

FILED

APR 09 2007

FRESNO COUNTY SUPERIOR COURT

By _____

TLL DEPUTY

1 C. D. Michel - S.B.N. 144258
 Jason A. Davis - S.B.N. 224250
 2 TRUTANICH • MICHEL, LLP
 180 East Ocean Blvd.
 3 Suite 200
 Long Beach, CA 90802
 4 (562)216-4444

5 Stephen P. Halbrook
 LAW OFFICES OF STEPHEN P. HALBROOK
 6 10560 Main Street., Suite 404
 Fairfax, Virginia 22030
 7 (703) 352-7276

8 Don B. Kates - S.B.N. 39193
 BENENSON & KATES
 9 22608 North East 269th Avenue
 Bartleground, Washington 98604
 10 (360) 666-2688

11 Attorneys for Plaintiffs

12

13 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

14

IN AND FOR THE COUNTY OF FRESNO

15 EDWARD W. HUNT, in his official
 capacity as District Attorney of Fresno
 16 County, and in his personal capacity as a
 citizen and taxpayer, et. al.,

17 Plaintiffs,

18

v

19 STATE OF CALIFORNIA; WILLIAM
 20 LOCKYER, Attorney General of the State of
 California, et. al.,

21 Defendants.

22

23

24

25

26

27

28

) CASE NO. 01CECG03182

) STIPULATION TO LIFT SUSPENSION OF
) PRE TRIAL DEADLINES AND ACTIVITY,
) AND TO CONTINUE TRIAL; [PROPOSED]
) ORDER

1 SUBJECT TO THE APPROVAL OF THE COURT, the parties hereby stipulate to the
2 following:

3 WHEREAS, this is an action in which plaintiffs seek declaratory and injunctive relief in
4 regard to certain provisions related to the regulation of "assault weapons" and "large-capacity"
5 ammunition feeding devices;

6 WHEREAS, pursuant to the parties' stipulation, the Court previously suspended all
7 pretrial deadlines and activity in this matter until further order of the Court, at which point, if the
8 matter were not fully resolved by the parties' cross-motions for summary judgment, the scope of
9 any remaining litigation and pretrial activity would be evaluated and the need for any continuance
10 of the trial date to accommodate any such activity would be considered;

11 WHEREAS, the Court did not grant either side's motion for summary judgment in its
12 entirety;

13 WHEREAS, following the Court's ruling on the parties' cross-motions for summary
14 judgment, plaintiffs' claims for "Uncertainty of 'Flash Suppressor'" (Second Cause of Action),
15 "Uncertainty of 'Permanently Alter' In Relation To Large Capacity Feeding Devices" (Fifth Cause
16 of Action), and "Inconsistency Regarding Springfield and Browning Products" (Claim 1 in Sixth
17 Cause of Action) remain;

18 WHEREAS, the parties and their respective counsel must now return to seeking remaining
19 written, deposition, and document discovery on such claims (including exchange of expert
20 information and expert discovery), and also likely to motions to resolve pending discovery
21 disputes on such claims, which they had set aside in light of their cross-motions for summary
22 judgment; and

23 WHEREAS, there is thus substantial work to be done in advance of trial on plaintiffs'
24 remaining claims.

25 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the
26 respective attorneys of record for plaintiffs and defendants, subject to the Court's approval, as
27 follows:

- 28 1. The Court's Order dated February 22, 2007, suspending all pretrial deadlines and

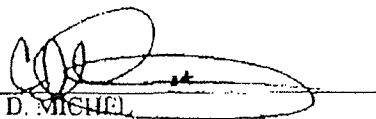
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

activity in this matter until further order of the Court shall be lifted.

2. The current trial date of April 23, 2007, shall be continued for at least 6 months.

Dated: April 5, 2007

TRUTANICH - MICHEL, LLP



C. D. MICHEL
Attorneys for Plaintiffs

Dated: April ____, 2007

EDMUND G. BROWN JR.
Attorney General of the State of California

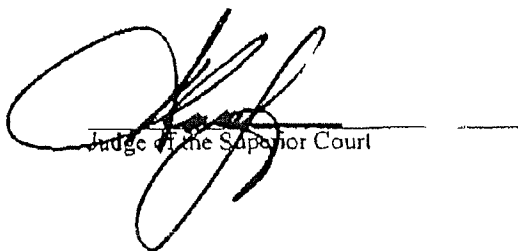
DOUGLAS J. WOODS
Deputy Attorney General, Attorneys for
Defendants Attorney General Bill Lockyer, the
State of California, and California Department
of Justice

ORDER

The parties having so stipulated and good cause appearing therefor, the above stipulation is hereby adopted.

IT IS SO ORDERED.

Dated: 4-9-07


Judge of the Superior Court

04/05/2007 14:30 FAX 910 322 1483

Att Gen Office-16th Flr

0004

1 activity in this matter until further order of the Court shall be lifted.

2 2. The current trial date of April 23, 2007, shall be continued for at least 6 months.

3 Dated: April 5, 2007 TRUTANICH - MICHEL, LLP

4

5

6 C. D. MICHEL
Attorneys for Plaintiffs

7 Dated: April 5, 2007 EDMUND G. BROWN JR.
Attorney General of the State of California

8

9 *Douglas L. Woods*
DOUGLAS L. WOODS
Deputy Attorney General, Attorneys for
Defendants Attorney General Bill Lockyer, the
State of California, and California Department
of Justice

10

11

12

13 **ORDER**

14 The parties having so stipulated and good cause appearing therefor, the above stipulation is

15 hereby adopted.

16 IT IS SO ORDERED.

17

18 Dated: _____

19 _____
Judge of the Superior Court

20

21

22

23

24

25

26

27

28

STIPULATION TO LIFT EXTENSION OF PRETRIAL DEADLINES
3
COPY IMPRINTED BY BUREAU 2006 50 000