

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHUI W. KWONG; *et al.*,

Plaintiffs,

-against-

MICHAEL BLOOMBERG, *et al.*,

Defendants.

No. 11 Civ. 2356 (JGK) (DCF)

ECF Case

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiffs SHUI W. KWONG, GEORGE GRECO, GLENN HERMAN, NICK LIDAKIS, TIMOTHY S. FUREY, DANIELA GRECO, NUNZIO CALCE, SECOND AMENDMENT FOUNDATION, INC., and THE NEW YORK STATE RIFLE & PISTOL ASSOCIATION, INC. hereby appeal to the United States Court of Appeals for the Second Circuit from the Opinion and Order (Doc. No. 45) denying Plaintiffs' motion for summary judgment and granting Defendants' and Intervenor's cross-motions for summary judgment, entered in this action on the 26th day of March, 2012.

Dated: New York, New York  
April 18, 2012

**DAVID JENSEN PLLC**

By: 

David D. Jensen, Esq.  
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*Attorney for Plaintiffs*

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:11-cv-02356-JGK**

Kwong et al v. Bloomberg et al  
Assigned to: Judge John G. Koeltl  
Cause: 42:1983 Civil Rights Act

Date Filed: 04/05/2011  
Date Terminated: 03/27/2012  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Shui W. Kwong**

represented by **David Douglas Jensen**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**George Greco**

represented by **David Douglas Jensen**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Glenn Herman**

represented by **David Douglas Jensen**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Nick Lidakis**

represented by **David Douglas Jensen**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Timothy S. Furey**

represented by **David Douglas Jensen**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Daniela Greco**

represented by **David Douglas Jensen**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Nunzio Calce**

represented by **David Douglas Jensen**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Second Amendment Foundation, Inc.**

represented by **David Douglas Jensen**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**The New York State Rifle & Pistol Association, Inc.**

represented by **David Douglas Jensen**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Michael Bloomberg**  
*in his Official Capacity as Mayor of the City of New York*

represented by **Michelle L. Goldberg-Cahn**  
 NYC Law Department, Office of the Corporation Counsel (NYC)  
 100 Church Street  
 New York, NY 10007  
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 Email: [migoldbe@law.nyc.gov](mailto:migoldbe@law.nyc.gov)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**City of New York**

represented by **Michelle L. Goldberg-Cahn**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Eric Schneiderman**  
*in his Official Capacity as Attorney General of the State Of New York*  
 TERMINATED: 05/23/2011

represented by **Monica Anne Connell**  
 New York State Office of the Attorney General (24th Floor)  
 120 Broadway, 24th Floor  
 New York, NY 10271  
 212-416-8965  
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 Email: [Monica.Connell@oag.state.ny.us](mailto:Monica.Connell@oag.state.ny.us)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor**

**The Attorney General of the State of New York**

represented by **Monica Anne Connell**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/05/2011	<u>1</u>	COMPLAINT against Michael Bloomberg, City of New York, Eric Schneiderman. (Filing Fee \$ 350.00, Receipt Number 003290) Document filed by Daniela Greco, George Greco, Nick Lidakis, Timothy S. Furey, The New York State Rifle & Pistol Association, Inc., Second Amendment Foundation, Inc., Shui W. Kwong, Nunzio Calce, Glenn Herman.(ama) (Entered: 04/07/2011)
04/05/2011		SUMMONS ISSUED as to Michael Bloomberg, City of New York, Eric Schneiderman. (ama) (Entered: 04/07/2011)
04/05/2011		Magistrate Judge Debra C. Freeman is so designated. (ama) (Entered: 04/07/2011)

