### IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA IN AND FOR THE FIFTH APPELLATE DISTRICT

DANNY VILLANUEVA, NIALL STALLARD, RUBEN BARRIOS, CHARLIE COX, MARK STROH, ANTHONY MENDOZA, AND CALIFORNIA RIFLE & PISTOL ASSOCIATION, INCORPORATED, Case No. F078062

Plaintiffs and Appellants,

v.

XAVIER BECERRA, in his official capacity as Attorney General for the State of California; STEPHEN LINDLEY, in his official capacity as Chief of the California Department of Justice, Bureau of Firearms; CALIFORNIA DEPARTMENT OF JUSTICE; and DOES 1-10,

Defendants and Respondents.

## EXHIBITS TO APPELLANTS' REQUEST FOR JUDICIAL NOTICE

Fresno County Superior Court, Case No. 17CECG03093 Honorable Mark W. Snauffer, Judge

> C. D. Michel – SBN 144258 Anna M. Barvir – SBN 268728 Sean A. Brady – SBN 262007 MICHEL & ASSOCIATES, P.C. 180 East Ocean Blvd., Suite 200 Long Beach, CA 90802 Telephone: 562-216-4444 <u>cmichel@michellawyers.com</u>

> > Counsel for Appellants

Table of Contents
Exhibit A (California Department of Justice's response to a Public Records Act request for information regarding the registration of "assault weapons" under subdivision (b) of Penal Code section 30900)
Exhibit B (Plaintiffs' Non-Opposition to Defendants' and Respondents' Demurrer to First Amendment Complaint for Declaratory and Injunctive Relief and Petitioner for Writ of Mandate filed on April 2, 2015 in the case of <i>Belemjian v. Harris</i> , Case No. 15-00029 in the Superior Court of the State of California for the County of Fresno)
Proof of Electronic Service

TABLE OF CONTENTS

# **EXHIBIT** A



1300 I STREET, SUITE 125 P.O. BOX 944255 SACRAMENTO, CA 94244-2550 Public: (916) 445-9555 Facsimile: (916) 227-0470

July 11, 2018

Brandon Combs 4212 N. Freeway Blvd,, Suite 6 Sacramento, CA 95834

Re: Public Records Act Request received July 2, 2018

#### Dear Mr. Combs:

This letter is in response to your public records request in which you sought records pursuant to the Public Records Act ("PRA") as set forth in Government Code section 6250 et seq. Specifically, you requested the following information:

"Please provide me with a copy of the following records in existence that allow me and the public to determine:

1. The number of applications for firearm registration as an "Assault Weapon" under Penal Code section 30900(b) that were submitted from July 31, 2017, to the present. In lieu of documents I will accept your calculation of the number of applications as a full response to this request.

2. The number of applications for firearm registration as an "Assault Weapon" under Penal Code section 30900(b) that have been approved from July 31, 2017, to the present. In lieu of documents I will accept your calculation of the number of applications that have been approved as a full response to this request.

3. The number of applications for firearm registration as an "Assault Weapon" under Penal Code section 30900(b) that have been denied/rejected from July 31, 2017, to the present. In lieu of documents I will accept your calculation of the number of applications that have been denied/rejected as a full response to this request.

4. The number of applications for firearm registration as an "Assault Weapon" under Penal Code section 30900(b) submitted from July 31, 2017, to the present that are still being processed. In lieu of documents I will accept your calculation of the number of applications still being processed as a full response to this request.

Brandon Combs July 11, 2018 Page 2

5. The average time it takes to review and make a determination on an "Assault Weapon" registration application under Penal Code section 30900(b) submitted from July 31, 2017, to the present. In lieu of documents I will accept a list of all applications including their respective dates of submission and DOJ's determination of acceptance or denial as a full response to this request.

6. From January 1, 2017, to the present, a copy of all daily, weekly, monthly, or other periodical reports about "Assault Weapon" registrations and applications under Penal Code section 30900(b)."

Here are the responses to your requested information:

- 1. 68,848 applications to register bullet button assault weapons were submitted for registration in the California Firearms Application Reporting System (CFARS).
- 2. 13,519 firearms were registered as of June 30, 2018. An application that is being processed is not considered "registered." An assault weapon would only be registered if the applicant meets all the firearm and background requirements and is approved by the Department.
- 3. 1,373 applications were rejected as of July 11, 2018.
- 4. 52,443 applications are still being processed by the Department as of July 11, 2018.
- 5. We cannot provide you with an estimate on the time it takes to review and make a determination on an assault weapon registration application because it varies greatly depending on the circumstances.
- 6. Please find enclosed the information you seek.

