

**COPY**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIFTH APPELLATE DISTRICT

**SHERIFF CLAY PARKER, TEHAMA  
COUNTY SHERIFF; HERB BAUER  
SPORTING GOODS; CALIFORNIA RIFLE  
AND PISTOL ASSOCIATION; ABLE'S  
SPORTING, INC.; RTG SPORTING  
COLLECTIBLES, LLC; AND STEVEN  
STONECIPHER,**

Plaintiffs and Respondents,

v.

**THE STATE OF CALIFORNIA; KAMALA  
D. HARRIS, in her official capacity as  
Attorney General for the State of California;  
AND THE CALIFORNIA DEPARTMENT  
OF JUSTICE,**

Defendants and Appellants.

Case No. F062490

Fresno County Superior Court, Case No. 10CECG02116  
The Honorable Jeff Hamilton, Judge

**STIPULATION FOR JOINT APPENDIX**

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California, Kamala Harris, and the  
California Department of Justice*

IT IS STIPULATED by and between plaintiffs and defendants through their attorneys of record that the contents of the Joint Appendix in this appeal and the consolidated appeal with case number F062709 will consist of the following documents:

06/17/10	Summons and Complaint for Declaratory and Injunctive Relief; Petition for Writ of Mandate (To Determine Validity of Statutes)
08/03/10	Answer to Complaint for Declaratory and Injunctive Relief and Petition for Writ of Mandate
09/07/10	Notice of Motion and Motion for Preliminary Injunction;  Declaration of Barry Bauer in Support of Motion for Preliminary Injunction;  Declaration of Clinton B. Monfort in Support of Motion for Preliminary Injunction;  Declaration of Ray T. Giles in Support of Motion for Preliminary Injunction;  Declaration of Mike Haas in Support of Motion for Preliminary Injunction;  Declaration of Stephen Helsely in Support of Motion for Preliminary Injunction;  Declaration of Clay Parker, Tehama County Sheriff, in Support of Motion for Preliminary Injunction;  Declaration of Steven Stonecipher in Support of Motion for Preliminary Injunction;  Declaration of Randy Wright in Support of Motion for Preliminary Injunction;  Exhibits 1-47 in Support of Motion for Preliminary Injunction;  Memorandum of Points and Authorities in Support of Motion for

Preliminary Injunction;

Notice of Other Authorities in Support of Motion for Preliminary Injunction;

[Proposed] Order Granting Preliminary Injunction

09/30/10	Defendants' Memorandum of Points and Authorities in Opposition to Motion for Preliminary Injunction.
10/7/10	Reply to Opposition to Plaintiffs' Motion for Preliminary Injunction; Supplemental Declaration of Clinton B. Monfort in Support of Motion for Preliminary Injunction.
10/12/10	Request for Judicial Notice in Support of Motion for Preliminary Injunction.
10/22/10	Defendants' Case Management Conference Statement
10/29/10	Plaintiffs' Case Management Conference Statement
11/07/10	Minute Order Re: Status Conference, CMC, Motion for Preliminary Injunction
11/30/10	Stipulation and Order to Modify Briefing Schedule for Motion for Summary Judgment
12/06/10	Notice of Motion for Summary Judgment and/or Summary Adjudication of Issues:
	Memorandum of Points and Authorities in Support of motion;
	Separate Statement of Undisputed Facts in Support of Motion;
	Plaintiffs' Evidence in Support of Motion for Summary Judgment or in the Alternative for Summary Adjudication/Trial Brief;
	Notice of Lodging Federal Authorities in Support of Motion for Summary Judgment;
	Request for Judicial Notice;
	Declaration of Sean A. Brady in Support of Motion for Summary

Judgment;

Declaration of Clinton B. Monfort in Support of Motion for Summary Judgment;

Declaration of Stephen Helsey in Support of Motion for Summary Judgment;

Declaration of Brian Hall in Support of Motion for Summary Judgment;

Declaration of Michael Tenny in Support of Motion for Summary Judgment;

Declaration of Larry W. Potterfield, CEO Midway Arms Inc, dba Midway USA, in Support of Motion for Summary Judgment;

Declaration of Tom Allman, Mendocino County Sheriff-Coroner, in support of Motion for Summary Judgment;

Declaration of Steven Stonecipher in Support of Motion for Summary Judgment;

Declaration of Ray T. Giles in Support of Motion for Summary Judgment;

Declaration of Randy Wright in Support of Motion for Summary Judgment;

Declaration of Barry Bauer in Support of Motion for Summary Judgment;

Declaration of Clay Parker, Tehama County Sheriff, in Support of Motion for Summary Judgment.

12/23/10 Notice of Errata Re: Plaintiffs' Separate Statement of Undisputed Facts

01/03/11 Defendants' Memorandum of Opposition to Motion for Summary Judgment;

Defendants' Response to separate Statement of Undisputed Material Facts and Supplemental Statement of Undisputed Material Facts;

Declaration of Peter Krause in Support of Opposition to Motion for

Summary Judgment;

Declaration of Kimberly Granger in Support of Opposition to Motion for Summary Judgment;

Declaration of Blake Graham in Support of Opposition to Motion for Summary Judgment;

Defendants' Request for Judicial Notice in Support of Opposition to Motion for Summary Judgment;

Objection to Evidence and Declarations Submitted in Support of Plaintiffs' Motion for Summary Judgment;

Defendants' Evidence in Support of Opposition to Motion for Summary Judgment.

01/04/11 Defendants' Notice of Lodging Federal Authorities Cited in Defendants' Opposition to Motion for Summary Judgment.

