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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

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,)

CASE NO: CGC - 13 - 531982

**STIPULATION TO EXTEND DEADLINE
TO RESPOND TO COMPLAINT;
[PROPOSED] ORDER**

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,)
d/b/a CROSSROADS OF THE WEST GUN)
19 SHOWS, and DOES 1 through 50, inclusive,)
20 Defendants.)

21
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”), Copes Distributing, Inc. (“Copes Distributing”),
25 ~~and Exile Machine, LLC (“Exile Machine”)~~ hereby stipulate and respectfully request that the
26 Court extend the time for Defendants to answer or otherwise respond to the Complaint by thirty
27 (30) days from the date a responsive pleading is due from the last Defendant served, up to and
28 including August 20, 2013.

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

3 WHEREAS, Plaintiff filed this action on June 10, 2013;

4 WHEREAS, Defendant 44Mag Distributing, an Oregon limited-liability company, was
5 served with the Summons and Complaint on June 10, 2013, with service effective on June 20,
6 2013, pursuant to California Code of Civil Procedure section 415.40;

7 WHEREAS, Defendant B & L Productions, a Utah corporation, was served with the
8 Summons and Complaint on June 10, 2013, with service effective on June 20, 2013, pursuant to
9 California Code of Civil Procedure section 415.40;

10 WHEREAS, Defendant Copes Distributing, an Ohio corporation, was served with the
11 Summons and Complaint on June 10, 2013, with service effective on June 20, 2013, pursuant to
12 California Code of Civil Procedure section 415.40;

13 WHEREAS, Defendant Exile Machine, a Texas limited-liability company, was served
14 with the Summons and Complaint on June 10, 2013, with service effective on June 20, 2013,
15 pursuant to California Code of Civil Procedure section 415.40

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

18 WHEREAS, Defendants' counsel requested from counsel for Plaintiff a 30-day extension
19 to file a responsive pleading;

20 WHEREAS, counsel for Plaintiff agrees to a 30-day extension for Defendants to file a
21 responsive pleading;

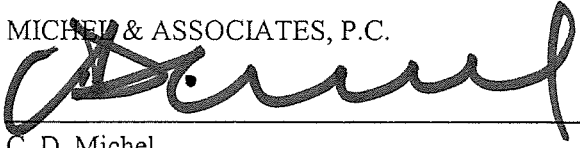
22 WHEREAS, the parties agree that a continuance is of particular value to the Court
23 inasmuch as the parties believe the extension increases the possibility of a settlement that will
24 allow the parties to remove this case from the Court's crowded docket;

25 WHEREAS, California Rule of Court 3.110(e) and Local Rule of Court for the San
26 Francisco Superior Court 3.1(B) permit this Court to extend the time period for the response after
27 service of the initial complaint;

28 The parties hereby STIPULATE that Defendants' deadline to file an answer or other

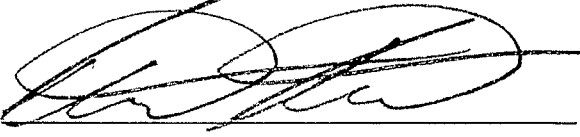
1 response to the Complaint is extended until August 20, 2013, and Defendants will file their
2 responsive pleading on or before August 20, 2013.

3 Dated: July 16, 2013

MICHEL & ASSOCIATES, P.C.


C. D. Michel
Attorneys for Defendants 44Mag Distributing, LLC,
Copes Distributing, Inc., and B&L Productions, Inc.

7 Dated: July 16, 2013



Ritch Roberts
Attorney for Defendant Exile Machine, LLC

11 Dated: July __, 2013

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

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

[PROPOSED] ORDER

19 Good cause having been shown, the Court hereby ORDERS the Answer or other response
20 to the Complaint for all parties is due on August 20, 2013.

21 IT IS SO ORDERED.

23 Dated: _____

Judge of the Superior Court

1 response to the Complaint is extended until August 20, 2013, and Defendants will file their
2 responsive pleading on or before August 20, 2013.

3 Dated: July __, 2013 MICHEL & ASSOCIATES, P.C.

4
5 _____
6 C. D. Michel
7 Attorneys for Defendants 44Mag Distributing, LLC,
8 Copes Distributing, Inc., and B&L Productions, Inc.

9 Dated: July __, 2013 FITZPATRICK HAGOOD SMITH & UHL LLP

10 _____
11 R. Ritch Roberts
12 Attorney for Defendant Exile Machine, LLC

13 Dated: July 16 2013 DENNIS J. HERRERA
14 City Attorney
15 OWEN J. CLEMENTS
16 Chief of Special Litigation
17 KRISTINE POPLAWSKI
18 CHRISTINE VAN AKEN
19 Deputy City Attorneys

20 _____
21 Christine Van Aken
22 Attorneys for Plaintiff The People of the State of
23 California, ex rel. San Francisco City Attorney Dennis J.
24 Herrera

25 [PROPOSED] ORDER

26 Good cause having been shown, the Court hereby ORDERS the Answer or other response
27 to the Complaint for all parties is due on August 20, 2013.

28 IT IS SO ORDERED.

Dated: _____
Judge of the Superior Court

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 July 17, 2013, I served the foregoing document(s) described as

8 **STIPULATION TO EXTEND DEADLINE TO RESPOND TO COMPLAINT**

9 on the interested parties in this action by placing

10 [] the original
11 [X] a true and correct copy

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

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

20 R. Ritch Roberts
21 Fitzpatrick Hagood Smith & Uhl LLP
22 Chateau Plaza, Suite 1400
23 2515 McKinney Avenue
24 Dallas, Texas 75201

25 X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
26 processing correspondence for mailing. Under the practice it would be deposited with the
27 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
28 California, in the ordinary course of business. I am aware that on motion of the party
served, service is presumed invalid if postal cancellation date is more than one day after
date of deposit for mailing an affidavit.
Executed on July 17, 2013, at Long Beach, California.

 (VIA OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of
collection and processing correspondence for overnight delivery by UPS/FED-EX. Under
the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for
receipt on the same day in the ordinary course of business. Such envelope was sealed and
placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for
in accordance with ordinary business practices.
Executed on July 17, 2013, at Long Beach, California.

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

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

28 
CLAUDIA AYALA