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10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 NATIONAL RIFLE ASSOCIATION OF  
14 AMERICA; JOHN DOE,

15 Plaintiffs,

16 vs.

17 CITY OF LOS ANGELES, ERIC  
18 GARCETTI, in his official capacity as  
19 Mayor of City of Los Angeles; HOLLY  
20 L. WOLCOTT, in her official capacity as  
21 City Clerk of City of Los Angeles; and  
22 DOES 1-10,

23 Defendants.

Case No.: 2:19-cv-03212 SVW (GJSx)

**REQUEST FOR JUDICIAL  
NOTICE IN SUPPORT OF  
PLAINTIFFS’ MOTION FOR  
PRELIMINARY INJUNCTION;  
EXHIBITS 1 - 10**

Date: July 8, 2019  
Time: 1:30 p.m.  
Judge: Honorable Stephen V. Wilson

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## REQUEST FOR JUDICIAL NOTICE

Under Federal Rule of Evidence 201, Plaintiffs National Rifle Association of America and John Doe respectfully request that the Court take judicial notice of the following documents in support of Plaintiffs’ motion for preliminary injunction.

1. Los Angeles City Ordinance No. 183806 Adding Article 6.7 to Chapter IV, Prohibiting the Possession of Large-Capacity Magazines. A true and correct copy of this document is attached as **Exhibit 1**. Exhibit 1 is a public record that was accessed on or about May 23, 2019 from LACityClerk Connect, the official website of the Los Angeles City Clerk where official city council files are stored and made available to the public. ([http://clkrep.lacity.org/onlinedocs/2013/13-0068\\_ord\\_183806\\_09-19-15.pdf](http://clkrep.lacity.org/onlinedocs/2013/13-0068_ord_183806_09-19-15.pdf))

2. Los Angeles City Ordinance No. 183956 Adding Section 55.21 to Chapter V, Requiring Locked Storage or Trigger Locks for Handguns. A true and correct copy of this document is attached as **Exhibit 2**. Exhibit 2 is a public record that was accessed on or about May 23, 2019 from LACityClerk Connect, the official website of the Los Angeles City Clerk where official city council files are stored and made available to the public. ([http://clkrep.lacity.org/onlinedocs/2014/14-1553\\_ord\\_183956\\_12-16-15.pdf](http://clkrep.lacity.org/onlinedocs/2014/14-1553_ord_183956_12-16-15.pdf))

3. Los Angeles City Ordinance No. 186000 Adding Article 26 to Chapter 1, Division 10 to the Los Angeles Administrative Code requiring prospective contractors to disclose all contracts or sponsorship relationships with the National Rifle Association of America. A true and correct copy of this document is attached as **Exhibit 3**. Exhibit 3 is a public record that was accessed on or about May 23, 2019, from LACityClerk Connect, the official website of the Los Angeles City Clerk where official city council files are stored and made available to the public. ([http://clkrep.lacity.org/onlinedocs/2018/18-0896\\_ORD\\_186000\\_04-01-2019.pdf](http://clkrep.lacity.org/onlinedocs/2018/18-0896_ORD_186000_04-01-2019.pdf))

4. Los Angeles City Council, Budget & Finance Committee, Motion to List and Boycott All Businesses and Organizations that Have a Formal Relationship

1 with the National Rifle Association (Mar. 28, 2018). A true and correct copy of this  
2 document is attached as **Exhibit 4**. Exhibit 4 is a public record of the Los Angeles  
3 City Council Budget and Finance Committee that was accessed on or about May 23,  
4 2019, from LACityClerk Connect, the official website of the Los Angeles City Clerk  
5 where official city council files are stored and made available to the public.  
6 ([http://clkrep.lacity.org/onlinedocs/2018/18-0262\\_mot\\_03-28-2018.pdf](http://clkrep.lacity.org/onlinedocs/2018/18-0262_mot_03-28-2018.pdf))

