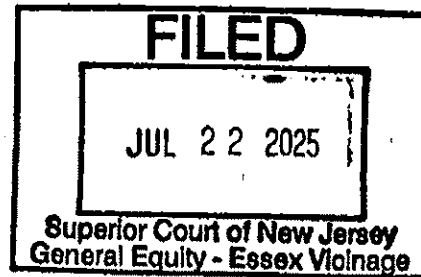


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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION, ESSEX COUNTY
DOCKET NO.: 2-000166-25

MATTHEW J. PLATKIN, Attorney General
of the State of New Jersey, and ELIZABETH M.
HARRIS, Acting Director of the New Jersey
Division of Consumer Affairs,

Plaintiffs,

v.

RW ARMS, LTD., JOHN DOES 1-20,
individually and as owners, officers, directors,
shareholders, founders, members, managers,
agents, servants, employees, representatives,
and/or independent contractors of RW ARMS,
LTD., and XYZ CORPORATIONS 1-20,

Defendant.

Civil Action

COMPLAINT

Plaintiffs Matthew J. Platkin, Attorney General of the State of New Jersey ("Attorney General"), with offices located at 124 Halsey Street, Newark, New Jersey 07101, and Elizabeth M. Harris, Acting Director of the New Jersey Division of Consumer Affairs ("Director"), with offices located at 124 Halsey Street, Newark, New Jersey 07101 (collectively, "Plaintiffs"), hereby allege as follows against Defendant RW Arms, Ltd. ("RW Arms" or "Defendant"):

PRELIMINARY STATEMENT

1. Plaintiffs bring this action to halt and seek penalties for Defendant's illegal advertising and sale of bump stocks — prohibited devices that cause semi-automatic rifles to fire nearly as quickly as machine guns — to New Jersey consumers. Defendant's sale and advertising of bump stocks into New Jersey despite New Jersey's bump stock ban violated the Rules Concerning Hazardous Products, N.J.A.C. 13:45A-4.1 to -4.3 ("Hazardous Products Regulations") and the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 to -229 ("CFA").

2. New Jersey law prohibits the possession of bump stocks. A bump stock is a device that can be attached to a semi-automatic rifle to increase the rifle's rate of fire. Bump stocks do this by harnessing the energy of the rifle's recoil to generate a reciprocating action that continuously activates the trigger without the shooter having to manually pull the trigger repeatedly. This results in a rate of fire nearly equivalent to that of a fully automatic machinegun.

3. In 2017, a shooter using rifles equipped with large capacity ammunition magazines and bump stocks fired more than 1,000 rounds in about ten minutes into a crowd in Las Vegas, Nevada. 58 people were killed and over 800 were wounded or injured.¹ That same year, the New Jersey Legislature passed legislation prohibiting bump stocks.

4. In June 2024, the Supreme Court of the United States struck down a federal rule promulgated by the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives that designated bump stocks as prohibited machineguns under federal law, but the Court's decision left undisturbed state laws (like New Jersey's) that ban bump stocks.

¹ See LAS VEGAS METROPOLITAN POLICE DEPARTMENT, CRIMINAL INVESTIGATIVE REPORT OF THE 1 OCTOBER MASS CASUALTY SHOOTING, <https://tinyurl.com/2yfm9enc>, at 18–19, 125 (last visited July 22, 2025).

5. At all relevant times, RW Arms has advertised online, offered for sale, and sold bump stocks to New Jersey residents, without informing customers that its products are illegal in New Jersey or that New Jersey consumers face criminal consequences for possession of such products.

6. RW Arms' promotion, sale, and shipment of prohibited bump stocks in New Jersey violates the Hazardous Products Regulations and the CFA.

JURISDICTION AND PARTIES

7. The Attorney General is charged with enforcing the CFA and all regulations promulgated thereunder, including the Hazardous Products Regulations. The Director is charged with administering the CFA and the regulations promulgated thereunder, including the Hazardous Products Regulations, on behalf of the Attorney General.

8. Plaintiffs seek injunctive and other relief for violations of the CFA and the Hazardous Products Regulations. Plaintiffs bring this action pursuant to their authority under the CFA, specifically N.J.S.A. 56:8-8, 56:8-11, 56:8-13, and 56:8-19.

