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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  
 23 al.,

24 Plaintiffs,

25 v.

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

28 Defendants.

19-cv-0134-CAB-NLS

**JOINT MOTION TO ENGAGE IN  
 SETTLEMENT DISCUSSIONS AND  
 EXTEND DISCOVERY AND  
 SUMMARY JUDGMENT DEADLINES**

**[L.R. 7.2]**

Judge: Honorable Cathy Ann Bencivengo

Action Filed: January 21, 2019

1 Because the parties to this action intend to engage in settlement discussions,  
2 pursuant to Rule 7.2 of the Local Rules for the United States District Court for the  
3 Southern District of California, Plaintiffs B & L Productions, Inc., d/b/a Crossroads  
4 of the West; Ronald J. Diaz, Sr.; John Dupree; Christopher Irick; Lawrence Walsh;  
5 Maximum Wholesale Inc., d/b/a Ammo Bros.; California Rifle & Pistol  
6 Association, Incorporated; South Bay Rod and Gun Club, Inc.; and Second  
7 Amendment Foundation (collectively, “Plaintiffs”), and Defendant 22nd District  
8 Agricultural Association (“Defendant” and together with Plaintiffs, the “Parties”),<sup>1</sup>  
9 by and through their attorneys, hereby stipulate and jointly move as follows:

10 WHEREAS, the Court has established a schedule under which expedited  
11 discovery in this matter is set to conclude by August 16, 2019, and motions for  
12 summary judgment shall be heard on September 26, 2019 (ECF No. 23);

13 WHEREAS, the Parties intend to engage in settlement discussions as set forth  
14 in the stipulation below;

15 WHEREAS, any settlement of this litigation would require consultation with  
16 and approval by Defendant’s Board of Directors, consistent with the requirements  
17 of the Bagley-Keene Open Meeting Act, Cal. Gov’t Code, §§ 11120 *et seq.*,  
18 including the requirement to provide ten days’ notice of agenda items, *id.* § 11125;

19 WHEREAS, in the interest of conserving the Parties’ and the Court’s  
20 resources, the Parties agree that an extension of the previously established  
21 discovery and summary judgment deadlines (ECF No. 23) while the Parties engage  
22 in settlement discussions is appropriate and would not prejudice any Party;

23 WHEREAS, pursuant to the Court’s June 18, 2019 order (ECF No. 23),  
24 Defendant has proposed dates in 2019 that are available and the parties are  
25 negotiating contracts for Plaintiff B & L Productions, Inc., to hold gun shows at the

26 <sup>1</sup> The Court has dismissed the claims against Defendants Steve Shewmaker,  
27 President of 22nd District Agricultural Association, in his official and individual  
28 capacity; Richard Valdez, Vice President of 22nd District Agricultural Association,  
in his official and individual capacity; and Karen Ross, Secretary of California  
Department of Food & Agriculture, in her official capacity. *See* ECF No. 25.

1 Del Mar Fairgrounds;

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

4 1. The Parties shall immediately commence settlement discussions. The  
5 Parties shall participate in non-binding mediation no later than September 10, 2019.  
6 The Parties shall jointly select the mediator.

7 2. Prior to participating in any mediation session, the Parties shall engage in  
8 good-faith efforts to reach agreement on the terms of a settlement. If the Parties  
9 reach such an agreement, including approval of the agreement by Defendant's  
10 Board of Directors, prior to any mediation session, the Parties will immediately  
11 notify the Court and the mediator.

12 3. The discovery deadline in this matter is extended from August 16, 2019 to  
13 October 25, 2019. The Parties will promptly withdraw all pending discovery  
14 requests and deposition notices.

15 4. Motion(s) for summary judgment shall be filed on or before November 8,  
16 2019. Opposition(s) shall be filed on or before November 22, 2019, and any reply  
17 shall be filed on or before December 6, 2019. A hearing on any motion(s) for  
18 summary judgment shall be set by future order of the Court.

19 5. Aside from the discovery and summary judgment schedules previously set  
20 by the Court, all other orders of the Court shall remain in effect.

21 **IT IS SO STIPULATED.**

22 Dated: July 12, 2019

XAVIER BECERRA  
Attorney General of California  
PAUL STEIN  
Supervising Deputy Attorney General  
JOSHUA M. CAPLAN  
NATASHA SAGGAR SHETH  
CHAD A. STEGEMAN  
Deputy Attorneys General

27 /s/ P. Patty Li

28 P. PATTY LI  
Deputy Attorney General

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*Attorneys for Defendant 22<sup>nd</sup> District  
Agricultural Association*

Dated: July 12, 2019

MICHEL & ASSOCIATES, P.C.

/s/ Anna M. Barvir  
Anna M. Barvir  
*Attorneys for Plaintiffs B&L Productions,  
Bardack, Diaz, Dupree, Irick, Walsh,  
Maximum Wholesale, Inc., California Rifle  
& Pistol Association, Incorporated, and  
South Bay Rod and Gun Club, Inc.*

Dated: July 12, 2019

Law Offices of Donald Kilmer, APC

/s/ Donald Kilmer  
Donald Kilmer  
*Attorneys for Plaintiff Second Amendment  
Foundation*

**ATTESTATION OF E-FILED SIGNATURES**

I, P. Patty Li, am the ECF User whose ID and password are being used to file this Joint Motion to Engage in Settlement Discussions and Extend Discovery and Summary Judgment Deadlines. In compliance with Southern District of California Electronic Case Filing Administrative Policies and Procedures Section 2(f)(4), I attest that Plaintiffs’ Counsel Anna Barvir and Don Kilmer have concurred in this filing.

/s/ P. Patty Li  
P. PATTY LI