

JAMES HOCHBERG (HI Bar No. 3686)
ATTORNEY AT LAW, LLLC
700 Bishop St., Ste. 2100
Honolulu, HI 96813
Telephone: (808) 256-7382
E-mail: jim@jameshochberglaw.com

C.D. MICHEL*
SEAN A. BRADY*
MATTHEW D. CUBEIRO*
MICHEL & ASSOCIATES, P.C.
180 E. Ocean Blvd., Ste. 200
Long Beach, CA 90802
Telephone: (562) 216-4444
E-mail: cmichel@michellawyers.com
*(ADMITTED *pro hac vice*)

Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

RONALD G. LIVINGSTON; MICHAEL J.)
BOTELLO; KITIYA M. SHIROMA; JACOB)
STEWART; and HAWAII RIFLE)
ASSOCIATION,)

Plaintiffs,

v.

SUSAN BALLARD, Police Chief of the City)
& County of Honolulu; CITY & COUNTY)
OF HONOLULU; and CLARE E. CONNORS,)
Attorney General of Hawaii,)

Defendants.

Case No. 1:19-cv-00157 JMS-RT
PLAINTIFFS' NOTICE OF
MOTION AND MOTION FOR
PRELIMINARY INJUNCTION

Hearing: _____
Date & Time: _____
Judge: _____

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

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

PLEASE TAKE NOTICE that on _____ at _____, in Courtroom _____ of the United States District Court, District of Hawaii, located at 300 Ala Moana Boulevard, Room C-338, Honolulu, HI 96850, Plaintiffs Ronald G. Livingston, Michael L. Botello, Kitiya M. Shiroma, Jacob Stewart, and Hawaii Rifle Association, (“Plaintiffs”) will, and hereby do, move for preliminary injunction under Rule 65(a) of the Federal Rules of Civil Procedure. Specifically, Plaintiffs will seek an order temporarily enjoining Defendants and their agents, servants, employees, and those working in concert with them, from enforcing or giving effect to H.R.S. section 134-9(a)’s requirements that individuals seeking a license to publicly carry a handgun thereunder demonstrate an “exceptional” need for self-defense for a concealed carry license, or are “engaged in the protection of life and property” and have “sufficiently indicated” an “urgency” or special “need” to carry a firearm openly, to the extent those standards preclude law-abiding adults like Plaintiffs from being able to carry a firearm publicly for self-defense, as is their right under the Second Amendment.

///

///

Dated: April 11, 2019

Respectfully submitted,

s/James Hochberg

JAMES HOCHBERG (HI Bar No. 3686)
ATTORNEY AT LAW, LLC
E-mail: jim@jameshochberglaw.com

C.D. MICHEL (pro hac vice)
SEAN A. BRADY (pro hac vice)
MATTHEW D. CUBEIRO (pro hac vice)
MICHEL & ASSOCIATES, P.C.
E-mail: cmichel@michellawyers.com