9. Venue is proper in Essex County pursuant to Rule 4:3-2(a) because it is the county in which at least one of the parties resides and/or in which the cause of action arose.

10. Defendant is a domestic for-profit business established in the State of Texas on April 30, 2018. At all relevant times, Defendant has maintained a principal business address of 4330 West Vickery Blvd Suite 120, Fort Worth, Texas 76109, and mailing address of 3536 West Biddison Street, Fort Worth, Texas 76109.

11. John Does 1 through 20 are individual defendants presently unknown to the Plaintiffs, representing the owners, officers, directors, shareholders, founders, members, managers, agents, servants, employees, representatives, and/or independent contractors of RW

Arms involved in the conduct giving rise to this Complaint. Plaintiffs will amend the Complaint to name these defendants when they are identified.

12. XYZ Corporations 1 through 20 are corporations presently unknown to Plaintiffs, representing the corporations involved in the conduct giving rise to this Complaint. Plaintiffs will amend the Complaint to name these defendants when identified.

GENERAL ALLEGATIONS COMMON TO ALL COUNTS

A. Defendant's Online Advertisements and Offers for Sale of Bump Stocks

15. At all relevant times, Defendant has advertised, offered for sale, and sold bump stocks to consumers in New Jersey through its website located at www.rwarms.com ("Defendant's Website").

16. As of the date of this filing, the home page of Defendant's Website ("Defendant's Home Page") offers, among other things, bump stocks for sale.

17. On August 26, 2024, and November 18, 2024, Defendant's Home Page advertised its bump stocks through a promotion appearing in an orange banner that read, "Supreme Court lifts Bump Stock ban! Free Shipping Over \$150."

18. As of those same dates, Defendant's Website lacked any disclosure, conspicuous or otherwise, advising consumers that possession of bump stocks in the State of New Jersey is a third-degree crime, punishable by a fine of up to \$15,000, and by a term of imprisonment between three years and five years.

19. As of August 27, 2024, Defendant's Website advertised and offered for sale merchandise that included at least three types of bump stocks. None of the pages for any of those

bump stocks advised consumers that the possession of bump stocks in the State of New Jersey is a crime.

20. As of November 19, 2024, Defendant's Website advertised and offered for sale merchandise that included at least five types of bump stocks. None of the pages for any of those bump stocks advised consumers that it is a crime to possess bump stocks in the State of New Jersey.

B. New Jersey's Restrictions on Bump Stocks

21. Effective January 18, 2018, New Jersey prohibited the possession of bump stocks. The law specifically provides, in pertinent part:

Any person who knowingly possesses a bump stock as defined in subsection ee. of N.J.S.A. 2C:39-1 . . . regardless of whether the person is in possession of a firearm, is guilty of a crime of the third degree.

[N.J.S.A. 2C:39-3(l).]

22. As used in N.J.S.A. 2C:39-1(ee), "bump stock" means:

[A]ny device or instrument for a firearm that increases the rate of fire achievable with the firearm by using energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

[N.J.S.A. 2C:39-1(ee).]

