

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

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Case Number: CGC-13-531982

Filing Date: Aug-20-2013 09:35 am

Filed by: JEFFREY LEE

Juke Box: 001 Image: 04172090

ORDER

THE PEOPLE OF THE STATE OF CALIFORNIA, EX REL. SAN VS. 44 MAG
DISTRIBUTING LLC D/B/A 44MAG.COM, AN OREGON et al

001C04172090

Instructions:

Please place this sheet on top of the document to be scanned.

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5
6 Attorneys for Defendants
44Mag Distributing, LLC, d/b/a 44Mag.com,
Copes Distributing, Inc., and B&L Productions, Inc.,
7 d/b/a Crossroads of the West Gun Shows

FILED
San Francisco County Superior Court

AUG 20 2013

CLERK OF THE COURT
BY: J. [Signature] Deputy Clerk

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF SAN FRANCISCO
10 UNLIMITED JURISDICTION

11 THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. San Francisco City
12 Attorney Dennis J. Herrera,
13 Plaintiff,
14 vs.
15 44MAG DISTRIBUTING LLC d/b/a 44MAG.COM, an Oregon limited liability
16 company; EXILE MACHINE, LLC, d/b/a EXILEMACHINE.COM, a Texas limited
17 liability company, COPEs DISTRIBUTING, INC., an Ohio corporation, and B&L
18 PRODUCTIONS, INC., a Utah corporation,
19 d/b/a CROSSROADS OF THE WEST GUN SHOWS, and DOES 1 through 50, inclusive,
20 Defendants.
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CASE NO: CGC - 13 - 531982
STIPULATION AND REQUEST TO EXTEND DEFENDANTS DEADLINE TO RESPOND TO COMPLAINT AND ; EXTEND PLAINTIFF'S DEADLINE TO FILE OPPOSITION TO DEMURRER OR OTHER RESPONSIVE MOTION

[PROPOSED] ORDER Extending Time to Respond to 9-20-13

BY FAX

22 Plaintiff the People of the State of California, by and through San Francisco City Attorney
23 Dennis J. Herrera ("Plaintiff") and Defendants 44Mag Distributing, LLC ("44Mag Distributing"),
24 B & L Productions, Inc. ("B & L Productions"),and Copes Distributing, Inc. ("Copes
25 Distributing"), hereby stipulate and respectfully request that the Court extend the time for
26 Defendants to answer or otherwise respond to the Complaint by thirty (30) days until September
27 20, 2013. These parties further stipulate and respectfully request that the Court that extend the
28 time for Plaintiff to file an opposition to any motion or demurrer filed by these Defendants in

AUG 15 2013

1 response to the Complaint by thirty (30) days.

2 The parties to this action, through their respective counsel, hereby stipulate and agree to
3 the following:

4 WHEREAS, Defendants' responsive pleading is currently due on or before August 20,
5 2013 pursuant to a prior stipulation between the parties and subsequent order by the Court;

6 WHEREAS, Defendants' counsel is currently facing deadlines on several other matters
7 that will impact the ability of Defendants' counsel to prepare and file a responsive pleading;

8 WHEREAS, Defendants' counsel requested from Plaintiff a further 30 day extension to
9 file a responsive pleading;

10 WHEREAS, Plaintiff agrees to a further 30 day extension for Defendants to file a
11 responsive pleading;

12 WHEREAS, the parties agree that a continuance is of particular value to the Court
13 inasmuch as the parties believe the extension increases the possibility of a settlement that will
14 allow the parties to remove this case from the Court's docket;

15 WHEREAS, Plaintiff's counsel's travel schedule and handling of other matters will impact
16 the ability of the parties to resolve this dispute without continued litigation, and will further
17 impact the ability of Plaintiff's counsel to prepare and file a response to any motion or demurrer
18 filed by the extended deadline for Defendants' response to the Complaint.

19 WHEREAS, Plaintiff's counsel requested from Defendants a 30 day extension to file any
20 opposition to a demurrer or other motion responsive to the Complaint filed by these Defendants.

21 WHEREAS, Defendants agree to a 30 day extension for Plaintiff to file any opposition to
22 any demurrer or other motion responsive to the Complaint.

