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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION
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12 **STEVEN RUPP; STEVEN DEMBER;**
13 **CHERYL JOHNSON; MICHAEL JONES;**
14 **CHRISTOPHER SEIFERT; ALFONSO**
15 **VALENCIA; TROY WILLIS; and**
16 **CALIFORNIA RIFLE & PISTOL**
17 **ASSOCIATION, INCORPORATED,**

18 Plaintiffs,

19 v.

20 **XAVIER BECERRA, in his official capacity**
21 **as Attorney General of the State of**
22 **California; and DOES 1-10,**

23 Defendants.
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8:17-cv-00746-JLS-JDE

**[PROPOSED] ORDER GRANTING
DEFENDANT'S PARTIAL MOTION TO
DISMISS PLAINTIFFS' DUE PROCESS
CLAUSE AND TAKINGS CLAUSE
CLAIMS AND REQUEST FOR
JUDICIAL NOTICE**

1 The Motion to Dismiss the First Amended Complaint and Request for Judicial Notice filed
2 by Defendant Xavier Becerra, Attorney General of the State of California, came on for hearing on
3 December 1, 2017, in the above-titled court. The Honorable Josephine L. Staton presiding.

4 Having considered the papers submitted by the parties, and having heard oral argument, the
5 cause having been argued and submitted for decision, the Court finds that Plaintiffs' claims based
6 on the Takings Clause and the Due Process Clause fail as a matter of law. Therefore,

7 **IT IS ORDERED THAT**

- 8 • Defendant's Request for Judicial Notice is GRANTED;
- 9 • Defendant's Partial Motion to Dismiss the First Amended Complaint is GRANTED
- 10 without leave to amend.

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12 **IT IS SO ORDERED.**

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15 Dated: _____, 2017

By: _____

16 HON. JOSEPHINE L. STATON
17 UNITED STATES DISTRICT JUDGE
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