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**E-FILED**  
**1/5/2018 4:55 PM**  
**FRESNO COUNTY SUPERIOR COURT**  
**By: R. Faccinto, Deputy**

12 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **FOR THE COUNTY OF FRESNO**

14 DANNY VILLANUEVA, NIALL  
15 STALLARD, RUBEN BARRIOS,  
16 CHARLIE COX, MARK STROH,  
17 ANTHONY MENDOZA, and  
18 CALIFORNIA RIFLE & PISTOL  
19 ASSOCIATION, INCORPORATED

20 Plaintiffs,

21 v.

22 XAVIER BECERRA, in his official capacity  
23 as Attorney General for the State of  
24 California, STEPHEN LINDLEY, in his  
25 official capacity as Chief of the California  
26 Department of Justice, Bureau of Firearms;  
27 CALIFORNIA DEPARTMENT OF  
28 JUSTICE, and DOES 1-10,

Defendants.

Case No.: 17CECG03093

[Assigned for All Purposes to the Honorable  
Judge Mark Snauffer; Dept.: 501]

**PLAINTIFFS' NOTICE OF MOTION AND  
MOTION FOR PRELIMINARY  
INJUNCTION**

[Filed concurrently with Memorandum of  
Points and Authorities; Declarations of Sean A.  
Brady, Danny Villanueva, Niall Stallard, Ruben  
Barrios, Charlie Cox, Mark Stroh, Anthony  
Mendoza, and Michael Barranco; Request for  
Judicial Notice; and Proposed Order]

Hearing Date: January 30, 2018  
Hearing Time: 3:30 PM  
Judge: Mark Snauffer  
Department: 501

Action Filed: September 7, 2017

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

**PLEASE TAKE NOTICE** that on January 30, 2018 at 3:30 PM in department 501  
of the above-captioned court, located at 1130 O Street, Fresno, California 93721, Plaintiffs  
Danny Villanueva, Niall Stallard, Ruben Barrios, Charlie Cox, Mark Stroh, Anthony  
Mendoza, and the California Rifle & Pistol Association, Inc., (collectively "Plaintiffs") by

1 and through their counsel, hereby move for a preliminary injunction prohibiting Defendants  
2 Xavier Becerra, Attorney General for the State of California, Stephen Lindley, Chief of the  
3 California Department of Justice Bureau of Firearms, and the California Department of  
4 Justice, their employees, agents, and persons acting with them on their behalf, from enforcing  
5 their regulations regarding “bullet-button assault weapons,” which are Cal. Code Regs., tit.  
6 11, § 5469, § 5470(a), § 5471, § 5472 subds. (f)–(g), § 5474.2, § 5474 subds. (a) &(c), §  
7 5478 subd. (a)(2), § 5474.1 subds. (b)–(c), § 5476 subds. (d)–(e), § 5477 and, § 5473 subd.  
8 (b)(1), (“the challenged regulations”).

9 Plaintiffs also request the Court issue an Order to Show Cause pursuant to California  
10 Rules of Court, rule 3.1150, affording Defendants the opportunity to appear and show cause  
11 why a preliminary injunction should not issue prohibiting Defendants from enforcing the  
12 challenged regulations.

13 This motion is based upon California Code Civil Procedure section 527 and  
14 California Rules of Court, rules 3.1150 and 3.1300 et seq., on the grounds that: (1) Plaintiffs  
15 are likely to succeed on the merits of their claims that Defendants’ regulations exceed the  
16 authority granted to them under Senate Bill No. 880 and Assembly Bill No. 1135, and are  
17 thereby in violation of the Administrative Procedure Act; (2) Plaintiffs will suffer immediate  
18 and irreparable harm unless this Court issues an injunction; and (3) the balance of hardships  
19 tips sharply in Plaintiffs’ favor.

20 This motion is further based upon the attached Memorandum of Points and  
21 Authorities, and supporting declarations, the record in this matter to date, and upon such  
22 further evidence and argument as may be presented prior to or at the time of hearing on the  
23 motion.

24  
25 Dated: January 5, 2018

**MICHEL & ASSOCIATES, P.C.**

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27 Sean A. Brady  
28 Attorneys for Plaintiffs

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**PROOF OF SERVICE**

STATE OF CALIFORNIA  
COUNTY OF FRESNO

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

On January 5, 2018, I served the foregoing document(s) described as:

**PLAINTIFFS' NOTICE OF MOTION AND  
MOTION FOR PRELIMINARY INJUNCTION**

on the interested parties in this action by placing

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

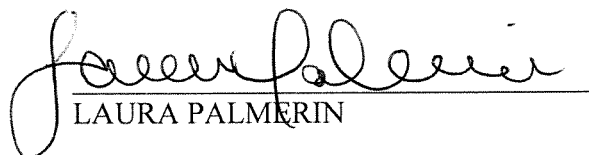
thereof by the following means, addressed as follows:

P. Patty Li patty.li@doj.ca.gov Deputy Attorney General California Department of Justice Office of the Attorney General 455 Golden Gate Ave., Suite 11000 San Francisco, CA 94102	<i>Attorneys for Defendants</i>
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X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic transmission through OneLegal. Said transmission was reported and completed without error.

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

Executed on January 5, 2018, at Long Beach, California.

  
LAURA PALMERIN