

1 XAVIER BECERRA
Attorney General of California
2 STEPAN A. HAYTAYAN
Supervising Deputy Attorney General
3 ANTHONY R. HAKL
Deputy Attorney General
4 State Bar No. 197335
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 322-9041
Fax: (916) 324-8835
7 E-mail: Anthony.Hakl@doj.ca.gov
Attorneys for Defendants and Respondents

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6055C COURTHOUSE
SUPERIOR COURT
OF CALIFORNIA
SACRAMENTO COUNTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF SACRAMENTO

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13 **DAVID GENTRY, JAMES PARKER,
MARK MID LAM, JAMES BASS, and
14 CALGUNS SHOOTING SPORTS
ASSOCIATION,**

15 Plaintiffs and Petitioners,

16 v.

17
18 **XAVIER BECERRA, in his official capacity
as Attorney General for the State of
19 California; MARTHA SUPERNOR, in her
official capacity as Acting Director of the
20 California Department of Justice Bureau of
Firearms, BETTY T. YEE, in her official
21 capacity as State Controller, and DOES 1-
10,**

22 Defendants and Respondents.
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Case No. 34-2013-80001667

**DEFENDANTS' NOTICE OF MOTION
AND MOTION FOR SUMMARY
ADJUDICATION AS TO THE FIFTH
AND NINTH CAUSES OF ACTION**

Date: August 4, 2017

Time: 9:00 a.m.

Dept: 31

Judge: The Honorable Michael P.
Kenny

Trial Date: None set

Action Filed: October 16, 2013

24 TO PLAINTIFFS AND THEIR COUNSEL OF RECORD:

25 PLEASE TAKE NOTICE THAT on August 4, 2017, at 9:00 a.m., or as soon thereafter as
26 counsel may be heard in Department 31 of the above-entitled Court, located at 720 Ninth Street,
27 Sacramento, California, defendants Xavier Becerra, in his official capacity as Attorney General of
28 the State of California, and Martha Supernor, in her official capacity as Acting Director of the

1 Bureau of Firearms of the California Department of Justice, will and hereby do move for
2 summary adjudication against all plaintiffs, including David Gentry, James Parker, Mark Mid
3 Lam, James Bass and CalGuns Shooting Sports Association. This motion is made under Code of
4 Civil Procedure section 437c and on the grounds that the material facts are undisputed and that
5 the moving party is entitled to judgment as a matter of law on the fifth and ninth causes of action.

6 This motion will be based on this notice of motion and motion; the memorandum of points
7 and authorities filed and served herewith; the complete files and records in this action; and upon
8 such oral and documentary evidence as may be presented at the hearing on the motion.

9 Pursuant to Local Rule 1.06 (A), the court will make a tentative ruling on the merits of this
10 matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative rulings
11 for the department may be downloaded off the court's website. If the party does not have online
12 access, they may call the dedicated phone number for the department as referenced in the local
13 telephone directory between the hours of 2:00 p.m. and 4:00 p.m. on the court day before the
14 hearing and receive the tentative ruling. If you do not call the court and the opposing party by
15 4:00 p.m. the court day before the hearing, no hearing will be held.

16 Dated: June 13, 2017

Respectfully Submitted,

17 XAVIER BECERRA
18 Attorney General of California
19 STEPAN A. HAYTAYAN
Supervising Deputy Attorney General

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21 ANTHONY R. HAKL
22 Deputy Attorney General
23 *Attorneys for Defendants and Respondents*

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DECLARATION OF SERVICE BY E-MAIL and U.S. Mail

Case Name: **Gentry, David, et al. v. Kamala Harris, et al.**
No.: **34-2013-80001667**

I declare:

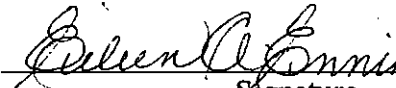
I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On June 13, 2017, I served the attached **DEFENDANTS' NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION AS TO THE FIFTH AND NINTH CAUSES OF ACTION** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

C.D. Michel
Scott Franklin
Sean A. Brady
Michel & Associates, P.C.
180 E. Ocean Boulevard, Suite 200
Long Beach, CA 90802
E-mail: cmichel@michellawyers.com
SFranklin@michellawyers.com
SBrady@michellawyers.com

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 June 13, 2017, at Sacramento, California.

Eileen A. Ennis
Declarant


Signature