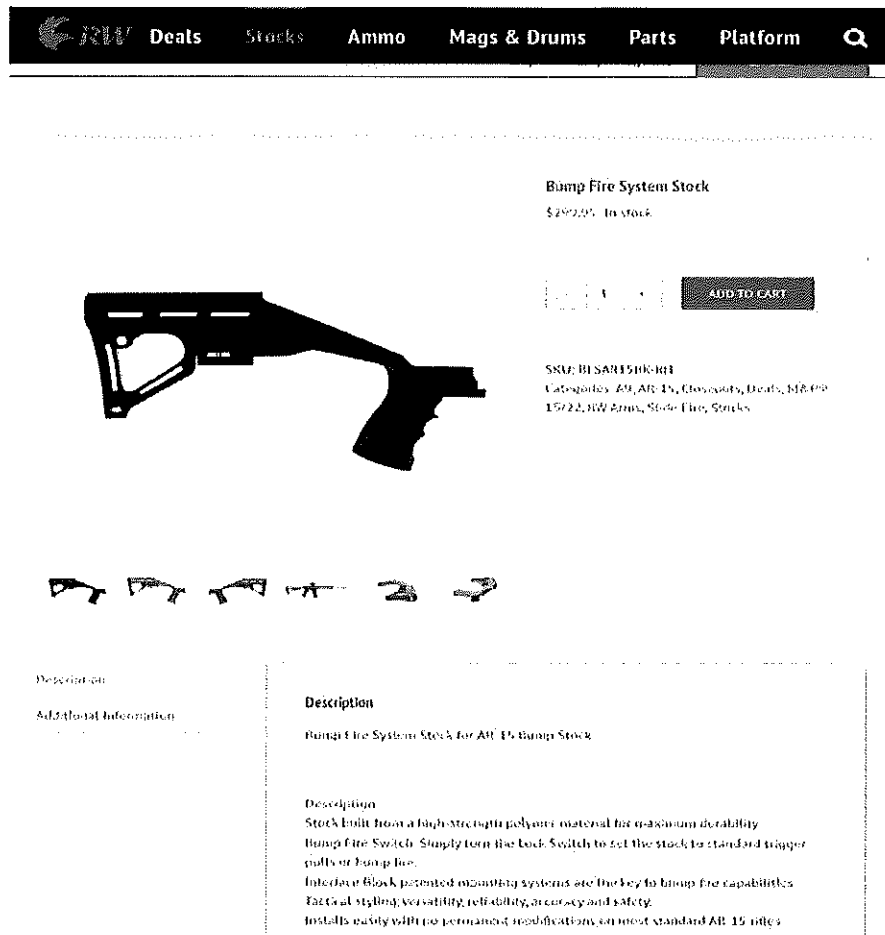
23. Knowingly possessing a bump stock is punishable by a fine not to exceed \$15,000 and by a term of imprisonment between three years and five years. N.J.S.A. 2C:39-3(l); N.J.S.A. 2C:43-3(b)(1); N.J.S.A. 2C:43-6(a)(3).

C. Defendant Sells Bump Stocks into New Jersey

24. On August 28, 2024, an undercover investigator from the Division ("Division Investigator") purchased one "Bump Fire System Stock" (SKU: BFSAR15BK-RH) from

Defendant's Website. The item was originally priced at \$299.95 but was purchased at \$269.96 using the discount code "FREEDOM" that was provided on Defendant's Website. ("August 2024 Undercover Purchase").

25. The Bump Fire System Stock appeared on Defendant's Website as follows:



26. At no time during the purchasing process, including after entering a New Jersey shipping address at checkout, was the Division Investigator prevented from placing the order, warned that the item selected for purchase was illegal to possess in New Jersey, or otherwise notified that the product may be restricted in certain jurisdictions.

27. On September 5, 2024, the Division Investigator picked up the package that had been delivered in fulfillment of the August 2024 Undercover Purchase from the shipping address

provided by the Division Investigator in Jersey City, New Jersey, and brought it to a nearby field office of the New Jersey Division of Criminal Justice for safekeeping due to its contraband status.

28. The shipping label indicated that the package had been sent from "RW Arms, Ltd. 4330 W Vickery Blvd Suite 100, Fort Worth, TX 76107."

29. The package contained the Bump Fire System Stock, a packing slip, AR15-Bumpfire Stock operating instructions, and a letter dated April 2, 2012, authored by the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF Letter").

30. The operating instructions read, in part, that "[t]his Bump Fire Stock gives you the possibility to recreate the feeling of automatic fire with your semi-automatic AR15. ATF APPROVED, Bump Fire stock is not a machinegun as defined under Gun Control Act 15 [sic] U.S.C. 921(a)(23)."

31. The ATF Letter included in the package sent by Defendant stated: "This is in reference to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB), requesting FTB to evaluate an accompanying stock and determine if its design would violate any Federal statutes." The letter did not contain an addressee.

32. The ATF Letter described a "plastic shoulder stock designed to function on an AR-15 type rifle" but did not include any photos or other descriptions of that particular product in the package contents.

33. The ATF Letter said that the device submitted for evaluation "[was] **not** a machinegun as defined under the NFA, 26 U.S.C. 5845(b), or the Gun Control Act, 18 U.S.C. 921(a)(23)." (emphasis added).

34. On September 6, 2024, the Division Investigator purchased another “Bump Fire System Stock” (SKU: BFSAR15BK-RH), priced at \$299.95 (“September 6, 2024 Undercover Purchase”), from Defendant’s Website, prompted by Defendant’s advertisement (see infra ¶ 40) received September 4, 2024.

