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17 Attorneys for Plaintiffs

18 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

19 IN AND FOR THE COUNTY OF FRESNO

20 EDWARD W. HUNT, in his official  
21 capacity as District Attorney of Fresno  
22 County, and in his personal capacity as a  
23 citizen and taxpayer, et. al.,

24 Plaintiffs,

25 v.

26 STATE OF CALIFORNIA, et. al.,

27 Defendants.

**FILED**

JAN 29 2003

FRESNO COUNTY SUPERIOR COURT

By \_\_\_\_\_ C.A. - DEPUTY

) CASE NO. 01CECG03182

)  
) **NOTICE OF LODGING OF FEDERAL**  
) **AUTHORITIES IN SUPPORT OF**  
) **MEMORANDUM OF POINTS AND**  
) **AUTHORITIES IN OPPOSITION TO**  
) **DEFENDANTS' DEMURRER TO FIRST**  
) **AMENDED COMPLAINT**

) **VOLUME I OF V: 1-8**

) Date: February 19, 2003

) Time: 3:30 p.m.

) Dept.: 72

1 The following authorities are hereby lodged with the Court as authorities cited by  
2 Plaintiffs, In Support of Memorandum of Points and Authorities in Opposition to Defendants'  
3 Demurrer to First Amended Complaint.

4 FEDERAL CASES:

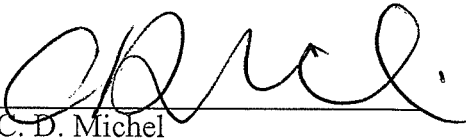
- 5 1. Babbitt v. United Farm Workers National Union (1979) 442 U.S. 289, 302
- 6 2. Baker v. Carr (1962) 369 U.S. 186, 204
- 7 3. Barrows v. Jackson (1953) 346 U. S. 249, 255-56
- 8 4. Board of Education v. Allen (1968) 392 U.S. 236
- 9 5. Central Arizona Water Conservation District v. U.S. Environmental Agency (9th Cir.  
10 1993) 990 F.3d 1531, 1537, 1538
- 11 6. Citizens for Safer Community v. Rochester (N.Y. 1994) 627 N. Y. S. 2d 193, 203-04, 206
- 12 7. City of Chicago v. Morales (1999) 527 U.S. 41
- 13 8. Coalition of New Jersey Sportsmen v. Christine Todd Whitman (3d Cir. 2001) 263 F.3d  
14 157, cert. den. (2001) 122 S. Ct. 613
- 15 9. Colautti v. Franklin (1979) 439 U. S. 379
- 16 10. Craig v. Boren (1976) 429 U.S. 190, 194-96
- 17 11. Damico v. State of California (1967) 389 U.S. 416
- 18 12. Doe v. Bolton (1973) 410 U.S. 179, 188
- 19 13. Forbes v. Napolitano (9th Cir. 2000) 236 F.3d 1009
- 20 14. Frank v. United States (1997) 521 U. S. 1114
- 21 15. Frank v. United States (2<sup>nd</sup> Cir. 1996) 78 F. 3d 815, 824
- 22 16. Friends of the Earth Inc. v. Laidlaw Environmental Services (2000) 528 U. S. 167, 182
- 23 17. General Motors Corp. v. Tracy (1997) 519 U.S. 278, 286-87
- 24 18. Illinois Sporting Goods Ass'n v. County of Cook (N. D. Ill 1994) 845 F. Supp. 582, 585
- 25 19. International Society For Krishna Consciousness v. Eaves (5th Cir. 1979) 601 F.2d 809,  
26 819, fn. 6
- 27 20. Kolender v. Lawson (1983) 461 U.S. 352, 353-54
- 28 21. Lanzetta v. New Jersey (1939) 306 U.S. 451, 452-53

