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Attorneys for Defendant
HAWTHORNE DISTRIBUTORS, 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.,

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.,

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.

JUDICIAL COUNCIL COORDINATION
PROCEEDINGS NO. 4095

Superior Court of California City & County of
San Francisco No. 303753

Superior Court of California County of Los
Angeles No. BC210894

Superior Court of California County of Los
Angeles No. BC214794

**OPPOSITION AND OBJECTION TO
STIPULATION FOR ENTRY TO FINAL
JUDGEMENT RE: HAWTHORNE
DISTRIBUTORS INC.**

1 The plaintiffs in this lawsuit have apparently reached a settlement with one retailer
2 defendant, Hawthorne Distributors Inc. (D.B.A. Western Surplus). Prior to reaching that
3 settlement, Hawthorne Distributors Inc. had filed a Motion for Summary Judgement (MSJ) with
4 the court. Andrews Sporting goods (AGS), one of the last few retailers remaining in this case,
5 joined in that motion, since Hawthorne's Distributors Inc.'s motion, presented issues similar to
6 those that AGS wished to present to the court.

7 In an effort to minimize the amount of material being submitted to the court, AGS
8 coordinated their briefs with Hawthorne's Distributors' Council, and did not re-brief the legal
9 issues raised in Hawthorne's Distributors' MSJ, since those issues were joined in by Turners.
10 Turners then shortened and focused its MSJ on the factual aspects of the plaintiffs' case against
11 AGS, and left out most of the legal authority raised in the Hawthorne.

12 As part of their Stipulated Judgement, defendant Hawthorne Distributors Inc. has agreed to
13 "withdraw" its MSJ.

14 While Andrews Sporting Goods/Turners agrees that the motion should be taken off
15 calendar, we are concerned that as a result, the court will not consider the legal arguments raised
16 in Hawthorne Distributors MSJ support for AGS's MSJ.

17 Thus we propose that the parties stipulate that the legal arguments raised in that motion
18 shall be considered to be fully incorporated within the AGS MSJ, as if set fully therein. This will
19 avoid multiple filings and insure that the points and authorities raised by the coordinated effort of
20 Hawthorne Distributors and Andrews Sporting Goods will be part of the record presented by ASG
21 MSJ.

22 Dated: February 6, 2003

23 **TRUTANICH • MICHEL, LLP**

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