7 5. Los Angeles City Council, Budget and Finance Committee, Report re:  
8 File No. 18-0896 October 3, 2018. A true and correct copy of this document is  
9 attached as **Exhibit 5**. Exhibit 5 is a public record of the City's adoption of the  
10 motion and recommended action that was accessed on or about May 23, 2019, from  
11 LACityClerk Connect, the official website of the Los Angeles City Clerk where  
12 official city council files are stored and made available to the public.  
13 ([http://clkrep.lacity.org/onlinedocs/2018/18-0896\\_rpt\\_bfc\\_10-1-18.pdf](http://clkrep.lacity.org/onlinedocs/2018/18-0896_rpt_bfc_10-1-18.pdf))

14 6. Los Angeles City Council, Budget & Finance Committee, Motion to  
15 Prepare and Present an Ordinance Directing Prospective Contractors with the City of  
16 Los Angeles to Disclose Any Contracts or Subsidiaries with the National Rifle  
17 Association, (Sept. 21, 2018). A true and correct copy of this document is attached  
18 as **Exhibit 6**. Exhibit 6 is a public record of the Los Angeles City Council Budget  
19 and Finance Committee that was accessed on or about May 23, 2019, from  
20 LACityClerk Connect, the official website of the Los Angeles City Clerk where  
21 official city council files are stored and made available to the public.  
22 ([http://clkrep.lacity.org/onlinedocs/2018/18-0896\\_mot\\_09-21-2018.pdf](http://clkrep.lacity.org/onlinedocs/2018/18-0896_mot_09-21-2018.pdf))

23 7. Los Angeles City Council, Official Action of the Los Angeles City  
24 Council, Adopting Budget and Finance Committee Report Re: Council File No. 18-  
25 0896 (Oct. 12, 2018). A true and correct copy of this document is attached as  
26 **Exhibit 7**. Exhibit 7 is a public record that was accessed on or about May 23, 2019,  
27 from LACityClerk Connect, the official website of the Los Angeles City Clerk  
28 where official city council files are stored and made available to the public.

1 ([http://clkrep.lacity.org/onlinedocs/2018/18-0896\\_CAF\\_10-12-2018.pdf](http://clkrep.lacity.org/onlinedocs/2018/18-0896_CAF_10-12-2018.pdf))

2 8. Los Angeles City Attorney, Report Re: Draft Ordinance Adding Article  
3 26 to Chapter 1, Division 10 of the Los Angeles Administrative Code Requiring City  
4 Contractors to Disclose All Contracts with or Sponsorship of the National Rifle  
5 Association (Jan. 18, 2019). A true and correct copy of this document is attached as  
6 **Exhibit 8**. Exhibit 8 is a public record that was accessed on or about May 23, 2019,  
7 from LACityClerk Connect, the official website of the Los Angeles City Clerk  
8 where official city council files are stored and made available to the public.

9 ([http://clkrep.lacity.org/onlinedocs/2018/18-0896\\_rpt\\_ATTY\\_01-18-2019.pdf](http://clkrep.lacity.org/onlinedocs/2018/18-0896_rpt_ATTY_01-18-2019.pdf))

10 9. Los Angeles City Council, Official Action of the Los Angeles City  
11 Council, Adopting Budget and Finance Committee Report and Ordinance First  
12 Consideration Re: Council File No. 18-0896 (Feb. 13, 2019). A true and correct copy  
13 of this document is attached as **Exhibit 9**. Exhibit 9 is a public record that was  
14 accessed on or about May 23, 2019, from LACityClerk Connect, the official website  
15 of the Los Angeles City Clerk where official city council files are stored and made  
16 available to the public. ([http://clkrep.lacity.org/online docs/2018/18-0896\\_CAF\\_02-](http://clkrep.lacity.org/online docs/2018/18-0896_CAF_02-)

17 [20-2019.pdf](http://clkrep.lacity.org/online docs/2018/18-0896_CAF_02-20-2019.pdf))

18 10. City of Los Angeles, Department of Public Works & the Office of  
19 Finance, The Contractor’s Handbook: A Guide to Business Opportunities with the  
20 City of Los Angeles. A true and correct copy of this document is attached as **Exhibit**  
21 **10**. Exhibit 10 is a public record of the City of Los Angeles Bureau of Contract  
22 Admission that was accessed on or about May 23, 2019 from lacity.org, the official  
23 website of the City of Los Angeles.

