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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

STEVEN RUPP, et al.,

Plaintiffs,

v.

**XAVIER BECERRA, in his official
capacity as Attorney General of the
State of California, et al.,**

Defendants.

8:17-cv-00746-JLS-JDE

**DEFENDANT'S REPLY
STATEMENT OF GENUINE
DISPUTES OF MATERIAL FACT**

Date: May 31, 2019
Time: 10:30 a.m.
Courtroom: 10A
Judge: Hon. Josephine L. Staton
Trial Date: N/A
Action Filed: April 24, 2017

In accordance with Local Rule 56-2 and this Court's procedures, and in response to Plaintiffs' Statement of Genuine Disputes of Material Fact and Additional Uncontroverted Facts, ECF No. 92-1, Defendant Xavier Becerra, Attorney General of the State of California, sued in his official capacity ("Defendant"), submits the following Reply Statement of Genuine Disputes of Material Fact in support of his Reply in Support of Motion for Summary Judgment, filed concurrently herewith.

While Defendant disputes certain facts herein, resolution of these facts does not require a trial. *See* Def. Opp. to Mem. in Supp. of Pls. Mot. Summ. J., ECF No. 88, at 13-14.

	Plaintiffs' Additional Undisputed Material Facts¹	Defendant's Genuine Disputes of Material Fact
1	California has prohibited what it classifies as "assault weapons" over the past three decades. (Cal. Penal Code §§ 30600-30605 (formerly Cal. Penal Code §§ 12280 (originally adopted in 1989)).)	Undisputed.
2	California has never directly notified owners of firearms classified by California of "assault weapons" of the need to register them as "assault weapons" in order to continue their lawful possession. (Defendant's Supplemental Response to Plaintiff Troy Willis's First Set of Interrogatories, Response to Interrogatory No. 10; See [sic] also AG00018310-AG00018320.)	Disputed. Evidence cited by Plaintiffs does not support the proposed statement of fact. (<i>See, e.g.</i> , Defendant's Supplemental Response to Plaintiff Troy Willis's First Set of Interrogatories, Response to Interrogatory No. 10; AG00018310 ("The California Department of Justice . . . is diligently attempting to notify California gun owners of these new [registration laws]. The Department is seeking [the] assistance

¹ The Court's Initial Standing Order required Plaintiffs to continue their purported genuine disputes of material fact in sequentially numbered paragraphs, ECF No. 8, § 8(c)(i), but Plaintiffs have numbered their additional undisputed material facts beginning with paragraph 1. Defendant has reproduced Plaintiffs' numbering herein.

		[of California law enforcement agencies, firearm dealers, gun-show producers, and gun-range owners] with the notification process.”)
3	Countless individuals have lawfully modified their firearms, removed them from the state of California, or sold or transferred them to avoid the ‘assault weapon’ registration requirements. (Cal. Penal Code § 30920 (requiring persons who lawfully possessed firearms subsequently declared ‘assault weapons’ to dispossess themselves of their firearms or register them with the California Department of Justice).)	Disputed. Evidence cited by Plaintiffs does not support the proposed statement of fact. (Cal. Penal Code § 30920; <i>see id.</i> § 30900.)
4	The California Department of Justice, Bureau of Firearms, anticipated between 1 to 1.5 million “assault weapon” registrations during the most recent “assault weapon” registration period alone. (RJN Ex. 2.)	Undisputed.

Dated: May 17, 2019

Respectfully submitted,

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/s/ Peter H. Chang

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