23 WHEREAS, California Rule of Court 3.110(e) and Local Rule of Court for the San
24 Francisco Superior Court 3.1(B) permit this Court to extend the time period for responsive
25 pleadings;

26 The parties hereby STIPULATE that Defendants' deadline to file an answer or other
27 response to the Complaint is extended until September 20, 2013, and Plaintiff shall have an
28 additional thirty (30) days to file an opposition to any demurrer or other motion filed by these

1 Defendants in response to the Complaint.

2 Dated: August 14, 2013

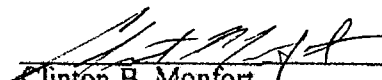
MICHEL & ASSOCIATES, P.C.

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Clinton B. Monfort
Attorneys for Defendants 44Mag Distributing, LLC,
Copes Distributing, Inc., and B&L Productions, Inc.

7 Dated: August 14, 2013

DENNIS J. HERRERA
City Attorney
OWEN J. CLEMENTS
Chief of Special Litigation
KRISTINE POPLAWSKI
CHRISTINE VAN AKEN
Deputy City Attorneys

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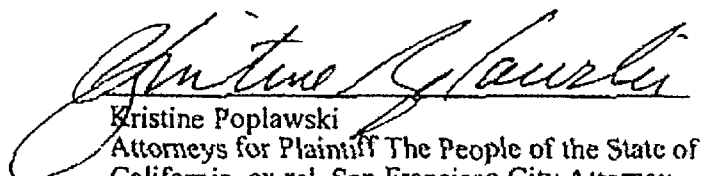
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Kristine Poplawski
Attorneys for Plaintiff The People of the State of
California, ex rel. San Francisco City Attorney
Dennis J. Herrera

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ORDER

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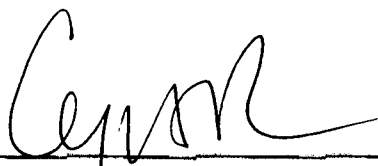
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Good cause having been shown, the Court hereby ORDERS that any answer or other pleading responsive to the Complaint submitted by these Defendants shall be filed on or before September 20, 2013. ~~The court further ORDERS that Plaintiff shall have an additional thirty (30) days to file an opposition to any demurrer or motion brought in response to the Complaint that may be filed by these Defendants.~~

IT IS SO ORDERED.

Dated: 8-20-13



Judge of the Superior Court
CYNTHIA MING-MEI LEE

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA
3 COUNTY OF SAN FRANCISCO

4 I, Claudia Ayala, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 E. Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On August 15, 2013, I served the foregoing document(s) described as

8 **STIPULATION AND REQUEST TO EXTEND DEFENDANTS DEADLINE
9 TO RESPOND TO COMPLAINT AND EXTEND PLAINTIFF'S DEADLINE
10 TO FILE OPPOSITION TO DEMURRER OR OTHER RESPONSIVE MOTION
11 [PROPOSED] ORDER**

12 on the interested parties in this action by placing

13 the original

14 a true and correct copy

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

16 Dennis J. Herrera, City Attorney
17 Owen J. Clements, Chief of Complex & Civil Litigation
18 Kristine Poplawski, Deputy City Attorney
19 Christine Van Aken, Deputy City Attorney
20 San Francisco City Attorney's Office
21 1390 Market Street, 7th Fl.
22 San Francisco, CA 94102

23 Charles William Hokanson
24 4401 Atlantic Blvd., Ste. 200
25 Long Beach, CA 90807

26 **Attorney for Exilemachine.com, a
27 Texas Limited Liability Company**

28 **Attorneys for the People of the State of California,
Ex Rel. San Francisco City Attorney Dennis J.
Herrera**

29 X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
30 processing correspondence for mailing. Under the practice it would be deposited with the
31 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
32 California, in the ordinary course of business. I am aware that on motion of the party
33 served, service is presumed invalid if postal cancellation date is more than one day after
34 date of deposit for mailing an affidavit.

35 Executed on August 15, 2013, at Long Beach, California.

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

42 Executed on August 15, 2013, at Long Beach, California.

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

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

47 CLAUDIA AYALA