

ORIGINAL FILED

SEP 22 1999

LOS ANGELES
SUPERIOR COURT

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA,
ex rel. the County of Los Angeles, COUNTY
OF LOS ANGELES, on behalf of itself and the
general public, and GLORIA MOLINA, ZEV
YAROSLAVSKY and YVONNE BRATHWAITE
BURKE, SUPERVISORS OF LOS ANGELES
COUNTY, on behalf of the general public,

Plaintiffs,

vs.

ARCADIA MACHINE & TOOL, BRYCO ARMS,
INC., DAVIS INDUSTRIES, LORCIN
ENGINEERING CO., INC., PHOENIX ARMS,
SUNDANCE INDUSTRIES, INC., EXCEL
INDUSTRIES, INC., ACCU-TEK FIREARMS,
BERETTA U.S.A. CORP., PIETRO BERETTA
Sp. A., BROWNING ARMS CO., CARL
WALTHER GmbH, CHARTER ARMS, INC.,
COLTS MANUFACTURING CO., INC., FORJAS
TAURUS, S.A., GLOCK, INC., GLOCK GmbH,
H&R 1871, INC., HECKLER & KOCH, INC., MKS
SUPPLY, INC., HI-POINT FIREARMS, KEL-TEC
CNC INDUSTRIES A/K/A NORINCO,
NAVEGAR, INC. D/B/A INTRATEC U.S.A., INC.,
NORTH AMERICAN ARMS, INC., SIGARMS,
INC., SMITH & WESSON CORP., STURM,
RUGER & COMPANY, INC., S.W. DANIEL, INC.
A/K/A COBRAY FIREARMS, INC., TAURUS
INTERNATIONAL MANUFACTURING, INC.,
AMERICAN SHOOTING SPORTS COUNCIL,
INC., NATIONAL SHOOTING SPORTS
FOUNDATION, INC., SPORTING ARMS AND
AMMUNITION MANUFACTURERS'
INSTITUTE, INC., B.L. JENNINGS, INC.,

Case No. BC 214 794

JOINDER IN MOTION FOR
PERMISSION TO FILE
COORDINATION PETITION

Date: October 4, 1999
Time: 8:30 a.m.
Dept.: 1

Date of Filing: August 6, 1999

Trial Date: None Set

1 ELLETT BROTHERS, INTERNATIONAL)
2 ARMAMENT CORP D/B/A INTERARMS)
3 INDUSTRIES, INC., RSR WHOLESALE GUNS,)
4 INC., SOUTHERN OHIO GUN DISTRIBUTORS,)
5 B&B GROUP, INC., B&B&B GUNS, ANDREWS)
6 SPORTING GOODS, INC., NATIONAL GUNS)
7 SALES, INC., S.G.DISTRIBUTING, INC.,)
8 HAWTHORNE DISTRIBUTORS, INC., and DOES)
9 1-300,)
10 Defendants.)
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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Defendant H&R 1871, Inc. hereby joins in BERETTA U.S.A. CORP.'s Motion for Permission to File a Coordination Petition with the Judicial Council. This joinder is based upon the fact that the below-listed matter involves substantially similar questions of law and fact to those present herein.

1. People of the State of California, et al. v. Arcadia Machine & Tool, Inc. et al. (San Francisco County Superior Court Case No. 303753).

Coordination of these actions would allow the Court to better control this litigation for the convenience of parties, witnesses and counsel, more efficiently utilize judicial facilities and resources, eliminate duplicative or inconsistent rulings, orders or judgments, help alleviate the congested calendar of this Court; and/or promote overall judicial efficiency and fairness.

**JOINDER IN MOTION FOR PERMISSION
TO FILE COORDINATION PETITION**

1 This motion is of prime importance to this joining party, as the same issues of law or
2 fact involve all defendants. It is vital that uniformity of decisions of law in this State be
3 obtained as said actions are pending in different courts and multiple appeals could be avoided
4 by a single determination.

5 Respectfully submitted,

6
7 Dated: September 22, 1999

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.
R.D. Kirwan
Robert N. Tafoya

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10 By _____

Robert N. Tafoya
Attorneys for Defendant H&R 1871 Inc.

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**JOINDER IN MOTION FOR PERMISSION
TO FILE COORDINATION PETITION**

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 2029 Century Park East, #2500, Los Angeles, California 90067. On September 22, 1999, I served the foregoing document(s) described as: **JOINDER IN MOTION FOR PERMISSION TO FILE COORDINATION PETITION** on interested parties in this action by placing ☐ the original ☐ true copy(ies) thereof enclosed in sealed envelopes ☐ as follows: ☐ as stated on the attached mailing list: [SEE ATTACHED SERVICE LIST]

☒ BY MAIL (C.C.P. § 1013(a)) I am readily familiar with the firm's practice of collection and processing correspondence for mailing with the U.S. postal service. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. The envelope was sealed and placed for collection and mailing on that date following ordinary business practices.

☐ BY FAX (C.C.P. § 1013(a),(e); CRC 2008) by transmitting said document(s) by electronic facsimile at approximately .m. at 2029 Century Park East, #2500, Los Angeles, California 90067 to the respective facsimile number(s) of the party(ies) as stated on the attached mailing list. The transmission was reported as complete without error. Attached is a true copy of the transmission report which was properly issued by the transmitting facsimile machine.

☐ BY FAX & MAIL (C.C.P. § 1013(a),(e); CRC 2008) by transmitting said document(s) by electronic facsimile at approximately .m. at 2029 Century Park East, #2500, Los Angeles, California 90067 to the respective facsimile number(s) of the party(ies) as stated on the attached mailing list. The transmission was reported as complete without error. Attached is a true copy of the transmission report which was properly issued by the transmitting facsimile machine. Further, the document was also served by U.S. Mail. I am readily familiar with the firm's practice of collection and processing correspondence for mailing with the U.S. postal service. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at _____, California in the ordinary course of business. The envelope was sealed and placed for collection and mailing on that date following ordinary business practices.

☐ BY EXPRESS MAIL (C.C.P. § 1013(c)) I am readily familiar with the firm's practice of collection and processing correspondence for mailing with Federal Express. Under that practice it would be deposited with Federal Express on that same day thereon fully prepaid at _____, California in the ordinary course of business. The envelope was sealed and placed for collection and mailing on that date following ordinary business practices.

☐ BY PERSONAL SERVICE (C.C.P. 1011(a); Los Angeles County Local Rule 9.8(d)) I delivered such envelope(s) by hand to the offices of the addressee(s).

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 22, 1999 at Los Angeles, California.

AUDRIA BREWSTER

[Signature]

[Print Name Of Person Executing Proof]

PROOF OF SERVICE LIST

People v. Arcadia Machine & Tool, etc. et al.

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