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19 IN THE UNITED STATES DISTRICT COURT
 20 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

21 B & L PRODUCTIONS, INC., d/b/a
 22 CROSSROADS OF THE WEST, et
 al.,

23 Plaintiffs,

24 v.

25 22nd DISTRICT AGRICULTURAL
 26 ASSOCIATION, et al.,

27 Defendants.
 28

19-cv-0134-CAB-NLS

**JOINT MOTION TO EXTEND TIME
 TO RESPOND TO COMPLAINT AND
 SET CONSOLIDATED BRIEFING
 SCHEDULE**

[L.R. 7.2, 12.1]

Judge: Honorable Cathy Ann Bencivengo

Action Filed: January 21, 2019

1 Pursuant to Rules 7.2 and 12.1 of the Local Rules for the United States District
2 Court for the Southern District of California, Plaintiffs B & L Productions, Inc.,
3 d/b/a Crossroads of the West; Ronald J. Diaz, Sr.; John Dupree; Christopher Irick;
4 Lawrence Walsh; Maximum Wholesale Inc., d/b/a Ammo Bros.; California Rifle &
5 Pistol Association, Incorporated; South Bay Rod and Gun Club, Inc.; and Second
6 Amendment Foundation (collectively, “Plaintiffs”), and Defendants 22nd District
7 Agricultural Association; Steve Shewmaker, President of 22nd District Agricultural
8 Association, in his official and individual capacity; Richard Valdez, Vice President
9 of 22nd District Agricultural Association, in his official and individual capacity;
10 and Karen Ross, Secretary of California Department of Food & Agriculture, in her
11 official capacity (collectively, “Defendants” and together with Plaintiffs, the
12 “Parties”), by and through their attorneys, hereby stipulate and jointly move as
13 follows:

14 WHEREAS, Plaintiffs’ Complaint (ECF No. 1) was filed in this Court on
15 January 21, 2019;

16 WHEREAS, the Parties agree that Plaintiffs completed service of the
17 Complaint and Summons on all Defendants on or by February 4, 2019;

18 WHEREAS, given the number and complexity of the claims and issues raised
19 in the Complaint, the Parties agree that an extension of time for Defendants to
20 respond to the Complaint is appropriate;

21 WHEREAS, Defendants intend to file a motion to dismiss;

22 WHEREAS, Plaintiffs intend to file a motion for summary judgment or
23 preliminary injunction;

24 WHEREAS, the Parties agree that a consolidated hearing and briefing
25 schedule for any motion to dismiss and motion for summary judgment or
26 preliminary injunction that the Parties may file would best serve the interests of
27 judicial economy, unless Defendants show and the Court agrees that Defendants
28 cannot present facts essential to justify their opposition to a motion for summary

1 judgment, in accordance with Federal Rule of Civil Procedure 56(d); and

2 WHEREAS, given the number and complexity of the different issues (relating
3 to the legal sufficiency of the claims, the likelihood of success on the merits, and
4 the balance of harms) that would be addressed in the Parties' motions, the Parties
5 agree that an expansion of the page limits in Local Rule 7.1(h) for briefs in support
6 of or in opposition to motions noticed for the same motion day would allow the
7 Parties to adequately address these issues;

8 NOW, THEREFORE, in consideration of the foregoing, the Parties further
9 stipulate and jointly move as follows:

10 1. Defendants' time to answer, move to dismiss, or otherwise plead to the
11 Complaint shall be extended to March 27, 2019.

12 2. Plaintiffs shall file any motion for summary judgment or preliminary
13 injunction on or before March 27, 2019.

14 3. Briefs in opposition to any motion to dismiss or motion for summary
15 judgment or preliminary injunction shall be due on April 22, 2019.

16 4. Reply briefs for any motion to dismiss or motion for summary judgment or
17 preliminary injunction shall be due on May 6, 2019.

18 5. The noticed hearing date for any motion to dismiss or motion for summary
19 judgment or preliminary injunction shall be May 13, 2019.

20 6. Each opening brief filed by Plaintiffs or Defendants in support of any
21 motion to dismiss or motion for summary judgment or preliminary injunction shall
22 not exceed thirty (30) pages.

23 7. Each opposition brief filed by Plaintiffs or Defendants for any motion to
24 dismiss or motion for summary judgment or preliminary injunction shall not exceed
25 thirty (30) pages.

26 8. Each reply brief filed by Plaintiffs or Defendants for any motion to dismiss
27 or motion for summary judgment or preliminary injunction shall not exceed fifteen
28 (15) pages.

1 9. If Plaintiffs file a motion for summary judgment, and Defendants show, in
2 accordance with Federal Rule of Civil Procedure 56(d) that Defendants cannot
3 present facts essential to justify their opposition to a motion for summary judgment,
4 the briefing and hearing schedule on Plaintiffs’ motion for summary judgment may
5 be deferred by order of the Court.

6 **IT IS SO STIPULATED.**

7 Dated: February 12, 2019

XAVIER BECERRA
Attorney General of California
PAUL STEIN
Supervising Deputy Attorney General
JOSHUA M. CAPLAN
Deputy Attorney General

11 /s/ P. Patty Li

12 P. PATTY LI
13 Deputy Attorney General
14 *Attorneys for Defendants*

15 Dated: February 12, 2019

MICHEL & ASSOCIATES, P.C.

16 /s/ Anna M. Barvir

17 Anna M. Barvir
18 *Attorneys for Plaintiffs B&L Productions,*
19 *Bardack, Diaz, Dupree, Irick, Walsh,*
20 *Maximum Wholesale, Inc., California Rifle*
21 *& Pistol Association, Incorporated*

22 Dated: February 12, 2019

Law Offices of Donald Kilmer, APC

23 /s/ Donald Kilmer

24 Donald Kilmer
25 *Attorneys for Plaintiff Second Amendment*
26 *Foundation*

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DECLARATION OF SERVICE

Case Name: **B&L Productions, Inc., et al v. 22nd District Agricultural Association, et al.**

No.: **19-cv-0134-CAB-NLS**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service.

On February 12, 2019, I served the attached **JOINT MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT AND SET CONSOLIDATED BRIEFING SCHEDULE** by transmitting a true copy via electronic mail.

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Tiffany D. Chevront

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I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on February 12, 2019, at San Francisco, California.

Susan Chiang

Declarant

/s/ Susan Chiang

Signature