version with a capacity of ten rounds or less. But the vast majority of Marlin Model 60s in circulation are capable of holding more than ten rounds and Marlin's current catalogue does not offer Model 60s with less than 14 rounds. Mr. Lindley also identified the Ruger Model 44

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carbine. Ruger ceased producing this firearm in 1985.

4. Any attempt to alter existing semi-automatic long guns to make them incapable of holding more than ten rounds of ammunition is likely to be unsuccessful or prohibitively expensive. Magazine blocking devices can be removed. Thus, a firearm with a magazine blocking device is still capable of holding more than ten rounds. For firearms with detachable magazines, Mr. Lindley proposes attaching a detachable magazine with a capacity of ten rounds or less using an adhesive agent, a bolt or screw, or welding. Adhesive agents and bolts and screws can be removed. Thus, a firearm with a smaller magazine attached with these methods is still capable of holding more than ten rounds. The only way to effectively attach such a magazine is via welding. This is likely to be burdensome and expensive.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information, and belief.

  
STEPHEN J. BARBORINI

  
DATE