24 (<https://bca.lacity.org/Uploads/cca/Contractors%20Handbook.pdf>)

25 A court shall take judicial notice of such a fact if requested by a party and  
26 supplied with the necessary information. Fed. R. Evid. 201(d). Here, judicial notice  
27 is proper because all the documents for which this request is made are “capable of  
28 accurate and ready determination by resort to sources whose accuracy cannot

1 reasonably be questioned.” Fed. R. Evid. 201(b)(2). Indeed, the documents are  
2 public records that were accessed from the official websites of government bodies,  
3 which “[a] trial court may presume that public records are authentic and  
4 trustworthy.” *Gilbrook v. City of Westminster*, 177 F.3d 839, 858 (9th Cir. 1999)  
5 (taking judicial notice of agency report).

6 Further, Exhibits 1 through 3 include the text of local ordinances passed by the  
7 City of Los Angeles, which are matters of public record of which federal courts may  
8 take judicial notice. See *Santa Monica Food Not Bombs v. City of Santa Monica*,  
9 450 F.3d 1022, 1025 n. 2 (9th Cir. 2006) (citing *Newcomb v. Brennan*, 558 F.2d  
10 825, 829 (7th Cir. 1977) (“[M]atters of public record such as state statutes, city  
11 charters, and city ordinances fall within the category of “common knowledge” and  
12 are therefore proper subjects for judicial notice.”).

13 Exhibits 3 through 9 constitute the legislative history of enacted Los Angeles  
14 City Ordinance No. 186000, and “[l]egislative history is properly a subject of  
15 judicial notice.” *Anderson v. Holder*, 673 F.3d 1089, 1094 n.1 (9th Cir. 2012);  
16 *Chaker v. Crogan*, 428 F.3d 1215, 1223 n. 8 (9th Cir. 2005) (discussing legislative  
17 history of California statute).

18 Finally, Exhibits 10 is a publicly available publications of the Los Angeles  
19 City Department of Public Works & the Office of Finance, pulled from the official  
20 website of the City of Los Angeles. It too is the proper subject of a request for  
21 judicial notice. *Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th Cir. 2001)  
22 (“[U]nder Fed.R.Evid. 201, a court may take judicial notice of “matters of public  
23 record.”).

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1 In sum, the accuracy of all the public records subject to Plaintiffs' Request for  
2 Judicial Notice, consisting of enacted local ordinances, legislative history, and  
3 government reports, cannot reasonably be questioned. Judicial notice of these  
4 records is therefore appropriate.

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6 Dated: May 24, 2019

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

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8 /s/ Anna M. Barvir

Anna M. Barvir

9 Attorneys for Plaintiffs  
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**CERTIFICATE OF SERVICE**  
IN THE UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *National Rifle Association, et al., v. City of Los Angeles, et al.*  
Case No: 2:19-cv-03212 SVW (GJSx)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

**REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFFS’  
MOTION FOR PRELIMINARY INJUNCTION; EXHIBITS 1 - 10**

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

Benjamin F. Chapman  
Los Angeles City Attorney  
200 N. Main St., Suite 675  
Los Angeles, CA 90012  
[benjamin.chapman@lacity.org](mailto:benjamin.chapman@lacity.org)  
*Attorneys for Defendants*

I declare under penalty of perjury that the foregoing is true and correct.

Executed May 24, 2019.

/s/ Laura Palmerin  
Laura Palmerin