

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

<p>A.E. RODRIGUEZ, INC. <i>Plaintiff</i></p> <p>vs.</p> <p>GLOCK, INC. <i>Defendant</i></p>

Civil No. 18-cv-01550-DRD

VIOLATION OF LAW NO. 75 OF
JUNE 24, 1964; IMPAIRMENT OF
DISTRIBUTION AGREEMENT;
INJUNCTIVE RELIEF; BREACH
OF CONTRACT

AFFIDAVIT

I, **Mirtza Rodríguez**, of legal age, single, President of A.E. Rodríguez Inc., and resident of San Juan under oath, I declare:

1. That verify under penalty of perjury, I have read the above Petition for Injunctive Relief and its contents and verify that the factual matters stated in the Petition for Injunctive Relief are true and correct.

2. That beginning in 2009 Glock and Rodriguez executed a Law Enforcement Sales Agreement. This Agreement established that Rodriguez was Glock's distributor in Puerto Rico of Glock Firearms and Accessories. This Agreement was renewed every year for the years 2009, 2010, 2011, 2012, 2013, 2014, 2015 and 2016.

3. That beginning in the year 2009, and concurrently with the execution of the Law Enforcement Sales Agreements, Glock would issue letters representing to Rodriguez's law enforcement clients the following:

"Please be advised that A.E. RODRIGUEZ, Inc. is the only authorized law enforcement distributor of GLOCK pistols for Puerto Rico, therefore, is the sole source for procurement purposes of GLOCK weapon systems required by law enforcement agencies located in Puerto Rico.

A.E. RODRIGUEZ, Inc. will handle directly with your agency all communications regarding pricing, terms and conditions as well as the trade in, if any, of your out of commission firearms towards partial payment of the new GLOCK pistols".

4. The letters that Glock starts to issue to the different Law Enforcement Agencies in Puerto Rico starting in September 4th, 2015 state as follows:

"Please be advised that the dealers/distributors listed below are authorized law enforcement distributors of the GLOCK pistols in Puerto Rico. Either of these companies can service the procurement needs of GLOCK weapon systems for law enforcement agencies in Puerto Rico. Further, these

companies will handle directly all communications regarding pricing, terms and conditions, as well as trade-ins, if any, of out of commission firearms towards partial payment of new GLOCK pistols”.

5. The Federal Firearms Bound Book clearly illustrates how Rodriguez developed a market for Glock Firearms and Accessories from 2009 until the verbal cancellation without just cause of its Law Enforcement Sales Agreement in 2016. The spreadsheet in the verified complaint establishes how sales of Glock pistols in the year 2009 were at fifty thousand \$50,000 and by the year 2014 had reached the amount of one million thirty two thousand two hundred and seven (\$1,032,207) dollars. That sales of Glock’s pistols dramatically dropped for the years 2015 and 2016, because of the conduct of Glock in contracting Armchar to be an additional distributor of Glock’s firearms.

6. That Glock has failed to comply with its legal obligation to notify Rodriguez the just cause for the termination of the Glock Law Enforcement Sales Agreement dated 2016 and its failure to renew it in 2017 as required in Law 75.

7. The Sales Representative for Armchar also serves as an Auxiliary Police Officer now Commander and Firearms Instructor for the Police Department of Puerto Rico.

8. That the harm suffered by Rodriguez will be irreparable because since 2015 Glock has impaired the Law Enforcement Sales Agreements dated 2015 and 2016 with Rodriguez and verbally terminated the Agreement on December 2016, without just cause.

9. That if the requested injunction is not granted, Rodriguez will probably shut down operations due to Glock’s violation of Law 75.

Mirtza Rodríguez
Mirtza Rodríguez

Testimony no.: 1,920

Sworn and subscribed to me by, Mirtza Rodríguez of the personal circumstances previously mentioned, whom is personally known as identification.

In San Juan, Puerto Rico, on 28th August 2018.

Neysha Natal Castro
Notary Public
License Number: 15,848 (PR)