04/05/2011		Case Designated ECF. (ama) (Entered: 04/07/2011)
04/05/2011	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Second Amendment Foundation, Inc.(ama) (Entered: 04/07/2011)
04/05/2011	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by The New York State Rifle & Pistol Association, Inc.(ama) (Entered: 04/07/2011)
04/20/2011	<u>4</u>	NOTICE OF APPEARANCE by Michelle L. Goldberg-Cahn on behalf of Michael Bloomberg, City of New York (Goldberg-Cahn, Michelle) (Entered: 04/20/2011)
04/26/2011	<u>5</u>	ENDORSED LETTER addressed to Judge John G. Koeltl from Monica Connell dated 4/25/11 re: counsel for defendant New York State Attorney General Eric Schneiderman request an extension of time to respond to the Complaint. Co-defendants New York City and Mayor Michael Bloomberg, who will be separately represented by Michelle Goldberg-Calm, Senior Counsel in the New York City Law Department, also join in this request. We ask that all defendants be permitted to have until May 21, 2011 to respond to the complaint. ENDORSEMENT: APPLICATION GRANTED. Michael Bloomberg answer due 5/27/2011; City of New York answer due 5/27/2011; Eric Schneiderman answer due 5/27/2011. (Signed by Judge John G. Koeltl on 4/25/11) (pl) (Entered: 04/26/2011)
04/26/2011	<u>6</u>	NOTICE OF APPEARANCE by Monica Anne Connell on behalf of Eric Schneiderman (Connell, Monica) (Entered: 04/26/2011)
05/23/2011	<u>7</u>	ENDORSED LETTER addressed to Judge John G. Koeltl from Monica Connell dated 5/20/11 re: counsel for defendant New York State Attorney General Eric Schneiderman ask the Court for an adjournment of the pre-motion conference currently scheduled for May 31, 2011, if such conference is still necessary. ENDORSEMENT: The Conference is adjourned sine die. The parties should provide the Court with a proposed briefing stipulation. So Ordered. (Signed by Judge John G. Koeltl on 5/20/11) (pl) (Entered: 05/23/2011)
05/23/2011	<u>8</u>	STIPULATION AND ORDER OF DISMISSAL AND INTERVENTION, that, 1. Defendant Eric Schneidennan shall be and hereby is DISMISSED as a Defendant in this action pursuant to Rule 41(a) of the Federal Rules of Civil Procedure; and 2. The Attorney General of the State of New York shall and hereby does INTERVENE in this action to defend the constitutionality of Penal Law § 400.00(14) pursuant to 28 U.S.C. § 2403(b) and Rule 24{a}(1) of the Federal Rules of Civil Procedure. (Signed by Judge John G. Koeltl on 5/20/11) (pl) (Entered: 05/23/2011)
05/25/2011	<u>9</u>	NOTICE OF COURT CONFERENCE: Pretrial Conference set for 7/5/2011 at 04:30 PM in Courtroom 12B, 500 Pearl Street, New York, NY 10007 before Judge John G. Koeltl. All requests for adjournment must be made in writing to the Court. (ab) (Entered: 05/25/2011)
05/25/2011	<u>10</u>	SCHEDULING ORDER: No later than 6/22/2011, Plaintiffs will move for summary judgment, and Intervenor may move to dismiss. No later than 7/29/2011, Defendants and Intervenor will respond to Plaintiffs' motion for summary judgment, Defendants and/or Intervenor may cross-move for summary judgment, and Plaintiffs will respond to Intervenor's motion to dismiss. No later than 8/19/2011, Plaintiffs will file their reply in support of summary judgment and their opposition to any cross-motion for summary judgment, and Intervenor will file its reply in support of its motion to dismiss. No later than 9/13/2011, Defendants and/or Intervenor will file their reply in support of any cross-motion for summary judgment. (Motions due by 6/22/2011. Cross Motions due by 7/29/2011. Responses due by 8/19/2011. Replies due by 9/13/2011.) (Signed by Judge John G. Koeltl on 5/25/2011) (tro) (Entered: 05/26/2011)
05/26/2011	<u>11</u>	ANSWER to <u>1</u> Complaint,. Document filed by Michael Bloomberg, City of New York.(Goldberg-Cahn, Michelle) (Entered: 05/26/2011)
06/22/2011	<u>12</u>	ANSWER to <u>1</u> Complaint,. Document filed by The Attorney General of the State of New York.(Connell, Monica) (Entered: 06/22/2011)

