C.D. Michel - S.B.N. 144258 TRUTANICH - MICHEL, LLP 407 North Harbor Boulevard San Pedro, CA 90731 Telephone: 310-548-4813  Attorneys for Defendant, ANDREW'S SPORTING GOODS, INC. dba TURNER'S OUTDOORSMAN and S.G. DISTRIBUTING, INC.  IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO  Judicial Council Coordination Proceeding Special Title (Rule 1550(b)) FIREARM CASES Coordinated actions:  Coordinated actions:  Superior Court of California City & County of San Francisco No. 303753 Superior Court of California County of Los Angeles, et. al., ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.			
Telephone: 310-548-0410 Facsimile: 310-548-4813  Attorneys for Defendant, ANDREW'S SPORTING GOODS, INC.  data TURNER'S OUTDOORSMAN and S.G. DISTRIBUTING, INC.  IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  FOR THE COUNTY OF SAN DIEGO  In Judicial Council Coordination Proceeding Special Title (Rule 1550(b))  FIREARM CASES  Coordinated actions:  THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. the County of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, V.  ARCADIA MACHINE & TOOL, et. al.		TRUTANICH • MICHEL, LLP 407 North Harbor Boulevard	
4 Facsimile: 310-548-4813  4 Attorneys for Defendant, ANDREW'S SPORTING GOODS, INC. dba TURNER'S OUTDOORSMAN and S.G. DISTRIBUTING, INC.  8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  9 FOR THE COUNTY OF SAN DIEGO  10 Special Title (Rule 1550(b))  12 FIREARM CASES  13 Coordinated actions:  14 Superior Court of California City & County of San Francisco No. 303753  Superior Court of California County of Los Angeles, et. al.,  17 V.  18 ARCADIA MACHINE & TOOL, et. al.,  19 THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  22 V.  34 ARCADIA MACHINE & TOOL, et. al.,  15 CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  26 CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  27 ARCADIA MACHINE & TOOL, et. al.,  28 ARCADIA MACHINE & TOOL, et. al.,  29 CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  20 ARCADIA MACHINE & TOOL, et. al.,  21 ARCADIA MACHINE & TOOL, et. al.,  22 CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  24 ARCADIA MACHINE & TOOL, et. al.,  25 CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  26 ARCADIA MACHINE & TOOL, et. al.,  27 ARCADIA MACHINE & TOOL, et. al.	3	Telephone: 310-548-0410	
ANDRÉW'S SPORTING GOODS, INC. dba TURNER'S OUTDOORSMAN and S.G. DISTRIBUTING, INC.  IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  FOR THE COUNTY OF SAN DIEGO  JUDICIAL COUNCIL COORDINATION PROCEEDINGS NO. 4095  FIREARM CASES  Coordinated actions:  THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. the County of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.,	4	Facsimile: 310-548-4813	
dba TURNER'S OUTDOORSMAN and S.G. DISTRIBUTING, INC.  IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  FOR THE COUNTY OF SAN DIEGO  Judicial Council Coordination Proceeding Special Title (Rule 1550(b))  FIREARM CASES  Coordinated actions:  THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. the County of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.,  ARCADIA MACHINE	5	Attorneys for Defendant,	
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Special Title (Rule 1550(b))  FIREARM CASES  Coordinated actions:  14  15  THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. the County of Los Angeles, et. al.,  17  V.  18  ARCADIA MACHINE & TOOL, et. al.,  19  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  21  ARCADIA MACHINE & TOOL, et. al.,  22  V.  ARCADIA MACHINE & TOOL, et. al.,  23  ARCADIA MACHINE & TOOL, et. al.,  24  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, V.  ARCADIA MACHINE & TOOL, et. al.,  ARCADIA MACHINE & TOOL, et. a	10		
FIREARM CASES  Coordinated actions:  THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. the County of Los Angeles, et. al.,  V.  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.,	11		,
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THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. the County of Los Angeles, et. al.,  V.  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, V.  ARCADIA MACHINE & TOOL, et. al.  ARCADIA MACHINE & TOOL, et. al.	13		) )
THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. the County of Los Angeles, et. al.,  V.  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles No. BC214794  DEFENDANT ANDREWS SPORTING GOODS, INC.'S AND S.G. DISTRIBUTING'S NOTICE OF MOTION AND MOTION FOR JUDGMENT ON THE PLEADINGS.  Date: Time: Dept. 65 Hon. Vincent. P. DiFiglia	14	Coordinated actions:	
Angeles, et. al.,  V.  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  ARCADIA MACHINE & TOOL, et. al.,  V.  DEFENDANT ANDREWS SPORTING GOODS, INC.'S AND S.G. DISTRIBUTING'S NOTICE OF MOTION AND MOTION FOR JUDGMENT ON THE PLEADINGS.  V.  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, V.  ARCADIA MACHINE & TOOL, et. al.	15		
No. 18 ARCADIA MACHINE & TOOL, et. al., 19 THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al., 19 ARCADIA MACHINE & TOOL, et. al., 19 ARCADIA	16		
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THE PEOPLE OF THE STATE OF CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  V.  ARCADIA MACHINE & TOOL, et. al.,  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, V.  ARCADIA MACHINE & TOOL, et. al.	18	ARCADIA MACHINE & TOOL, et. al.,	
CALIFORNIA, by and through JAMES K. HAHN, City Attorney of the City of Los Angeles, et. al.,  21   Angeles, et. al.,  22   v.   Date:  23   ARCADIA MACHINE & TOOL, et. al.,  24   THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne,  26   v.   ARCADIA MACHINE & TOOL, et. al.    27   ARCADIA MACHINE & TOOL, et. al.    28   V.   ARCADIA MACHINE & TOOL, et. al.    29   ARCADIA MACHINE & TOOL, et. al.    20   ARCADIA MACHINE & TOOL, et. al.    21   ARCADIA MACHINE & TOOL, et. al.    22   ARCADIA MACHINE & TOOL, et. al.    23   ARCADIA MACHINE & TOOL, et. al.    24   ARCADIA MACHINE & TOOL, et. al.    25   ARCADIA MACHINE & TOOL, et. al.    26   ARCADIA MACHINE & TOOL, et. al.	19	THE DEODLE OF THE STATE OF	) DEFENDANT AND DEWC COOPTING
Angeles, et. al.,  AND MOTION FOR JUDGMENT ON THE PLEADINGS.  V.  Date: Time: Dept. 65 Hon. Vincent. P. DiFiglia  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, V.  ARCADIA MACHINE & TOOL, et. al.	20	CALIFORNIA, by and through JAMES K.	GOODS, INC.'S AND S.G.