35. At no time during the purchasing process, including after entering a New Jersey shipping address at checkout, was the Division Investigator prevented from placing the order, warned that the item selected for purchase was illegal to possess in New Jersey, or otherwise notified that the product may be restricted in certain jurisdictions.

36. On September 11, 2024, the Division Investigator picked up the package delivered in fulfillment of the September 6, 2024, Undercover Purchase from the shipping address in Jersey City, New Jersey that had been provided by the Division Investigator. The Division Investigator brought the package to a nearby field office of the New Jersey Division of Criminal Justice for safekeeping due to its contraband status.

37. The shipping label indicated that the package was sent from “RW Arms, Ltd. 4330 W Vickery Blvd Suite 100, Fort Worth, TX 76107.”

38. The package contained the Bump Fire System Stock, a packing slip, AR15-Bumpfire Stock operating instructions, and another copy of the ATF Letter.

39. The AR15-Bumpfire Stock operating instructions and ATF Letter were identical to those included in the August 2024 Undercover Purchase package.

D. Defendant’s Advertisements and Offers for Sale of Bump Stocks in New Jersey

39. In connection with the August 2024 Undercover Purchase, the Division Investigator checked a box to subscribe to the RW Arms Newsletter.

40. On September 4, 2024, RW Arms sent a promotional email to the email address used to place the August 2024 Undercover Purchase ("September 4 Promotional Email"), stating:

First of all we are praying for the loved ones, current students, and former, at Apalachee High, Winder GA. We will go into details tomorrow and talk about the specifics of this most recent school shooting.

50DEAL coupon code for \$50 off any in stock bump stock!
(Use the code!!!)
ends Aug 19th

41. The September 4 Promotional Email also contained a link to "Shop Bump Stocks" and advertised three specific bump stocks that were offered for sale through Defendant's Website.

42. The September 4 Promotional Email did not contain any notices regarding bump stock restrictions for New Jersey consumers, nor did it include any statement that New Jersey law makes it a third-degree crime, punishable by fines of up to \$15,000 per violation and imprisonment between three years and five years, to knowingly possess a bump stock in this State.

43. Defendant sent many additional promotional emails to the email address used to place the August 2024 Undercover Purchase, including at least seventeen (17) received between September 4, 2024, and October 30, 2024. None contained any notices advising that New Jersey law makes it a third-degree crime, punishable by fines of up to \$15,000 per violation and imprisonment between three years and five years, to knowingly possess a bump stock.

44. Many of these emails contained advisories regarding ongoing firearms litigations. For example, one email included a discussion of a judicial decision involving the constitutionality of a federal law banning the ownership of machineguns. The email said that it "appeared to mark the first time a court has held that banning a machinegun is unconstitutional after the conservative-majority U.S. Supreme Court in 2022 issued a landmark ruling that expanded gun rights."

45. As recently as July 4, 2025, the undercover email address continues to receive promotional emails from Defendant advertising bump stocks, despite the email address being affiliated with a New Jersey shipping address. None of the promotional emails contain any disclaimers or warning about New Jersey's restrictions on bump stock possession.

COUNT I

VIOLATIONS OF THE HAZARDOUS PRODUCTS REGULATIONS BY DEFENDANT

46. Plaintiffs repeat and reallege the allegations contained in the preceding paragraphs as if fully set forth herein.

47. The Hazardous Products Regulations provide that:

It shall be an **unconscionable practice** for any person, including any business entity, to advertise or market to, or otherwise solicit the sale from, a resident of this State, a consumer product that is illegal to possess or use in this State or a consumer product that is illegal to possess or use in this State without a valid permit or license, where the possession or use, or the possession or use without a valid permit or license, would subject the person possessing or using the product to criminal prosecution, without clearly and conspicuously disclosing that the product is illegal to possess or use in this State, or to possess or use in this State without a valid permit or license, as the case may be.

[N.J.A.C. 13:45A-4.1(b) (emphasis added).]

48. Further, the Hazardous Products Regulations provide, "Without limiting the prosecution of any other practices which may be unlawful under the [CFA,] **any violation of the provisions of this rule shall be subject to the sanctions contained in [the CFA].**" N.J.A.C. 13:45A-4.3 (emphasis added).

49. At all relevant times, RW Arms advertised, marketed, offered for sale, and sold consumer products — specifically bump stocks — to New Jersey consumers within the meaning of N.J.A.C. 13:45A-4.2.

