

1 XAVIER BECERRA
Attorney General of California
2 TAMAR PACHTER
Supervising Deputy Attorney General
3 NELSON R. RICHARDS
ANTHONY P. O'BRIEN
4 Deputy Attorneys General
ALEXANDRA ROBERT GORDON
5 Deputy Attorney General
State Bar No. 207650
6 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
7 Telephone: (415) 703-5509
Fax: (415) 703-5480
8 E-mail:
Alexandra.RobertGordon@doj.ca.gov
9 *Attorneys for Defendant*
Attorney General Xavier Becerra

11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

15 **VIRGINIA DUNCAN, et al.,**

16 Plaintiffs,

17 v.

18
19 **XAVIER BECERRA, in his official**
20 **capacity as Attorney General of the**
State of California, et al.,

21 Defendants.

17-cv-1017-BEN-JLB

**DEFENDANT ATTORNEY
GENERAL XAVIER BECERRA'S
NOTICE OF MOTION AND
MOTION TO STAY
PROCEEDINGS PENDING
APPEAL**

Date: September 11, 2017

Time: 10:30 a.m.

Courtroom: 5A

Judge: Hon. Roger T. Benitez

Trial Date: None Set

Action Filed: May 17, 2017

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD: PLEASE TAKE
2 NOTICE THAT on September 11, 2017 at 10:30 a.m., or as soon thereafter as this
3 matter may be heard in Courtroom 5A of the United States District Court, located at
4 221 West Broadway, San Diego, California, Defendant Attorney General Xavier
5 Becerra, in his official capacity, will and hereby does move to stay the proceedings
6 in this action pending the resolution of the appeal filed on July 27, 2017 in the
7 United States Court of Appeals for the Ninth Circuit of this Court's June 29, 2017
8 Order granting the motion for preliminary injunction in this action.

9 This motion is based on the Notice of Motion and Motion, the accompanying
10 Memorandum of Points and Authorities in support thereof, the pleadings and papers
11 on file in this action, the arguments of counsel, and any matters upon which the
12 Court may or must take judicial notice.

13 Dated: August 7, 2017

Respectfully submitted,

14 XAVIER BECERRA
15 Attorney General of California
16 TAMAR PACHTER
17 Supervising Deputy Attorney General
18 NELSON R. RICHARDS
19 ANTHONY P. O'BRIEN
20 Deputy Attorneys General

21 */s/ Alexandra Robert Gordon*
22 ALEXANDRA ROBERT GORDON
23 Deputy Attorney General
24 *Attorneys for Defendant*
25 *Attorney General Xavier Becerra*
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