06/23/2011	<u>13</u>	MOTION for Summary Judgment. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. Responses due by 7/29/2011(Jensen, David) (Entered: 06/23/2011)
06/23/2011	<u>14</u>	MEMORANDUM OF LAW in Support re: <u>13</u> MOTION for Summary Judgment.. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. (Jensen, David) (Entered: 06/23/2011)
06/23/2011	<u>15</u>	RULE 56.1 STATEMENT. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. (Attachments: # <u>1</u> Exhibit 01, # <u>2</u> Exhibit 02, # <u>3</u> Exhibit 03, # <u>4</u> Exhibit 04, # <u>5</u> Exhibit 05, # <u>6</u> Exhibit 06, # <u>7</u> Exhibit 07, # <u>8</u> Exhibit 08, # <u>9</u> Exhibit 09, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29)(Jensen, David) (Entered: 06/23/2011)
07/05/2011		Minute Entry for proceedings held before Judge John G. Koeltl: Interim Pretrial Conference held on 7/5/2011. (rjm) (Entered: 08/17/2011)
07/28/2011	<u>16</u>	CROSS MOTION for Summary Judgment. Document filed by Michael Bloomberg, City of New York. Responses due by 8/19/2011(Goldberg-Cahn, Michelle) (Entered: 07/28/2011)
07/28/2011	<u>17</u>	DECLARATION of Michelle Goldberg-Cahn in Opposition re: <u>16</u> CROSS MOTION for Summary Judgment., <u>13</u> MOTION for Summary Judgment.. Document filed by Michael Bloomberg, City of New York. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C and D, # <u>4</u> Exhibit E through G)(Goldberg-Cahn, Michelle) (Entered: 07/28/2011)
07/28/2011	<u>18</u>	DECLARATION of Michelle Goldberg-Cahn in Support re: <u>16</u> CROSS MOTION for Summary Judgment., <u>13</u> MOTION for Summary Judgment.. Document filed by Michael Bloomberg, City of New York. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C and D, # <u>4</u> Exhibit E through G, # <u>5</u> Exhibit H through K, # <u>6</u> Exhibit L, # <u>7</u> Exhibit M through O, # <u>8</u> Exhibit P through Q, # <u>9</u> Exhibit R through T)(Goldberg-Cahn, Michelle) (Entered: 07/28/2011)
07/28/2011	<u>19</u>	DECLARATION of Andrew Lunetta in Support re: <u>16</u> CROSS MOTION for Summary Judgment., <u>13</u> MOTION for Summary Judgment.. Document filed by Michael Bloomberg, City of New York. (Attachments: # <u>1</u> Exhibit A through I)(Goldberg-Cahn, Michelle) (Entered: 07/28/2011)
07/28/2011	<u>20</u>	DECLARATION of Andy Shiwnarain in Support re: <u>16</u> CROSS MOTION for Summary Judgment., <u>13</u> MOTION for Summary Judgment.. Document filed by Michael Bloomberg, City of New York. (Attachments: # <u>1</u> Exhibit A)(Goldberg-Cahn, Michelle) (Entered: 07/28/2011)
07/28/2011	<u>21</u>	RULE 56.1 STATEMENT. Document filed by Michael Bloomberg, City of New York. (Goldberg-Cahn, Michelle) (Entered: 07/28/2011)
07/28/2011	<u>22</u>	MEMORANDUM OF LAW in Support re: <u>16</u> CROSS MOTION for Summary Judgment., <u>13</u> MOTION for Summary Judgment. <i>and in Opposition to Plaintiffs' Motion for Summary Judgment.</i> Document filed by Michael Bloomberg, City of New York. (Goldberg-Cahn, Michelle) (Entered: 07/28/2011)
07/28/2011	<u>23</u>	COUNTER STATEMENT TO <u>15</u> Rule 56.1 Statement,,,. Document filed by Michael Bloomberg, City of New York. (Goldberg-Cahn, Michelle) (Entered: 07/28/2011)
07/28/2011	<u>24</u>	CROSS MOTION for Summary Judgment. Document filed by The Attorney General of the State of New York. Responses due by 8/19/2011(Connell, Monica) (Entered: 07/28/2011)

