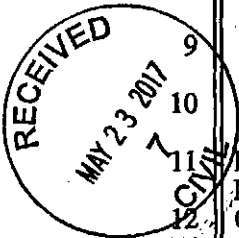


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10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF SACRAMENTO

13 DAVID GENTRY, JAMES PARKER,
14 MARK MIDLAM, JAMES BASS, and
15 CALGUNS SHOOTING SPORTS
16 ASSOCIATION,

17 Plaintiffs and Petitioners,

18 vs.

19 KAMALA HARRIS, in Her Official
20 Capacity as Attorney General for the State
21 of California; STEPHEN LINDLEY, in His
22 Official Capacity as Acting Chief for the
23 California Department of Justice, JOHN
24 CHIANG, in his official capacity as State
25 Controller for the State of California, and
26 DOES 1-10.

27 Defendants and Respondents.

CASE NO. 34-2013-80001667

**SECOND AMENDED STIPULATION RE:
BIFURCATION AND SETTING PARTIAL
MERITS HEARING; [PROPOSED] ORDER**

Dept: 31
Judge: Hon. Michael P. Kenny
Action filed: 10/16/13
Hearing Date: 08/04/17

28 The parties to this Action, through their respective counsel, hereby stipulate and agree to
the following.

AVERMENTS

WHEREAS, on November 4, 2016, this Court issued an order bifurcating the case and
setting a briefing and hearing schedule for the parties to bring motions for summary adjudication,
limited to Plaintiffs' Fifth and Ninth Causes of Action. Specifically, based on a stipulation of the
parties, the Court ordered the parties' motions were due no later than March 10, 2017, oppositions

1 no later than March 24, 2017, and replies no later than March 31, 2017, and set a tentative hearing
2 date of April 14, 2017.

3 WHEREAS, on February 17, 2017, Defendants' attorney emailed Plaintiffs' attorney and
4 stated that the attorney handling the preparation of the Defendants' primary "Person Most
5 Qualified" witness had been hospitalized. In light of the foregoing, Defendants' attorney asked if
6 the upcoming deposition (set for the next business day, February 21, 2017), could be rescheduled.

7 WHEREAS, on February 17, 2017, the parties agreed to rescheduling the relevant
8 deposition, and that the parties would stipulate to extending the relevant briefing date due to the
9 unforeseen delay.

10 WHEREAS, on March 15, 2017, this Court ordered the relevant briefing deadlines
11 extended as follows: the motion filing and service deadline of March 10, 2017, was continued to
12 May 26, 2017; the opposition brief filing and service deadline of March 24, 2017, was continued
13 to June 16, 2017; and the reply brief filing and service deadline of March 31, 2017, was continued
14 to June 30, 2017. The Court's order of March 15, 2017, also set the hearing on this matter for
15 9:00 a.m. on August 4, 2017.

16 WHEREAS, the parties had difficulty scheduling the deposition of Stephen Lindley,
17 Acting Director of the Division of Law Enforcement, sufficiently before the current motion filing
18 deadline, and further the parties agreed that deposing Stephen Lindley after the Informal
19 Discovery Conference of May 12, 2017, would serve judicial economy because the discovery
20 dispute discussed on May 12, 2017, was based on a previously made objection that was likely to
21 be raised again during Acting Director's deposition.

22 **STIPULATION**

23 THEREFORE, based on the foregoing facts, the parties hereby stipulate as follows.

24 1. If either party desires to file a summary adjudication/trial brief and separate
25 statement of undisputed facts as to the Fifth or Ninth Cause of Action (or both) pleaded in
26 Plaintiffs' First Amended Complaint, such documents must be filed by June 9, 2017, with
27 opposition briefs filed no later than June 30, 2017, and reply briefs filed no later than July 21,
28 2017. The modification of the briefing schedule will not affect the hearing date for the relevant

1 motion(s), previously set for August 4, 2017 at 9:00 a.m.

2 **SO STIPULATED.**

3 Dated: May 19, 2017 ^{23 sf}

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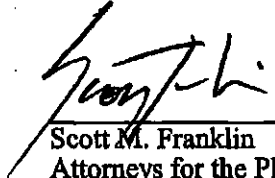
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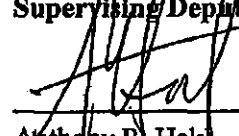
MICHEL & ASSOCIATES, P.C.



Scott M. Franklin
Attorneys for the Plaintiffs/Petitioners

^{23 AD}
Dated: May 19, 2017

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Attorney General of California
STEPAN A. HAYTAYAN
Supervising Deputy Attorney General



Anthony R. Haki
Deputy Attorney General
Attorneys for Defendants/Respondents

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ORDER

Based on the Stipulation of the parties dated May 17, 2017, the Court **ORDERS** the following briefing deadlines extended as stipulated. To wit, it is **ORDERED** that:

1. The Motion filing and service deadline of May 26, 2017, is continued to June 9, 2017.
2. The opposition brief filing and service deadline of June 16, 2017, is continued to June 30, 2017.
3. The reply brief filing and service deadline of June 30, 2017, is continued to July 21, 2017.

IT IS SO ORDERED.

Date: _____

Hon. Michael P. Kenny, Judge of the Superior Court