

1 C. D. Michel - S.B.N. 144258
Glenn S. McRoberts - S.B.N. 144852
2 Clinton Monfort - S.B.N. 255609
Anna M. Barvir - S.B.N. 268728
3 MICHEL & ASSOCIATES, PC
180 E. Ocean Boulevard, Suite 200
4 Long Beach, CA 90802
Telephone: 562-216-4444
5 Facsimile: 562-216-4445
Email: cmichel@michellawyers.com

6 Attorneys for Plaintiffs
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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 ESPANOLA JACKSON, PAUL COLVIN,) **CASE NO.: CV-09-2143-RS**
12 THOMAS BOYER, LARRY BARSETTI,)
13 DAVID GOLDEN, NOEMI MARGARET) **[PROPOSED] ORDER GRANTING MOTION**
ROBINSON, NATIONAL RIFLE) **FOR PARTIAL JUDGMENT ON THE**
14 ASSOCIATION OF AMERICA, INC., SAN) **PLEADINGS**
FRANCISCO VETERAN POLICE)
15 OFFICERS ASSOCIATION,) Hearing: July 12, 2012
Time: 1:30 p.m.
16 Plaintiffs) Place: Courtroom 3 - 17th Floor
450 Golden Gate Ave.
17 vs.) San Francisco, CA 94102
CITY AND COUNTY OF SAN)
18 FRANCISCO, THE MAYOR OF)
SAN FRANCISCO, AND THE CHIEF)
19 OF THE SAN FRANCISCO POLICE)
DEPARTMENT, in their official capacities,)
20 and DOES 1-10,)
21 Defendants.)

1 Plaintiffs' Motion for Partial Judgment on the Pleadings came on for hearing before this
2 Court on July 12, 2012. C.D. Michel and Clinton Monfort appeared for Plaintiffs, and Christine
3 Van Aken appeared for Defendants. After consideration of the briefs and arguments of counsel,
4 the request for judicial notice filed in support, and all other matters presented, the Court finds that
5 Defendants' answer fails to assert a viable affirmative defense to Plaintiffs' claims that San
6 Francisco Police Code sections 4512 and 613.10(g) infringes upon Plaintiffs' right to keep and
7 bear arms protected by the Second Amendment and incorporated by the Fourteenth Amendment.
8 As such, Plaintiffs are entitled to judgment as a matter of law.

9 The Court hereby GRANTS Plaintiffs' Request for Judicial Notice in Support of
10 Plaintiffs' Motion for Partial Judgment on the Pleadings. The Court also GRANTS Plaintiffs'
11 Motion for Partial Judgment on the Pleadings. Partial judgment shall be entered in Plaintiffs'
12 favor as to Plaintiffs' first and second causes of action.

13 IT IS SO ORDERED.

14 Date: _____

15 _____
16 Honorable Judge Richard Seeborg
17 United States District Court Judge
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