07/28/2011	<u>25</u>	DECLARATION of Monica A. Connell in Support re: <u>24</u> CROSS MOTION for Summary Judgment.. Document filed by The Attorney General of the State of New York. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H(1), # <u>9</u> Exhibit H(2), # <u>10</u> Exhibit I, # <u>11</u> Exhibit J)(Connell, Monica) (Entered: 07/28/2011)
07/28/2011	<u>26</u>	DECLARATION of Sgt. James Sherman in Support re: <u>24</u> CROSS MOTION for Summary Judgment.. Document filed by The Attorney General of the State of New York. (Connell, Monica) (Entered: 07/28/2011)
07/28/2011	<u>27</u>	MEMORANDUM OF LAW in Support re: <u>24</u> CROSS MOTION for Summary Judgment. <i>and in Opposition to Plaintiffs' Motion for Summary Judgment.</i> Document filed by The Attorney General of the State of New York. (Connell, Monica) (Entered: 07/28/2011)
07/28/2011	<u>28</u>	RULE 56.1 STATEMENT., COUNTER STATEMENT TO <u>15</u> Rule 56.1 Statement,,,. Document filed by The Attorney General of the State of New York. (Connell, Monica) (Entered: 07/28/2011)
08/22/2011	<u>29</u>	ENDORSED LETTER addressed to Judge John G. Koeltl from David D. Jensen dated 8/18/2011 re: My office represents Plaintiffs in this action. The parties jointly request the following modification to the scheduling order (Doc. No. 10): Plaintiffs' reply and opposition briefing, presently due August 19, 2011, will be due on August 24, 2011; and Defendants' and Intervenor's reply briefs, presently due on September 13, 2011, will be due on October 4, 2011. ENDORSEMENT: Application granted. Plaintiffs' reply and opposition due August 24, 2011. Defendants' and Intervenor's reply briefs due October 4, 2011. ( Responses due by 8/24/2011, Replies due by 10/4/2011.) (Signed by Judge George B. Daniels on 8/22/2011) (lmb) (Entered: 08/22/2011)
08/25/2011	<u>30</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – REPLY MEMORANDUM OF LAW in Support re: <u>13</u> MOTION for Summary Judgment. <i>and in Opposition to the Cross–Motions of Defendants and Intervenor.</i> Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc. (Attachments: # <u>1</u> Affidavit Supplemental Declaration of David D. Jensen)(Jensen, David) Modified on 8/26/2011 (ldi). (Entered: 08/25/2011)
08/25/2011	<u>31</u>	COUNTER STATEMENT TO <u>28</u> Rule 56.1 Statement, Counter Statement to Rule 56.1. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. (Attachments: # <u>1</u> Affidavit Supplemental Declaration of Miko Tempski, # <u>2</u> Affidavit Supplemental Declaration of Thomas H. King)(Jensen, David) (Entered: 08/25/2011)
08/25/2011	<u>32</u>	RESPONSE re: <u>21</u> Rule 56.1 Statement. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. (Jensen, David) (Entered: 08/25/2011)
08/25/2011	<u>33</u>	RESPONSE re: <u>28</u> Rule 56.1 Statement, Counter Statement to Rule 56.1. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. (Jensen, David) (Entered: 08/25/2011)
08/25/2011		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney David Douglas Jensen to RE–FILE Document <u>30</u> Reply Memorandum of Law in Support of Motion. ERROR(S): Supporting documents must be filed separately, each receiving their own document number. Declaration in Support of Motion is found under the event list Replies, Opposition and Supporting Documents. (ldi) (Entered: 08/26/2011)
08/26/2011	<u>34</u>	REPLY MEMORANDUM OF LAW in Support re: <u>13</u> MOTION for Summary Judgment. <i>and in Opposition to Defendants' and Intervenor's Cross–Motions for Summary Judgment.</i> Document filed by Nunzio Calce, Timothy S. Furey, Daniela

		Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. (Jensen, David) (Entered: 08/26/2011)
08/26/2011	<u>35</u>	DECLARATION of David D. Jensen in Opposition re: <u>16</u> CROSS MOTION for Summary Judgment.. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. (Jensen, David) (Entered: 08/26/2011)
09/30/2011	<u>36</u>	ENDORSED LETTER addressed to Judge John G. Koeltl from Monica Connell dated 9/30/11 re: Counsel for the NYS Attorney General writes to ask for permission to file a reply brief that is 18 pages long. ENDORSEMENT: So ordered. (Signed by Judge John G. Koeltl on 9/30/2011) (mro) (Entered: 09/30/2011)
10/04/2011	<u>37</u>	REPLY MEMORANDUM OF LAW in Support re: <u>16</u> CROSS MOTION for Summary Judgment.. Document filed by Michael Bloomberg, City of New York. (Goldberg-Cahn, Michelle) (Entered: 10/04/2011)
10/04/2011	<u>38</u>	RESPONSE re: <u>31</u> Counter Statement to Rule 56.1, <i>City Defendants' Responses to Plaintiffs' Counter 56/1 Statement</i> . Document filed by Michael Bloomberg, City of New York. (Goldberg-Cahn, Michelle) (Entered: 10/04/2011)
10/04/2011	<u>39</u>	REPLY MEMORANDUM OF LAW in Support re: <u>24</u> CROSS MOTION for Summary Judgment.. Document filed by The Attorney General of the State of New York. (Connell, Monica) (Entered: 10/04/2011)
10/04/2011	<u>40</u>	RULE 56.1 STATEMENT. Document filed by The Attorney General of the State of New York. (Connell, Monica) (Entered: 10/04/2011)
10/05/2011	<u>41</u>	ENDORSED LETTER addressed to Judge John G. Koeltl from Michelle Goldberg-Cahn dated 10/5/2011 re: counsel for Defendants write that in accordance with the briefing schedule ordered by this Court, the parties' motions and cross-motions for summary judgment were fully submitted yesterday. I write collectively with counsel for plaintiffs and counsel for State-Intervenor to request permission or each party to submit courtesy copies of their own papers on the motion and cross-motions. ENDORSEMENT: Application Granted. So Ordered. (Signed by Judge John G. Koeltl on 10/5/2011) (pl) Modified on 10/5/2011 (pl). (Entered: 10/05/2011)
11/22/2011	<u>42</u>	NOTICE of Supplemental Authority re: <u>13</u> MOTION for Summary Judgment.. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. (Jensen, David) (Entered: 11/22/2011)
01/13/2012	<u>43</u>	NOTICE OF ORAL ARGUMENT: You are directed to appear for oral argument on the pending motion(s), to be held on Tuesday, January 24, 2012 at 10:00am in Courtroom 12B, in front of the Honorable John G. Koeltl. All requests for adjournments must be made in writing to the Court. For any further information, please contact the Court at (212) 805-0107. (Oral Argument set for 1/24/2012 at 02:30 PM in Courtroom 12B, 500 Pearl Street, New York, NY 10007 before Judge John G. Koeltl). (jfe) (Entered: 01/13/2012)
01/18/2012	<u>44</u>	ENDORSED LETTER addressed to Judge John G. Koeltl from Monica Connell dated 1/13/12 re: Counsel writes to request an adjournment of the oral argument scheduled for 1/24/12. ENDORSEMENT: Adjourned to Friday, February 10, 2012 at 2:30 p.m. So ordered. ( Oral Argument set for 2/10/2012 at 02:30 PM before Judge John G. Koeltl.) (Signed by Judge John G. Koeltl on 1/18/2012) (mro) (Entered: 01/18/2012)
02/10/2012		Minute Entry for proceedings held before Judge John G. Koeltl: Oral Argument held on 2/10/2012 re: <u>13</u> MOTION for Summary Judgment filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nick Lidakis, Nunzio Calce. (lmb) (Entered: 02/14/2012)