50. In advertising, marketing, offering for sale, and/or selling bump stocks to New Jersey consumers, Defendant has violated the Hazardous Products Regulations.

51. Defendant's prohibited conduct includes, but is not limited to:

- a. Failing to clearly and conspicuously disclose on Defendant's Website that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years;
- b. Failing, in selling the Bump Fire System Stock to New Jersey Consumers, to clearly and conspicuously disclose that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years; and
- c. Failing to clearly and conspicuously disclose in promotional emails advertising bump stocks to New Jersey consumers with New Jersey shipping addresses that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years.

52. Each violation of the Hazardous Products Regulations by RW Arms constitutes a per se violation of the CFA. N.J.S.A. 56:8-2.

COUNT II

VIOLATIONS OF THE CFA BY DEFENDANT **(UNCONSCIONABLE COMMERCIAL PRACTICES AND DECEPTION)**

53. Plaintiffs repeat and reallege the allegations contained in the preceding paragraphs as if fully set forth herein.

54. The CFA, N.J.S.A. 56:8-2, prohibits:

The act, use[,], or employment by any person of any commercial practice that is **unconscionable** or abusive, deception, fraud, false pretense, false promise, misrepresentation . . . in connection with the sale or advertisement of any merchandise . . . , whether or not any person has in fact been misled, deceived[,], or damaged thereby[.]

[N.J.S.A. 56:8-2 (emphasis added).]

55. The CFA defines “advertisement” to include “the attempt directly or indirectly by publication, dissemination, solicitation, indorsement[,] or circulation[,] or in any other way to induce directly or indirectly any person to enter or not enter into any obligation or acquire any title or interest in any merchandise or to increase the consumption thereof” N.J.S.A. 56:8-1(a).

56. The CFA defines “sale” as including “any sale, rental[,] or distribution, offer for sale, rental[,] or distribution[,] or attempt directly or indirectly to sell, rent[,] or distribute” N.J.S.A. 56:8-1(e).

57. The CFA defines “merchandise” as including “any objects, wares, goods, commodities, services[,] or anything offered, directly or indirectly[,] to the public for sale.” N.J.S.A. 56:8-1(c).

58. At all relevant times, RW Arms has been engaged in the advertisement, offering for sale, and sale of merchandise — specifically bump stocks — within the meaning of N.J.S.A. 56:8-1(c).

59. New Jersey law makes it a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years, to knowingly possess a bump stock. N.J.S.A. 2C:39-3(l); N.J.S.A. 2C:43-3(b)(1); N.J.S.A. 2C:43-6(a)(3).

60. In advertising, offering for sale, and/or selling bump stocks to New Jersey consumers, Defendant has engaged in unconscionable commercial practices and acts of deception.

61. Defendant’s unconscionable commercial practices and acts of deception include, but are not limited to:

- a. Failing to clearly and conspicuously disclose on Defendant’s Website that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years;

- b. Failing, in selling the Bump Fire System Stock to New Jersey Consumers, to clearly and conspicuously disclose that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years;
- c. Failing to clearly and conspicuously disclose in promotional emails advertising bump stocks to New Jersey consumers with New Jersey shipping addresses that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years;
- d. Deceptively implying on Defendant's Home Page that bump stocks are fully legal to possess in New Jersey by advertising bump stocks with a promotion appearing in an orange banner, "Supreme Court lifts Bump Stock ban! Free Shipping Over \$150," while failing to clearly and conspicuously disclose that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years;
- e. Deceptively implying that bump stocks are fully legal and not subject to further regulation by selling the Bump Fire System Stock to New Jersey Consumers and including operating instructions that read, in part, "ATF APPROVED, Bump Fire stock is not a machinegun as defined under Gun Control Act 15 [sic] U.S.C. 921(a)(23)," while failing to clearly and conspicuously disclose that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years; and
- f. Deceptively implying that bump stocks are fully legal and not subject to further regulation in New Jersey by selling the Bump Fire System Stock to New Jersey Consumers and including a letter from the Bureau of Alcohol, Tobacco, Firearms and Explosives, Firearms Technology Branch, that evaluated a bump stock to "determine if its design would violate any Federal statutes," and stating that the device submitted for evaluation was "not a machinegun as defined under NFA, 26 U.S.C. 5845(b), or the Gun Control Act 18 U.S.C. 921(a)(23)" (emphasis added), while failing to clearly and conspicuously disclose that, in New Jersey, the possession of a bump stock is a third-degree crime, punishable by a fine not to exceed \$15,000, and a term of imprisonment between three years and five years.

