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7 Attorneys for Plaintiffs

8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

11 VIRGINIA DUNCAN, et al.,

12 Plaintiffs,

13 v.

14 XAVIER BECERRA, in his official  
15 capacity as Attorney General of the State  
16 of California,

17 Defendant.  
18  
19

Case No: 17-cv-1017-BEN-JLB

**JOINT MOTION OF THE PARTIES  
TO ADOPT STIPULATED  
BRIEFING SCHEDULE**

20  
21 COME NOW THE PARTIES, Plaintiffs Virginia Duncan, Patrick Lovette,  
22 David Marguglio, Christopher Waddell, and California Rifle & Pistol Association,  
23 Incorporated, and Defendant Xavier Becerra, through their respective attorneys of  
24 record, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rules  
25 7.1 and 7.2, hereby jointly move the Court to adopt the stipulated briefing schedule for  
26 Plaintiffs' summary judgment set forth below.

27 WHEREAS, Plaintiffs filed their Complaint for Declaratory and Injunctive  
28 Relief with this Court on May 17, 2017;

1 WHEREAS, the Court issued a scheduling order on August 4, 2017, setting a  
2 deadline of February 2, 2018, for all pre-trial motions, including dispositive motions;

3 WHEREAS, the parties jointly requested that this Court extend the time to file  
4 dispositive motions, including motions for summary judgment, until March 5, 2018;

5 WHEREAS, the Court granted the parties' joint motion to extend time to file  
6 dispositive motions on December 5, 2017;

7 WHEREAS, Plaintiffs are on course to file their motion for summary judgment  
8 and all supporting documents on or before March 5, 2017, in accordance with this  
9 Court's December 5, 2017, order;

10 WHEREAS, the parties have mutually agreed to reserve and notice the hearings  
11 on Plaintiffs' motion for summary judgment for April 30, 2018;

12 WHEREAS, under Local Rule 7.1(e)(2), the Defendant's opposition to  
13 summary judgment, supporting documents, and objections to evidence would be due  
14 on or before April 16, 2018, or 14 days calendar before the hearing;

15 WHEREAS, under Local Rule 7.1(e)(3), Plaintiffs' reply to Defendant's  
16 opposition to summary judgment, supporting documents, and objections to evidence  
17 would be due on or before April 23, 2018, or seven calendar days before the hearing;

18 WHEREAS, the parties agree that it is in the best interest of both the parties and  
19 the Court to provide additional time for Plaintiffs to prepare their reply, supporting  
20 documents, and objections in this important, constitutional law challenge; and

21 WHEREAS, the parties have agreed to the following deadlines, shortening  
22 Defendant's time to file the opposition to summary judgment:

23 1. Defendant Xavier Becerra shall file his opposition to summary judgment,  
24 all supporting documents, and objections to evidence on or before April 9, 2018;

25 2. Plaintiffs Virginia Duncan, Patrick Lovette, David Marguglio,  
26 Christopher Waddell, and California Rifle & Pistol Association, Incorporated shall  
27 file their respective reply to Defendant's opposition to summary judgment, all  
28

1 supporting documents, and objections to evidence filed in support of the opposition on  
2 or before April 23, 2018.

3 The parties hereby jointly request that the Court grant the relief sought by this  
4 motion and amend the briefing schedule in this case in accordance therewith.

5  
6 Respectfully submitted,

7 Dated: March 2, 2018

MICHEL & ASSOCIATES, P.C.

8  
9 /s/Anna M. Barvir

ANNA M. BARVIR

Email: abarvir@michellawyers.com

10 *Attorneys for Plaintiffs Virginia Duncan,*  
11 *Patrick Lovette, David Marguglio, Christopher*  
12 *Waddell, and California Rifle & Pistol*  
13 *Association*

14 Dated: March 2, 2018

XAVIER BECERRA

Attorney General of California

15 CONSTANCE L. LELouis

Supervising Deputy Attorney General

16 ALEXANDRA ROBERT GORDON

17 Deputy Attorney General

18 /s/Anthony P. O'Brien

19 ANTHONY P. O'BRIEN

Email: anthony.obrien@doj.ca.gov

20 Deputy Attorney General

21 *Attorneys for Defendant Attorney General*  
22 *Xavier Becerra*

23  
24 The below filer attests that concurrence in the filing of this document has been  
25 obtained from the above signatories.

26 Dated: March 2, 2018

By: /s/Anna M. Barvir

27 Anna M. Barvir

**CERTIFICATE OF SERVICE**

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF CALIFORNIA**

Case Name: *Duncan, et al. v. Becerra*

Case No.: 17-cv-1017-BEN-JLB

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, declare under penalty of perjury that I am a citizen of the United States over 18 years of age. My business address is 180 East Ocean Boulevard, Suite 200 Long Beach, CA 90802. I am not a party to the above-entitled action.

I have caused service of the following documents, described as:

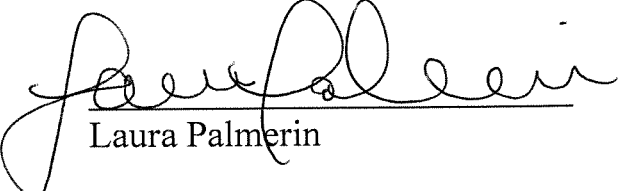
**JOINT MOTION OF THE PARTIES TO  
ADOPT STIPULATED BRIEFING SCHEDULE**

on the following parties by electronically filing the foregoing on March 2, 2018, with the Clerk of the District Court using its ECF System, which electronically notifies them.

Alexandra Robert Gordon  
Deputy Attorney General  
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I declare under penalty of perjury that the foregoing is true and correct.  
Executed on March 2, 2018, at Long Beach, CA.

  
Laura Palmerin

CERTIFICATE OF SERVICE

17cv1017