03/26/2012	<u>45</u>	OPINION AND ORDER: #101621 The Court has considered all of the arguments of the parties. To the extent not specifically addressed above, the remaining arguments are either moot or without merit. For the reasons explained above, the plaintiffs' motion for summary judgment is denied. The cross motions for summary judgment by the City Defendants and the Intervenor are granted. The Clerk is directed to enter Judgment dismissing the Complaint. The Clerk is also directed to close all pending motions. (Signed by Judge John G. Koeltl on 3/26/2012) (ft) Modified on 3/28/2012 (jab). (Entered: 03/26/2012)
03/26/2012		Transmission to Judgments and Orders Clerk. Transmitted re: <u>45</u> Memorandum & Opinion to the Judgments and Orders Clerk. (ft) (Entered: 03/26/2012)
03/27/2012	<u>46</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Opinion and Order dated March 26, 2012, Plaintiffs' motion for summary judgment is denied; the cross-motions for summary judgment by the City Defendants and the Intervenor are granted; accordingly, the Complaint is dismissed and all pending motions are closed. (Signed by Clerk of Court Ruby Krajick on 3/27/12) (Attachments: # <u>1</u> notice of right to appeal)(ml) (Entered: 03/27/2012)
04/18/2012	<u>47</u>	NOTICE OF CHANGE OF ADDRESS by David Douglas Jensen on behalf of All Plaintiffs. New Address: David Jensen PLLC, 111 John Street, Suite 230, New York, NY, USA 10038, (212) 380-6615. (Jensen, David) (Entered: 04/18/2012)
04/18/2012	<u>48</u>	NOTICE OF APPEAL from <u>45</u> Memorandum & Opinion,,. Document filed by Nunzio Calce, Timothy S. Furey, Daniela Greco, George Greco, Glenn Herman, Shui W. Kwong, Nick Lidakis, Second Amendment Foundation, Inc., The New York State Rifle & Pistol Association, Inc.. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Jensen, David) (Entered: 04/18/2012)
04/18/2012		Appeal Fee Due: for <u>48</u> Notice of Appeal,. \$455.00 Appeal fee due by 5/2/2012. (nd) (Entered: 04/18/2012)
04/18/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>48</u> Notice of Appeal,. (nd) (Entered: 04/18/2012)
04/18/2012		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>24</u> CROSS MOTION for Summary Judgment. filed by The Attorney General of the State of New York, <u>7</u> Endorsed Letter, Terminate Deadlines and Hearings,, <u>45</u> Memorandum & Opinion,, <u>36</u> Endorsed Letter, <u>46</u> Clerk's Judgment, <u>5</u> Endorsed Letter, Set Deadlines,, <u>28</u> Rule 56.1 Statement, Counter Statement to Rule 56.1 filed by The Attorney General of the State of New York, <u>18</u> Declaration in Support of Motion, filed by Michael Bloomberg, City of New York, <u>16</u> CROSS MOTION for Summary Judgment. filed by Michael Bloomberg, City of New York, <u>43</u> Notice of Hearing, <u>26</u> Declaration in Support of Motion filed by The Attorney General of the State of New York, <u>23</u> Counter Statement to Rule 56.1 filed by Michael Bloomberg, City of New York, <u>19</u> Declaration in Support of Motion filed by Michael Bloomberg, City of New York, <u>8</u> Stipulation and Order of Dismissal,, <u>14</u> Memorandum of Law in Support of Motion, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nick Lidakis, Nunzio Calce, <u>3</u> Rule 7.1 Corporate Disclosure Statement filed by The New York State Rifle & Pistol Association, Inc., <u>21</u> Rule 56.1 Statement filed by City of New York, Michael Bloomberg, <u>17</u> Declaration in Opposition to Motion, filed by City of New York, Michael Bloomberg, <u>42</u> Notice (Other), Notice (Other) filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, <u>12</u> Answer to Complaint filed by The Attorney General of the State of New York, <u>38</u> Response filed by City of New York, Michael Bloomberg, <u>13</u> MOTION for Summary Judgment. filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, <u>47</u> Notice of Change of Address filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, <u>11</u> Answer to Complaint filed by City of New



