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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION
13

14 **STEVEN RUPP; STEVEN**
15 **DEMBER; CHERYL JOHNSON;**
16 **MICHAEL JONES; CHRISTOPHER**
17 **SEIFERT; ALFONSO VALENCIA;**
TROY WILLIS; and CALIFORNIA
RIFLE & PISTOL ASSOCIATION,
INCORPORATED,

18 Plaintiffs,

19 v.

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

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

**JOINT REQUEST TO BE EXEMPT
FROM ADR PROCEDURES**

1 Pursuant to Local Rule 16-15.1, the parties, represented through their
2 respective counsel of record, hereby stipulate as follows:

3 WHEREAS, Plaintiffs challenge California's Assault Weapons Control Act
4 (AWCA); specifically, Plaintiffs seek a declaration that provisions of the AWCA
5 are unconstitutional and further seek an injunction enjoining Defendant Xavier
6 Becerra, in his official capacity as California Attorney General, from enforcing
7 those provisions of the AWCA;

8 WHEREAS this case has been referred to the ADR Program for mediation
9 (Dkt. No. 39);

10 WHEREAS the parties agree that mediation is not appropriate for this case
11 because the case deals with pure questions of law, and further because Defendant
12 maintains that he is prohibited by Article III, section 3.5 of the California
13 Constitution from refusing to enforce the AWCA unless enjoined by the Court or
14 unless an appellate court determines that the AWCA is unconstitutional (*see also*
15 Dkt. No. 34 at 7);

16 NOW THEREFORE, to conserve judicial and party resources, the parties
17 jointly request that the Court exempt this case from the ADR Program and vacate
18 the Order/Referral to ADR (Dkt. No. 39).

19 Accordingly, the parties respectfully request that the Court adopt the proposed
20 order attached hereto.

21 //
22 //

1 Dated: February 22, 2018

Respectfully submitted,

2 XAVIER BECERRA
3 Attorney General of California
4 MARK R. BECKINGTON
Supervising Deputy Attorney General

5 /s/ Peter H. Chang

6 PETER H. CHANG
7 Deputy Attorney General
8 *Attorneys for Defendant Xavier*
Becerra

9 Dated: February 22, 2018

MICHEL & ASSOCIATES, P.C.
10 C.D. MICHEL
11 SEAN A. BRADY
MATTHEW D. CUBERIO

12 /s/ Sean A. Brady

13 SEAN A. BRADY
14 *Attorneys for Plaintiffs*

15 Attestation of Concurrence in Filing

16 I, Peter H. Chang, am the ECF user whose ID and password are being used to
17 file the foregoing Joint Request to be Exempt From ADR Procedures and
18 [Proposed] Order. Pursuant to Local Rule 5-4.3.4(a)(2), I hereby attest that all
19 signatories listed above, and on whose behalf this filing is submitted, concur in the
20 filing's content and have authorized the filing.
21

22 Dated: February 22, 2018

/s/ Peter H. Chang

23 Peter H. Chang
24 Deputy Attorney General
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