

<b>COURT OF APPEAL, THIRD APPELLATE DISTRICT, DIVISION</b>	COURT OF APPEAL CASE NUMBER (if known): C089655
ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 268728 NAME: Anna M. Barvir FIRM NAME: Michel & Associates, P.C. STREET ADDRESS: 180 East Ocean Blvd., Suite 200 CITY: Long Beach STATE: CA ZIP CODE: 90802 TELEPHONE NO.: (562) 216-4444 FAX NO.: (562) 216-4445 E-MAIL ADDRESS: abarvir@michellawyers.com ATTORNEY FOR (name): David Gentry, et al.	<b>FOR COURT USE ONLY</b>
APPELLANT: David Gentry, et al. RESPONDENT: Xavier Becerra, et al.	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO</b> STREET ADDRESS: 720 9th Street MAILING ADDRESS: 720 9th Street CITY AND ZIP CODE: Sacramento 95814 BRANCH NAME: Gordon D. Schaber Sacramento County Courthouse	
JUDGES (all who participated in case): Michael P. Kenny; Richard K. Sueyoshi	SUPERIOR COURT CASE NUMBER: 34-2013-80001667
<b>CIVIL CASE INFORMATION STATEMENT</b>	
<b>NOTE TO APPELLANT: You must file this form with the clerk of the Court of Appeal within 15 days after the clerk mails you the notification of the filing of the notice of appeal required under rule 8.100(e)(1). You must attach to this form a copy of the judgment or order being appealed that shows the date it was entered (see Cal. Rules of Court, rule 8.104 for definition of "entered"). A copy of this form must also be served on the other party or parties to this appeal. (CAUTION: An appeal in a limited civil case (Code Civ. Proc., § 85) may be taken ONLY to the appellate division of the superior court (Code Civ. Proc., § 904.2) or to the superior court (Code Civ. Proc., § 116.710 [small claims cases]).</b>	

**PART I – APPEAL INFORMATION**

**A. APPEALABILITY**

1. Appeal is from:

- Judgment after jury trial
- Judgment after court trial
- Default judgment
- Judgment after an order granting a summary judgment motion
- Judgment of dismissal under Code Civ. Proc., § 581d, 583.250, 583.360, or 583.430
- Judgment of dismissal after an order sustaining a demurrer
- An order after judgment under Code Civ. Proc., § 904.1(a)(2)
- An order or judgment under Code Civ. Proc., § 904.1(a)(3)–(13)
- Other (describe and specify code section that authorizes this appeal):

2. Does the judgment appealed from dispose of all causes of action, including all cross-actions between the parties?

- Yes  No (If no, please explain why the judgment is appealable):

**B. TIMELINESS OF APPEAL (Provide all applicable dates.)**

1. Date of entry of judgment or order appealed from: Apr 10, 2019
2. Date that notice of entry of judgment or a copy of the judgment was served by the clerk or by a party under California Rules of Court, rule 8.104: May 2, 2019
3. Was a motion for new trial, for judgment notwithstanding the verdict, for reconsideration, or to vacate the judgment made and denied?

- Yes  No (If yes, please specify the type of motion):

Date notice of intention to move for new trial (if any) filed:

Date motion filed:

Date motion denied:

Date denial served:

4. Date notice of  appeal or  cross-appeal filed: Jun 5, 2019

**C. BANKRUPTCY OR OTHER STAY**

Is there a related bankruptcy case or a court-ordered stay that affects this appeal?  Yes  No  
 (If yes, please attach a copy of the bankruptcy petition [without attachments] and any stay order.)

APPELLATE CASE TITLE: David Gentry, et al. v. Xavier Becerra, et al.	APPELLATE COURT CASE NUMBER: C089655
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D. APPELLATE CASE HISTORY (*Provide additional information, if necessary, on attachment I.D.*) Is there now, or has there previously been, any appeal, writ, or other proceeding related to this case pending in any California appellate court?

Yes  No (If yes, insert name of appellate court):

Appellate court case no.: \_\_\_\_\_ Title of case: \_\_\_\_\_  
 Name of trial court: \_\_\_\_\_ Trial court case no.: \_\_\_\_\_

E. SERVICE REQUIREMENTS

Is service of documents in this matter, including a notice of appeal, petition, or brief, required on the Attorney General or other nonparty public officer or agency under California Rules of Court, rule 8.29 or a statute?

