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6 Attorneys for Movant  
7 Law Center to Prevent Gun Violence  
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10 UNITED STATES DISTRICT COURT  
11 SOUTHERN DISTRICT OF CALIFORNIA  
12

13 VIRGINIA DUNCAN, RICHARD  
LEWIS, PATRICK LOVETTE,  
14 DAVID MARGUGLIO,  
15 CHRISTOPHER WADDELL,  
CALIFORNIA RIFLE & PISTOL  
16 ASS'N, INC., a California corporation,

17 Plaintiffs,

18 vs.

19 XAVIER BECERRA, in his official  
20 capacity as Attorney General of the  
State of California; and DOES 1-10,  
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22 Defendants.  
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Case No. 17-CV-10017 -BEN-JLB

**NOTICE OF MOTION AND  
MOTION FOR LEAVE TO  
PARTICIPATE AS *AMICUS*  
*CURIAE***

Date: June 13, 2017

Time: 10:00 A.M.

Place: 5A

The Hon. Roger T. Benitez

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on June 13, 2017, at 10:00 a.m. in Courtroom  
3 5A of the above-entitled Court, located at 221 West Broadway, San Diego, CA  
4 92101, movant Law Center to Prevent Gun Violence (“Law Center”) will, and  
5 hereby does, move for an order permitting it to participate as *amicus curiae* in the  
6 Motion for Preliminary Injunction, which is currently scheduled to be heard at the  
7 above-referenced date, time and location. This motion is submitted in light of and in  
8 reference to the Court’s May 26, 2017 Order Granting Ex Parte Application For  
9 Order Shortening Time, which shortened the notice period on the above-referenced  
10 Motion for Preliminary Injunction and scheduled it for hearing on June 13, 2017.

11 This motion is made on the grounds that the Court has inherent authority to  
12 allow the participation of an *amicus curiae*. The Law Center’s participation as  
13 *amicus curiae* would be helpful and desirable as it would facilitate a more complete  
14 understanding of the issues before the Court. This motion is based on this Notice of  
15 Motion and Motion, the accompanying Memorandum of Points and Authorities and  
16 all attachments thereto, all papers and pleadings on file in this action, and upon such  
17 further evidence and argument as may be presented to the Court in connection with  
18 the motion.

19  
20 Dated: June 5, 2017

FARELLA BRAUN + MARTEL LLP

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22 By: /s Anthony Schoenberg  
23 Anthony Schoenberg  
24 Email: tschoenberg@fbm.com

25 Attorneys for Movant  
26 Law Center to Prevent Gun Violence  
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6 Attorneys for *Amicus Curiae*  
7 Law Center to Prevent Gun Violence  
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18 vs.

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capacity as Attorney General of the  
20 State of California; and DOES 1-10,

21 Defendants.  
22  
23

Case No. 17-CV-10017 -BEN-JLB

**CERTIFICATE OF SERVICE**

Date: June 13, 2017  
Time: 10:00 A.M.  
Place: 5A

The Hon. Roger T. Benitez

24 I am a resident of the United States employed in San Francisco County,  
25 California. I am over the age of eighteen years and not a party to the within-entitled  
26 action. My business address is 235 Montgomery Street, 17th Floor, San Francisco,  
27 California 94104. My e-mail address is mbanuelos@fbm.com.

28 On June 5, 2017, I served true copies of the following document described

1 as:

2 **NOTICE OF MOTION AND MOTION FOR LEAVE TO PARTICIPATE AS**  
3 ***AMICUS CURIAE***

- 4 ☒ by placing the document(s) listed above in a sealed FEDERAL  
5 EXPRESS envelope and affixing a pre-paid air bill addressed as set forth  
6 below, and deposited such envelope for collection. I am readily familiar  
7 with the firm's practice for collection and processing of correspondence  
8 for overnight delivery, said practice being that in the ordinary course of  
9 business, the envelope(s) will be timely delivered to a FEDERAL  
10 EXPRESS agent for delivery the next day.

11 Alexandra Robert Gordon  
12 Anthony P. O'Brien  
13 California Department of Justice  
14 1300 I Street, Suite 125  
15 Sacramento, CA 95814

16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct and that I am employed in the office  
18 of a member of the bar of this Court at whose direction the service was made.

19 Executed on June 5, 2017 at San Francisco, California.

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Mayra Banuelos