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10 SUPERIOR COURT OF CALIFORNIA  
11 COUNTY OF SACRAMENTO

12 **THE PEOPLE OF THE STATE OF CALIFORNIA,**

13 Plaintiff,

14 v.

15 **WAL-MART STORES, Incorporated, a Delaware**  
16 **Corporation,**

17 Defendant.

**CASE NO.:**

**COMPLAINT FOR  
INJUNCTION, CIVIL  
PENALTIES, AND OTHER  
EQUITABLE RELIEF**

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15 v.  
16 **WAL-MART STORES, Incorporated, a Delaware**  
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20 Plaintiff, the People of the State of California, by and through Bill Lockyer, Attorney  
21 General of the State of California, and Jan Scully, Sacramento County District Attorney, alleges on  
22 information and belief as follows:

23 **DEFENDANT**

24 1. Defendant Wal-Mart Stores, Inc., is a Delaware corporation which owns and  
25 operates retail stores in Sacramento County and elsewhere in the State of California and sells  
26 firearms at many of these retail stores in Sacramento County and elsewhere in California.

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1 Record of Sale background check must be performed anew after a thirty (30) day period; notice  
2 regarding the criminal sanctions for improper storage of firearms when a minor carries the firearm  
3 “off premises” to a school or school sponsored event; and other notices required by such section.

4 G. Failing to have readily available, as required by California Penal Code section  
5 12071, for inspection and/or display: its valid Certificate of Eligibility (COE); its valid Federal  
6 Firearms License (FFL); and all valid seller’s permit and/or local license letter; and further, failing  
7 to have all applicable local ordinance or municipal code for the jurisdiction where the Defendant’s  
8 store is located.

9 H. Failing to obtain the right thumbprint of the purchaser on the Dealer Record  
10 of Sale as required by Penal Code section 12077(c)(2).

11 I. Failing to obtain the purchaser or salesperson’s signature on the Dealer  
12 Record of Sale as required by Penal Code section 12076.

13 J. Failing to maintain photocopies of non-scanned purchaser identification as  
14 required by Penal Code section 12077(f)(2).

15 K. Delivering firearms to persons prohibited from having possession of a firearm  
16 by means of a “straw purchase” to a relative or friend.

17 WHEREFORE, Plaintiff prays for judgment as follows:

18 1. That pursuant to Business and Professions Code section 17203, Defendant, their  
19 successors, agents, representatives, employees and all persons who act in concert with Defendant  
20 be permanently enjoined from engaging in, as it relates to Defendant’s sale of firearms, unfair  
21 competition as defined in Business and Professions Code section 17200, including, but not limited  
22 to, the acts and practices alleged in this complaint.

23 2. That pursuant to Business and Professions Code section 17206, the Court assess a  
24 civil penalty of two thousand five hundred dollars (\$2,500) against defendants for each violation  
25 of Business and Professions Code section 17200, as proved at trial, but in an amount not less than  
26 \$5,000,000.

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- 3. That Defendant be required to pay the Plaintiff's costs in this litigation.
- 4. That the Court grant such other further relief as the Court deems just and proper.

Dated: January 4, 2005

Respectfully submitted,  
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RICHARD M. FRANK  
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TIMOTHY L. RIEGER  
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