Yes  No (*If yes, please indicate the rule or statute that applies*)

- |                                                                                                                                                                                                                      |                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Rule 8.29 (e.g., constitutional challenge; state or county party)                                                                                                                | <input type="checkbox"/> Code Civ. Proc., § 1355 (Escheat)                                                         |
| <input type="checkbox"/> Bus. & Prof. Code, §16750.2 (Antitrust)                                                                                                                                                     | <input type="checkbox"/> Gov. Code, § 946.6(d) (Actions against public entities)                                   |
| <input type="checkbox"/> Bus. & Prof. Code, § 17209 (Unfair Competition Act)                                                                                                                                         | <input type="checkbox"/> Gov. Code, § 4461 (Disabled access to public buildings)                                   |
| <input type="checkbox"/> Bus. & Prof. Code, § 17536.5 (False advertising)                                                                                                                                            | <input type="checkbox"/> Gov. Code, § 12656(a) (False Claims Act)                                                  |
| <input type="checkbox"/> Civ. Code, § 51.1 (Unruh, Ralph, or Bane Civil Rights Acts; antiboycott cause of action; sexual harassment in business or professional relations; civil rights action by district attorney) | <input type="checkbox"/> Health & Saf. Code, § 19954.5 (Accessible seating and accommodations)                     |
| <input type="checkbox"/> Civ. Code, § 55.2 (Disabled access to public conveyances, accommodations, and housing)                                                                                                      | <input type="checkbox"/> Health & Saf. Code, § 19959.5 (Disabled access to privately funded public accommodations) |
|                                                                                                                                                                                                                      | <input type="checkbox"/> Pub. Resources Code, § 21167.7 (CEQA)                                                     |
|                                                                                                                                                                                                                      | <input type="checkbox"/> Other (specify statute): _____                                                            |

**NOTE: The rule and statutory provisions listed above require service of a copy of a party's notice of appeal, petition, or brief on the Attorney General or other public officer or agency. Other statutes requiring service on the Attorney General or other public officers or agencies may also apply.**

**PART II – NATURE OF ACTION**

A. Nature of action (*check all that apply*):

1.  Conservatorship
2.  Contract
3.  Eminent domain
4.  Equitable action    a.  Declaratory relief    b.  Other (*describe*): \_\_\_\_\_
5.  Family law
6.  Guardianship
7.  Probate
8.  Real property rights    a.  Title of real property    b.  Other (*describe*): \_\_\_\_\_
9.  Tort
  - a.  Medical malpractice
  - b.  Product liability
  - c.  Other personal injury
  - d.  Personal property
  - e.  Other tort (*describe*): \_\_\_\_\_
10.  Trust proceedings
11.  Writ proceedings in superior court
  - a.  Mandate (Code Civ. Proc., § 1085)    b.  Administrative mandate (Code Civ. Proc., § 1094.5)
  - c.  Prohibition (Code Civ. Proc., § 1102)    d.  Other (*describe*): \_\_\_\_\_
12.  Other action (*describe*): \_\_\_\_\_

B.  This appeal is entitled to calendar preference/priority on appeal (*cite authority*): \_\_\_\_\_

APPELLATE CASE TITLE: David Gentry, et al. v. Xavier Becerra, et al.	APPELLATE COURT CASE NUMBER: C089655
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**PART III – PARTY AND ATTORNEY INFORMATION**

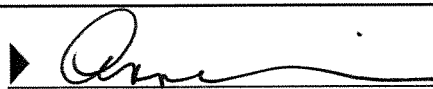
In the spaces below or on a separate page or pages, list all the parties and all their attorneys of record who will participate in the appeal. For each party, provide all of the information requested on the left side of the page. On the right side of the page, if a party is self-represented please check the appropriate box and provide the party's mailing address, telephone number, fax number, and e-mail address. If a party is represented by an attorney, on the right side of the page, check the appropriate box and provide all of the requested information about that party's attorney.

