

ROBIN B. JOHANSEN, State Bar No. 79084  
THOMAS A. WILLIS, State Bar No. 160989  
KARI KROGSENG, State Bar No. 215263  
REMCHO, JOHANSEN & PURCELL, LLP  
201 Dolores Avenue  
San Leandro, CA 94577  
Phone: (510) 346-6200  
Fax: (510) 346-6201  
Email: rjohansen@rjp.com

Attorneys for Defendant  
CARLOS A. GARCIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

KEVIN M. HALL, an individual,

Plaintiff,

vs.

CARLOS A. GARCIA, in his official capacity as  
Superintendent of the San Francisco Unified  
School District,

Defendant.

) No.: C 10-03799 RS

) **[PROPOSED] ORDER GRANTING**  
) **DEFENDANT'S MOTION FOR**  
) **JUDGMENT ON THE PLEADINGS**

) Hearing:

) Date: January 6, 2011

) Time: 1:30 p.m.

) Crtrm.: 3

(The Honorable Richard Seeborg)

1 On January 6, 2011, the Court heard defendant's motion for judgment on the pleadings.  
2 The Court has considered the motion, plaintiff's opposition thereto, and all of the papers submitted and  
3 arguments made in support of and in opposition to the motion for judgment on the pleadings.

4 The Court finds that in its recent Second Amendment opinions, the Supreme Court has  
5 expressly recognized that regulation of firearms in school zones is permissible, and the  
6 Superintendent's decision not to grant plaintiff an exemption from state law that prohibits him from  
7 openly carrying an unloaded handgun outside his home or vehicle and within 1000 feet of a school  
8 does not violate the Second Amendment.

9 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT:

- 10 (1) plaintiff's request for declaratory judgment is denied;  
11 (2) all claims against defendant in his individual capacity are dismissed with  
12 prejudice;  
13 (3) the complaint is dismissed with prejudice; and  
14 (4) judgment is entered in favor of defendant.

15 DATED:  
16  
17

18 THE HONORABLE RICHARD SEEBORG  
19 UNITED STATES DISTRICT COURT JUDGE  
20  
21  
22  
23  
24  
25  
26  
27  
28

(00130827.2)