- 1 22. Leverett v. City of Pinellas (11th Cir. 1995) 775 F.2d 1536, 1539
- 2 23. Lynch v. Household Finance Corp. (1972) 406 U.S. 538
- 3 24. Mack v. United States (9th Cir. 1995) 66 F.3d 1025
- 4 25. Matthias v. Bingley (5th Cir. 1990) 906 F.2d 1047, 1048, 1051
- 5 26. Mobil Oil Corp v. Attorney General (4<sup>th</sup> Cir. 1991) 940 F. 2d 73, 75-76
- 6 27. National Collegiate Athletic Ass'n v. Califano (10th Cir. 1980) 622 F.2d 1382, 1389
- 7 28. National Rifle Association of America v. Magaw (6th Cir. 1997) 132 F.3d 272, 280-83
- 8 29. New Hampshire Right to Life Political Action Comm. v. Gardner (1st Cir. 1996) 99 F.3d
- 9 8, 17
- 10 30. North Georgia Finishing v. Di-Chem (1985) 419 U.S. 601, 606-08 [95 S.Ct. 719, 42 L. Ed.
- 11 2d 751
- 12 31. NRA v City of South Miami (Fla. Dist. Ct. App. 2002) 812 So. 2d
- 13 32. Papachristou v. Jacksonville (1972) 405 U.S. 156, 164
- 14 33. Pennell v. City of San Jose (1988), 485 U.S. 1, 8
- 15 34. Peoples Rights Organization, Inc., et al., v. City of Columbus, et al., (6th Cir. 1998) 152
- 16 F.3d 522
- 17 35. Poe v. Ullman (1961) 367 U. S. 497, 501
- 18 36. Postscript Enterprises v. Whaley (8th Cir. 1981) 658 F.2d 1249, 1252
- 19 37. Printz v. United States (D. Mont. 1994) 854 F. Supp. 1503, 1508
- 20 38. Printz v. United States 521 U.S. 898
- 21 39. Robertson v. Denver (Colo. 1994) 874 P. 2d 325, 334
- 22 40. San Diego County Gun Rights Committee v. Reno (9th Cir. 1996) 98 F.3d 1121, 1130
- 23 41. Springfield Armory v. City of Columbus (6th Cir. 1994) 29 F.3d 250, 251
- 24 42. Steele v. National Firearms Act Branch (11<sup>th</sup> Cir. 1985) 755 F. 2d 1410, 1414
- 25 43. Sullivan v. Town of Salem (2nd Cir. 1986) 805 F.2d 81, 84
- 26 44. United Food & Commercial Workers Union Local 751 v. Brown Group Inc. (1996) 517 U.
- 27 S. 544, 552)
- 28 45. United States v. Cardiff (1952) 344 U.S. 174, 174-75

- 1 46. United States v. L. Cohen Grocery Co. (1921) 255 U.S. 81, 89  
2 47. United States v. Ragen (1942) 314 U.S. 513, 524  
3 48. United States v. Students Challenging Regulatory Agency Procedures (1973) 412 U.S.  
4 669, 689, fn. 14  
5 49. United States v. Mazurie 419 U. S. 544, 550... (1975)  
6 50. Village of Hoffman Estates v. Flipside Hoffman Estates, Inc. (1982) 455 U.S. 489, 492  
7 51. Winters v. New York (1948) 333 U.S. 507, 515  
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9 Dated: January 27, 2003

TRUTANICH - MICHEL, LLP:

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12 C. D. Michel  
13 Attorneys for Defendants  
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1 PROOF OF SERVICE

2 STATE OF CALIFORNIA

3 COUNTY OF LOS ANGELES

4 I, Claudia Ayala, am employed in the City of San Pedro, Los Angeles County, California.  
5 I am over the age eighteen (18) years and am not a party to the within action. My business address  
is 407 North Harbor Boulevard, San Pedro, California 90731.

6 On January 27, 2003, I served the foregoing document(s) described as

7 **NOTICE OF LODGING OF FEDERAL AUTHORITIES IN SUPPORT OF**  
8 **MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO**  
9 **DEFENDANTS' DEMURRER TO FIRST AMENDED COMPLAINT**  
10 **VOLUME I OF V: 1-8**

11 on the interested parties in this action by placing

12 ☐ the original

13 ☒ a true and correct copy

14 thereof enclosed in sealed envelope(s) addressed as follows:

15 Douglas J. Woods  
16 Office of the Attorney General  
17 1300 "I" Street  
18 Sacramento, CA 95814  
19 (916) 324-5567

20 X (VIA OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of  
21 collection and processing correspondence for overnight delivery by UPS/FED-EX. Under  
22 the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for  
23 receipt on the same day in the ordinary course of business. Such envelope was sealed and  
24 placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for  
25 in accordance with ordinary business practices.

26 Executed on January 27, 2003, at San Pedro, California.

27        (PERSONAL SERVICE) I caused such envelope to delivered by hand to the offices of the  
28 addressee.

Executed on January 27, 2003, at San Pedro, California.

29 X (STATE) I declare under penalty of perjury under the laws of the State of California  
30 that the foregoing is true and correct.

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

33   
34 CLAUDIA AYALA