Responses to Part III are attached instead of below

Name of Party:  Appellate court designation: <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address:  Telephone no.: <span style="float:right">Fax no:</span> E-Mail address:
Name of Party:  Appellate court designation: <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address:  Telephone no.: <span style="float:right">Fax no:</span> E-Mail address:
Name of Party:  Appellate court designation: <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address:  Telephone no.: <span style="float:right">Fax no:</span> E-Mail address:
Name of Party:  Appellate court designation: <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (specify):	<input type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address:  Telephone no.: <span style="float:right">Fax no:</span> E-Mail address:

Additional pages attached  
 Date: June 27, 2019

This statement is prepared and submitted by:

  
 (SIGNATURE OF ATTORNEY OR SELF-REPRESENTED PARTY)

APPELLATE CASE TITLE:

David Gentry, et al. v. Xavier Becerra, et al.

APPELLATE COURT CASE NUMBER:

C089655

NOTICE TO PARTIES: A copy of this form must be served on the other party or parties to this appeal. If served by mail or personal delivery, A PARTY TO THE APPEAL MAY NOT PERFORM THE MAILING OR DELIVERY HIMSELF OR HERSELF. Electronic service is authorized only if ordered by the court or if the party served has agreed to accept electronic service. A person who is at least 18 years old must complete the information below and serve all pages of this document. When all pages of this document have been completed and a copy served, the original may then be filed with the court.

## PROOF OF SERVICE

Mail       Personal Service       Electronic Service

1. At the time of service I was at least 18 years of age.
2. My residence or business address is (*specify*):  
180 East Ocean Blvd., Suite 200  
Long Beach, CA 90802
3. I mailed, personally delivered, or electronically served a copy of the *Civil Case Information Statement (Appellate)* as follows (*complete a, b, or c*):
  - a.  **Mail.** I am a resident of or employed in the county where the mailing occurred and am not a party to this legal action.
    - (1) I enclosed a copy in an envelope **and**
      - (a)  deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
      - (b)  **placed** the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed as follows:
      - (a) Name of person served: Anthony R. Haki, attorney for Respondents/Defendants
      - (b) Address on envelope:  
P.O. Box 944255, Sacramento, CA 94244
      - (c) Date of mailing: June 27, 2019
      - (d) Place of mailing (*city and state*): Long Beach, California
  - b.  **Personal delivery.** I am not a party to this legal action. I personally delivered a copy as follows:
    - (1) Name of person served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:
  - c.  **Electronic service.** My electronic service address is (*specify*):  
I electronically served a copy as follows:
    - (1) Name of person served:
    - (2) Electronic service address of person served:
    - (3) On (*date*):

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

Date: June 27, 2019

\_\_\_\_\_  
Laura Palmerin  
(TYPE OR PRINT NAME)

▶   
(SIGNATURE OF DECLARANT)

SHORT TITLE: David Gentry, et al. v. Xavier Becerra, et al.	CASE NUMBER: C089655
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ATTACHMENT (Number): 1*(This Attachment may be used with any Judicial Council form.)*

Name of Party: David Gentry

Appellate court designation: Appellant

Trial court designation: Plaintiff

Represented by Attorneys: C.D. Michel (SBN: 144258), Anna M. Barvir (SBN: 268728), Scott M. Franklin (SBN: 240254), Sean A. Brady (SBN: 262007)

Firm name: Michel &amp; Associates, P.C.

Mailing Address: 180 East Ocean Blvd., Suite 200, Long Beach, CA 90802

Telephone no.: (562) 216-4444

Fax no.: (562) 216-4445

E-Mail addresses: cmichel@michellawyers.com, abarvir@michellawyers.com, sfranklin@michellawyers.com, sbrady@michellawyers.com

Name of Party: James Parker

Appellate court designation: Appellant

Trial court designation: Plaintiff

Represented by Attorneys: C.D. Michel (SBN: 144258), Anna M. Barvir (SBN: 268728), Scott M. Franklin (SBN: 240254), Sean A. Brady (SBN: 262007)

Firm name: Michel &amp; Associates, P.C.

Mailing Address: 180 East Ocean Blvd., Suite 200, Long Beach, CA 90802

Telephone no.: (562) 216-4444

Fax no.: (562) 216-4445

E-Mail addresses: cmichel@michellawyers.com, abarvir@michellawyers.com, sfranklin@michellawyers.com, sbrady@michellawyers.com

Name of Party: Mark Midlam

Appellate court designation: Appellant

Trial court designation: Plaintiff

Represented by Attorneys: C.D. Michel (SBN: 144258), Anna M. Barvir (SBN: 268728), Scott M. Franklin (SBN: 240254), Sean A. Brady (SBN: 262007)

Firm name: Michel &amp; Associates, P.C.