22 v.  23 ARCADIA MACHINE & TOOL, et. al.,  24 THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  26 ARCADIA MACHINE & TOOL, et. al.	21		AND MOTION FOR JUDGMENT ON
ARCADIA MACHINE & TOOL, et. al.,  Dept. 65 Hon. Vincent. P. DiFiglia  THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.	22	v.	)
THE PEOPLE OF THE STATE OF CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.	23	ARCADIA MACHINE & TOOL, et. al.,	Time:
CALIFORNIA, by and through San Francisco City Attorney Louise H. Renne, v.  ARCADIA MACHINE & TOOL, et. al.	24	THE PEOPLE OF THE STATE OF	
26 v. ARCADIA MACHINE & TOOL, et. al.	25	CALIFORNIA, by and through San	
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28	27	ARCADIA MACHINE & TOOL, et. al.	ý ) )
II	28		,

1	TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:
2	PLEASE TAKE NOTICE that on, 2003 at a.m., or as soon as can
3	be heard, in Department 65, of the above-entitled court, Defendant, ANDREW'S SPORTING
4	GOODS, INC. dba TURNERS OUTDOORSMAN, and S.G. DISTRIBUTING will move this
5	Court for an Judgment on the Pleadings on some claims brought against ANDREWS by plaintiffs
6	involved in the three separate actions that have been coordinated in this Court.
7	In essence, Plaintiffs' three separate actions allege that defendants' otherwise lawful
8	manufacture, distribution, and sale of firearms creates a public nuisance and constitutes unfair
9	business practices. All 23 plaintiffs allege causes of action for injunctive relief based on public
10	nuisance (Code of Civil Procedure section 731 ("Section 731")) and unfair business practices
11	(Business and Professions Code §§ 17200 et seq. ("Section 17200")). Eleven of those plaintiffs
12	also include a cause of action for false advertising (Business and Professions Code §§ 17500 et
13	seq. ("Section 17500")). Plaintiffs further seek civil penalties under the latter two causes of action
14	(under Sections 17206 and 17536). Thus, most plaintiffs seek injunctive and monetary relief
15	under five separate statutes-75 statutory claims, in all. A threshold problem, however, is that
16	most plaintiffs lack standing to raise some or any of those claims.
17	This Motion is based upon this Notice and Motion, the Memorandum of Points and
18	Authorities filed herewith, the files and records of this case, and any evidence, argument, or
19	authorities to be presented at the hearing on the motion.
20	Dated: January 3, 2003 TRUTANICH • MICHEL, LLP:
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22	<u>C. D. Michel</u> C. D. Michel
23	Attorneys for Defendant
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25	
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1	PROOF OF SERVICE
2	STATE OF CALIFORNIA
3	COUNTY OF LOS ANGELES
4	I, Haydee Villegas, declare:
5	1. That I am employed in the City of San Pedro, Los Angeles County, California. I am over
6	the age eighteen (18) years and am not a party to the within action. My business address is 407
7	North Harbor Boulevard, San Pedro, California 90731.
8	2. On January 13, 2003, I served the foregoing document(s) described as
9	DEFENDANT ANDREWS SPORTING GOODS, INC.'S AND S.G. DISTRIBUTING'S
10	NOTICE OF MOTION AND MOTION FOR JUDGMENT ON THE PLEADINGS on the
11	interested parties in this action by JusticeLink Electronic filing on all persons appearing on the
12	Service List.
13	I declare under penalty that the foregoing is true and correct. Executed this 13 <sup>th</sup> day of
14	January, 2003, at San Pedro, California.
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16	<u> Haydee Villegas</u>
17	Haydee Villegas
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