62. Each unconscionable commercial practice and act of deception constitutes a separate violation under the CFA. N.J.S.A. 56:8-2.

PRAYER FOR RELIEF

WHEREFORE, based upon the foregoing allegations, Plaintiffs respectfully request that this court enter judgment:

- (a) Finding that the acts of Defendant constitute multiple instances of unlawful practices in violation of the CFA, N.J.S.A. 56:8-1 to -229, and the Hazardous Products Regulations, N.J.A.C. 13:45A-4.1 to -4.3;
- (b) Permanently enjoining RW Arms and any owners, officers, directors, shareholders, founders, members, managers, agents, servants, employees, representatives, independent contractors, and all other persons or entities directly under its control, from engaging in or continuing to engage in any acts in violation of the CFA, N.J.S.A. 56:8-1 to -229, and the Hazardous Products Regulations, N.J.A.C. 13:45A-4.1 to -4.3;
- (c) Ordering RW Arms to block or otherwise prevent the shipping of any bump stock to any New Jersey shipping address;
- (d) Ordering RW Arms to include on the homepage, bump stock product pages, and the checkout pages of the RW Arms Website a clear and conspicuous statement informing consumers that, in New Jersey, it is a third-degree crime, punishable by a fine not to exceed \$15,000 and imprisonment between three years to five years, to possess a bump stock;
- (e) Ordering RW Arms to disgorge all funds and property, real and personal, acquired and/or retained as a result of any acts or practices in violation of the CFA, N.J.S.A. 56:8-1 to -229, and the Hazardous Products Regulations, N.J.A.C. 13:45A-4.1 to -4.3, including, but not limited to, the acts and practices alleged in this Complaint, as authorized by the CFA, N.J.S.A. 56:8-8;
- (f) Directing RW Arms to pay the maximum statutory civil penalties for each and every violation of the CFA, in accordance with N.J.S.A. 56:8-13;
- (g) Directing RW Arms to pay the maximum statutory civil penalties for each and every bump stock it has sold in violation of the CFA, in accordance with N.J.S.A. 56:8-13;
- (h) Directing RW Arms to pay costs and fees, including attorneys' fees, for the use of the State of New Jersey, as authorized by the CFA, in accordance with N.J.S.A. 56:8-11 and N.J.S.A. 56:8-19; and
- (i) Granting such other relief as the interests of justice require.

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Giancarlo G. Piccinini
Giancarlo Genaro Piccinini (414322022)
Deputy Attorney General
New Jersey Office of the Attorney General
Division of Law
124 Halsey Street, P.O. Box 45029
Newark, New Jersey 07101
Attorney for Plaintiffs

Dated: July 22, 2025
Newark, New Jersey

RULE 4:5-1 CERTIFICATION

I certify, to the best of my information and belief, that the matter in controversy in this action involving the aforementioned violations of the CFA, N.J.S.A. 56:8-1 to -229, and the Hazardous Products Regulations, N.J.A.C. 13:45A-4.1 to -4.3, is not the subject of any other action pending in any other court of this State. I further certify, to the best of my information and belief, that the matter in controversy in this action is not the subject of a pending arbitration proceeding in this State, nor is any other action or arbitration proceeding contemplated. I certify that there is no other party who should be joined in this action at this time.

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiffs

By: /s/ Giancarlo G. Piccinini
Giancarlo Genaro Piccinini
Deputy Attorney General

Dated: July 22, 2025
Newark, New Jersey

RULE 1:38-7(c) CERTIFICATION OF COMPLIANCE

I certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiffs

By: /s/ Giancarlo G. Piccinini
Giancarlo Genaro Piccinini
Deputy Attorney General

Dated: July 22, 2025
Newark, New Jersey

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, Giancarlo G. Piccinini, Deputy Attorney General, is hereby designated as trial counsel on behalf of Plaintiffs.

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiffs

By: /s/ Giancarlo G. Piccinini
Giancarlo Genaro Piccinini
Deputy Attorney General

Dated: July 22, 2025
Newark, New Jersey