Mailing Address: 180 East Ocean Blvd., Suite 200, Long Beach, CA 90802

Telephone no.: (562) 216-4444

Fax no.: (562) 216-4445

E-Mail addresses: cmichel@michellawyers.com, abarvir@michellawyers.com, sfranklin@michellawyers.com, sbrady@michellawyers.com

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*Page 1 of 3*(Add pages as required)*

SHORT TITLE: David Gentry, et al. v. Xavier Becerra, et al.	CASE NUMBER: C089655
----------------------------------------------------------------	-------------------------

ATTACHMENT (Number): 2

(This Attachment may be used with any Judicial Council form.)

Name of Party: James Bass

Appellate court designation: Appellant

Trial court designation: Plaintiff

Represented by Attorneys: C.D. Michel (SBN: 144258), Anna M. Barvir (SBN: 268728), Scott M. Franklin (SBN: 240254), Sean A. Brady (SBN: 262007)

Firm name: Michel &amp; Associates, P.C.

Mailing Address: 180 East Ocean Blvd., Suite 200, Long Beach, CA 90802

Telephone no.: (562) 216-4444

Fax no.: (562) 216-4445

E-Mail addresses: cmichel@michellawyers.com, abarvir@michellawyers.com, sfranklin@michellawyers.com, sbrady@michellawyers.com

Name of Party: CalGuns Shooting Sports Association

Appellate court designation: Appellant

Trial court designation: Plaintiff

Represented by Attorneys: C.D. Michel (SBN: 144258), Anna M. Barvir (SBN: 268728), Scott M. Franklin (SBN: 240254), Sean A. Brady (SBN: 262007)

Firm name: Michel &amp; Associates, P.C.

Mailing Address: 180 East Ocean Blvd., Suite 200, Long Beach, CA 90802

Telephone no.: (562) 216-4444

Fax no.: (562) 216-4445

E-Mail addresses: cmichel@michellawyers.com, abarvir@michellawyers.com, sfranklin@michellawyers.com, sbrady@michellawyers.com

Name of Party: Xavier Becerra, in his official capacity as Attorney General for the State of California

Appellate court designation: Respondent

Trial court designation: Defendant

Represented by Attorney: Anthony R. Hakl, State Bar no.: 197335

Firm name: Office of the Attorney General of California

Mailing Address: P.O. Box 944255, Sacramento, CA 94244

Telephone no.: (916) 210-6065

Fax no.: (916) 324-8835

E-Mail address: anthony.hakl@doj.ca.gov

Name of Party: Stephen Lindley, in his official capacity as Director of the California Department of Justice Bureau of Firearms

Appellate court designation: Respondent

Trial court designation: Defendant

Represented by Attorney: Anthony R. Hakl, State Bar no.: 197335

Firm name: Office of the Attorney General of California

Mailing Address: P.O. Box 944255, Sacramento, CA 94244

Telephone no.: (916) 210-6065

Fax no.: (916) 324-8835

E-Mail address: anthony.hakl@doj.ca.gov

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 2 of 3

(Add pages as required)

SHORT TITLE: David Gentry, et al. v. Xavier Becerra, et al.	CASE NUMBER: C089655
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ATTACHMENT (Number): 3*(This Attachment may be used with any Judicial Council form.)*

Name of Party: Betty T. Yee, in her official capacity as State Controller

Appellate court designation: Respondent

Trial court designation: Defendant

Represented by Attorney: Anthony R. Hakl, State Bar no.: 197335

Firm name: Office of the Attorney General of California

Mailing Address: P.O. Box 944255, Sacramento, CA 94244

Telephone no.: (916) 210-6065

Fax no.: (916) 324-8835

E-Mail address: anthony.hakl@doj.ca.gov

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page 3 of 3*(Add pages as required)*





PLAINTIFF/PETITIONER: David Gentry, et al.	CASE NUMBER: 30-2013-80001667
DEFENDANT/RESPONDENT: Xavier Becerra, et al.	