York, Michael Bloomberg, 39 Reply Memorandum of Law in Support of Motion filed by The Attorney General of the State of New York, 27 Memorandum of Law in Support of Motion filed by The Attorney General of the State of New York, 35 Declaration in Opposition to Motion, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, 37 Reply Memorandum of Law in Support of Motion filed by City of New York, Michael Bloomberg, 32 Response, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, 41 Endorsed Letter, 25 Declaration in Support of Motion, filed by The Attorney General of the State of New York, 6 Notice of Appearance filed by Eric Schneiderman, 9 Notice of Hearing, 33 Response, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, 4 Notice of Appearance filed by City of New York, Michael Bloomberg, 20 Declaration in Support of Motion filed by City of New York, Michael Bloomberg, 1 Complaint, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, 2 Rule 7.1 Corporate Disclosure Statement filed by Second Amendment Foundation, Inc., 44 Endorsed Letter, Set Hearings, 34 Reply Memorandum of Law in Support of Motion, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, 10 Scheduling Order, 31 Counter Statement to Rule 56.1, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, 29 Endorsed Letter, Set Deadlines, 22 Memorandum of Law in Support of Motion, filed by City of New York, Michael Bloomberg, 48 Notice of Appeal, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis, 40 Rule 56.1 Statement filed by The Attorney General of the State of New York, 15 Rule 56.1 Statement, filed by Second Amendment Foundation, Inc., Daniela Greco, Shui W. Kwong, Timothy S. Furey, Glenn Herman, George Greco, The New York State Rifle & Pistol Association, Inc., Nunzio Calce, Nick Lidakis were transmitted to the U.S. Court of Appeals. (nd) (Entered: 04/18/2012)

**United States Court of Appeals for the Second Circuit  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007**

**DENNIS JACOBS**  
CHIEF JUDGE

**CATHERINE O'HAGAN WOLFE**  
CLERK OF COURT

Date: April 20, 2012  
Docket #: 12-1578cv  
Short Title: Kwong v. Bloomberg

DC Docket #: 11-cv-2356  
DC Court: SDNY (NEW YORK CITY)  
DC Judge: Koeltl

**DOCKETING NOTICE**

An appeal in the above-referenced case has been docketed under number: 12-1578. This number must appear on all documents related to this case that are filed in this Court. Appellate counsel of record either represented the appellant before the district court, filed the notice of appeal, or acted as counsel for appellee in the district court. For pro se parties the docket sheet with the caption page, and an Acknowledgment and Notice of Appearance Form are enclosed. In counseled cases the docket sheet is available on PACER. Counsel must access the Acknowledgment and Notice of Appearance Form from this Court's website <http://www.ca2.uscourts.gov>.

The form must be completed and returned within 14 days of the date of this notice. The form requires the following information:

**YOUR CORRECT CONTACT INFORMATION:** Review the party information on the docket sheet and note any incorrect information in writing on the Acknowledgment and Notice of Appearance Form.

The Court will contact one counsel per party or group of collectively represented parties when serving notice or issuing our order. Counsel must designate on the Acknowledgment and Notice of Appearance a lead attorney to accept all notices from this Court who, in turn will, be responsible for notifying any associated counsel.

**CAPTION:** This Court must use the district court caption See FRAP 12(a), 32(a). Please review the caption carefully and promptly advise this Court of any improper or inaccurate designations in writing on the Acknowledgment and Notice of Appearance form. If a party has been terminated from the case the caption may reflect that change only if the district court judge ordered that the caption be amended.

**APPELLATE DESIGNATIONS:** Please review whether petitioner is listed correctly on the party listing page of the docket sheet and in the caption. If there is an error, please note on the

Acknowledgment and Notice of Appearance Form. Timely submission of the Acknowledgment and Notice of Appearance Form will constitute compliance with the requirement to file a Representation Statement required by FRAP 12(b).

For additional information consult the Court's instructions posted on the website.