01/07/11 Reply Memorandum of Points and Authorities in Support of Motion for Summary Judgment;

Stipulated Supplemental Separate Statement of Undisputed Facts in Support of Plaintiffs' Motion for Summary Judgment;

Supplemental Declaration of Clinton B. Monfort;  
Objection to Defendants' Evidence Offered in Opposition to Motion for Summary Judgment.

01/07/11 Plaintiffs' Evidentiary Objection to Defendants' Request for Judicial Notice.

01/07/11 Notice of Lodging Federal Authorities in Support of Plaintiffs' Reply to Opposition to Motion for Summary Judgment.

01/11/11 Defendants' Objections to Exhibits Attached to Supplemental Declaration of Clinton B. Monfort and Cited as Evidence in Plaintiffs' "Stipulated" Supplemental Separate Statement of Undisputed Facts; [Proposed] Order Thereon.

01/12/11 Notice of Lodgment of Blake Graham's Original Deposition Transcript Volume One in Support of Plaintiffs' Motion for Summary Judgment or


in the Alternative Summary Adjudication/Trial

01/12/11	Notice of Lodgment of Blake Graham's Original Deposition Transcript Volume Two in Support of Plaintiffs' Motion for Summary Judgment or in the Alternative Summary Adjudication/Trial.
01/12/11	Notice of Erratum re: Plaintiffs' Evidence in Support of Reply to Opposition to Motion for Summary Judgment or in the alternative Summary Adjudication and Trial.
01/12/11	Notice of Lodging of Current Updated Version of Previously Filed Evidence in Support of Motion for Summary Judgment or in the Alternative for Summary Adjudication/Trial.
01/13/11	Plaintiffs' Notice of Motion and Motion to Challenge Qualifications and Foundation of Defendants' Expert Witness Blake Graham to Offer Testimony at Hearing and Trial;  Memorandum of Points and Authorities Demonstrating Preliminary Facts in Dispute;  Declaration of Clinton B. Monfort in Support.
01/18/11	Defendants' Memorandum of Points and Authorities in Opposition to Plaintiffs' Motion for an Evidentiary Hearing re: Qualification of Expert Witness Blake Graham;  Declaration of Peter A. Krause in Support of Opposition.
01/20/11	01/18/11 Amended Minute Order
02/01/11	01/31/11 Minute Order and Copy of Order Denying Plaintiffs' Motion for Summary Judgment and Granting in Part and Denying in Part Plaintiffs' Motion for Summary Adjudication.
02/28/11	Notice of Entry of Judgment.
03/10/11	Memorandum of Costs (Summary)
04/01/11	The State's Notice of Motion and Motion to Tax Costs;  Appendix of Non-California Authorities in Support of the State's Motion to Tax Costs;

	Memorandum of Points and Authorities in Support of the State's Motion to Tax Costs;
	Declaration of Peter A. Krause in Support Thereof.
04/20/11	Memorandum of Points and Authorities in Opposition to Tax Costs;
	Declaration of C.D. Michel in Support of Opposition;
	Declaration of Clinton B. Monfort in Support of Opposition;
	Lodging of Exhibits A-F.
04/26/11	Reply Memorandum of Points and Authorities in Support of the State's Motion to Tax Costs; Supplemental Declaration of Peter Krause in Support Thereof.
05/13/11	Notification of Filing Notice of Appeal.
05/17/11	Amended Notification of Filing Notice of Appeal.
05/17/11	Ruling – Defendants' Motion to Tax Costs.
06/09/11	Notice of Appeal;
	Appellant's Notice of Designating Record on Appeal.
06/14/11	Notification of Filing Notice of Appeal – Civil;
	Clerk's Certification of Mailing.
	Stipulation for Joint Appendix.

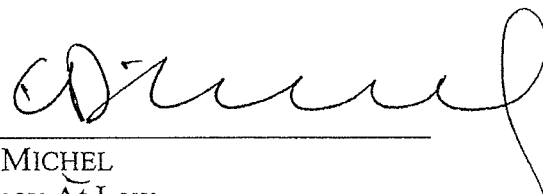
Dated: February 21, 2012

KAMALA D. HARRIS  
Attorney General of California

By:   
ROSS C. MOODY  
Deputy Attorney General  
*Attorneys for Appellants State of  
California, Kamala Harris, and the  
California Department of Justice*

Dated: February 17, 2012

MICHEL AND ASSOCIATES, P.C.

By:   
C. D. MICHEL  
Attorney At Law  
*Attorneys for Respondents Sheriff  
Clay Parker, Tehama County Sheriff,  
Herb Bauer Sporting Goods,  
California Rifle And Pistol  
Association, Able's Sporting, Inc.,  
RTG Sporting Collectibles, LLC., and  
Steven Stonecipher*

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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Sheriff Clay Parker, et al. v. State of California, et al.**

No.: **F062490**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On February 22, 2012, I served the attached **STIPULATION FOR JOINT APPENDIX** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Carl Dawson Michel, Esq.  
Clinton Barnwell Monfort, Esq.  
Michel and Associates, PC  
180 East Ocean Blvd., Ste. 200  
Long Beach, CA 90802  
(Attorney for Respondents)

County of Fresno  
Civil Division - B.F. Sisk Courthouse  
Superior Court of California  
B.F. Sisk Courthouse  
1130 O Street  
Fresno, CA 93721-2220

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on February 22, 2012, at San Francisco, California.

\_\_\_\_\_  
J. Wong  
Declarant

\_\_\_\_\_  
  
Signature