**PROOF OF SERVICE BY FIRST-CLASS MAIL  
NOTICE OF ENTRY OF JUDGMENT OR ORDER**

*(NOTE: You cannot serve the Notice of Entry of Judgment or Order if you are a party in the action. The person who served the notice must complete this proof of service.)*

1. I am at least 18 years old and not a party to this action. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (specify): 180 East Ocean Boulevard, Suite 200, Long Beach, CA 90802

2. I served a copy of the Notice of Entry of Judgment or Order by enclosing it in a sealed envelope with postage fully prepaid and (check one):

- a.  deposited the sealed envelope with the United States Postal Service.
- b.  placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The Notice of Entry of Judgment or Order was mailed:

- a. on (date): May 2, 2019
- b. from (city and state): Long Beach, California

4. The envelope was addressed and mailed as follows:

- |                                                                                                                                                        |                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <p>a. Name of person served:<br/>Anthony R. Hakl<br/>Street address: P.O. Box 944255<br/>City: Sacramento<br/>State and zip code: California 94244</p> | <p>c. Name of person served:<br/><br/>Street address:<br/>City:<br/>State and zip code:</p> |
| <p>b. Name of person served:<br/><br/>Street address:<br/>City:<br/>State and zip code:</p>                                                            | <p>d. Name of person served:<br/><br/>Street address:<br/>City:<br/>State and zip code:</p> |

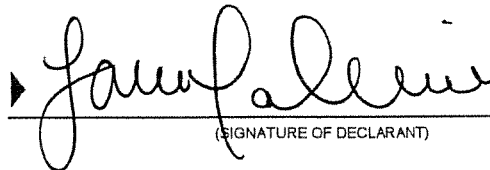
Names and addresses of additional persons served are attached. (You may use form POS-030(P).)

5. Number of pages attached \_\_\_\_\_.

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

Date: May 2, 2019

Laura Palmerin  
\_\_\_\_\_  
(TYPE OR PRINT NAME OF DECLARANT)

  
 \_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

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**FILED/ENDORSED**  
APR 10 2019  
*[Signature]*  
By E. Gonzalez, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SACRAMENTO

DAVID GENTRY, JAMES PARKER,  
MARK MIDLAM, JAMES BASS, and  
CALGUNS SHOOTING SPORTS  
ASSOCIATION,

Plaintiffs and Petitioners,

v.

XAVIER BECERRA, in His Official  
Capacity as Attorney General For the State  
of California; STEPHEN LINDLEY, in  
His Official Capacity as Acting Chief for  
the California Department of Justice,  
BETTY T. YEE, in Her Official Capacity  
as State Controller, and DOES 1 - 10,

Defendants and Respondents.

Case No. 34-2013-80001667

**JUDGMENT**

Trial Date: January 18, 2019  
Action Filed: October 16, 2013

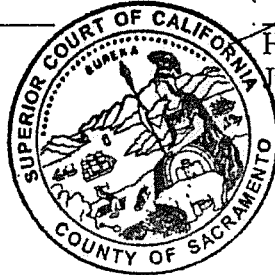
BY FAX


RECEIVED  
APR - 4 2019  
7  
CIVIL

1 IT IS ORDERED, ADJUDGED, AND DECREED that:

- 2 1. Plaintiffs' first through fourth and sixth through eighth causes of action in their First  
3 Amended Petition for Writ and Complaint ("FAC") are denied.
- 4 2. Plaintiffs' fifth cause of action is granted pursuant to the ruling of August 9, 2017, but as a  
5 result of this Court's order of March 4, 2019, no relief needs be ordered as to that cause of  
6 action.
- 7 3. Plaintiffs' ninth cause of action is granted pursuant to the ruling of August 9, 2017, and  
8 this Court holds Penal Code section 28225's reference to "costs associated with funding  
9 Department of Justice firearms-related regulatory and enforcement activities related to the  
10 . . . possession . . . of firearms" is limited to costs incurred in "enforcement of the Armed  
11 Prohibited Persons System[,]" as stated in Section 1(g) of Senate Bill 819 (Leno, 2011).

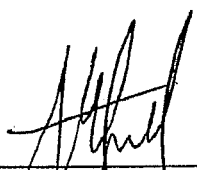
12 Dated: APR 10 2019



13   
14 Hon. Richard K. Sueyoshi  
15 Judge of the Superior Court

16 APPROVED AS TO FORM:

17 Dated: April 3, 2019

18   
19 ANTHONY R. HAKL  
20 Supervising Deputy Attorney General  
21 Attorneys for Defendants and Respondents