Sincerely,

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ROBERT D. WILSON Deputy Attorney General

For XAVIER BECERRA Attorney General

Enclosure

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04/01/2019         122         13         1         108         44         39         33         6         8         114           04/02/2016         119         7         3         109         31         49         13         3         9         110           04/02/2018         71         7         1         63         44         40         7         6         3         68           04/02/2018         71         9         2         60         36         32         3         2         10         61           04/02/2018         65         4         61         43         40         8         4         7         58           04/02/2018         155         14         1         140         85         80         26         9         6         149           04/02/2018         109         7         102         66         55         13         6         6         103           04/12/2018         81         3         1         81         40         44         0         85           04/12/2018         13         9         3         12         82         13 <t< td=""><td>03/31/2018</td><td>91</td><td>8</td><td>L</td><td>82</td><td>41</td><td>39</td><td>13</td><td>6</td><td>0</td><td>91_</td></t<>	03/31/2018	91	8	L	82	41	39	13	6	0	91_	
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64/63/2018       84       9       2       73       43       39       10       5       7       77         04/04/2016       71       7       1       63       44       40       7       6       3       68         04/05/2018       71       9       2       60       36       32       3       2       10       61         04/05/2018       65       4       61       43       40       8       4       7       58         04/05/2018       155       14       1       140       85       80       26       9       6       149         04/05/2018       159       7       102       66       55       13       6       6       103         04/05/2018       109       7       102       66       55       13       6       6       103         04/12/2018       85       3       1       81       40       40       16       3       5       87         04/12/2018       108       8       2       98       65       51       11       5       3       105         04/13/2018       103       4       1 <td></td> <td></td> <td></td> <td>3</td> <td></td> <td></td> <td>49</td> <td></td> <td>3</td> <td>9</td> <td>110</td>				3			49		3	9	110	
04/04/2018         71         7         1         63         44         40         7         6         3         68           04/05/2018         71         9         2         60         36         32         3         2         10         61           04/06/2018         65         4         61         43         40         8         4         7         58           04/07/2018         173         9         5         159         83         81         30         8         3         170           04/06/2018         109         7         102         66         55         13         6         6         149           04/02/2018         109         7         102         66         55         13         6         6         103           04/10/2018         58         3         1         54         38         33         5         4         5         33           04/11/2018         168         8         2         98         65         51         11         5         3         105           04/14/2018         103         9         3         121         80			·									
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04/07/2018         173         9         5         159         83         81         30         8         3         170           04/08/2018         155         14         1         140         85         80         26         9         6         149           04/02/2018         109         7         102         66         55         13         6         6         103           04/10/2018         88         3         1         54         38         33         5         4         5         53           04/12/2018         52         10         1         81         40         40         16         3         5         87           04/12/2018         103         4         1         98         56         51         11         1         5         3         105           04/14/2018         103         4         1         98         56         49         4         2         0         103           04/16/2018         133         5         3         121         80         70         10         5         9         124           04/16/2016         133         5			<u> </u>							· · · · · · · · · · · · · · · · · · ·		
04/08/2018         155         14         1         140         85         80         26         9         6         149           04/09/2018         109         7         102         66         55         13         6         6         103           04/10/2018         58         3         1         54         38         33         5         4         5         53           04/11/2018         92         10         1         81         40         40         16         3         5         87           04/12/2018         85         3         82         59         52         4         4         0         85           04/13/2018         168         8         2         98         65         51         11         5         3         105           04/14/2018         103         4         1         98         56         49         4         2         0         103           04/16/2018         141         8         2         131         63         60         44         12         3         138           04/17/2016         98         14         1         83         <		-						-				
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04/14/2018       103       4       1       98       56       49       4       2       0       103         04/16/2018       133       9       3       121       80       70       10       5       9       124         04/16/2018       141       8       2       131       63       60       44       12       3       138         04/16/2018       141       1       83       61       56       7       7       7       91         04/16/2018       144       1       83       61       56       7       7       7       91         04/16/2018       141       1       1       129       69       60       17       7       12       129         04/19/2018       119       5       3       111       58       50       5       114         04/20/2018       96       7       1       88       48       43       17       8       1       95         04/21/2018       158       8       2       148       81       68       2       2       5       153         04/22/2018       143       12       2 <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>												
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05/02/2018	204	9	3	192	97	87	17	8	5	199
05/03/2018	109	12	1	96	55	53	24	10	4	105.
05/04/2018	166	10	9	147	88	78	14	6	11	155
05/05/2018	218	17	9	192	103	91	24	10	2	216
05/06/2018	259	35	2	222	125	111	28	11	8	251
05/07/2018	274	33	6	235	128	111	33	9	2	272
05/08/2018	227	16	10	201	109	95	52	12	5	222
05/09/2018	256	21	8	227	104		88	-	11	245
05/10/2018	182	15	4	163		90	14	7	1	181
05/11/2018	189		2	170		87	15	3		178
				209		98	66	13	19	241
1	319			301	163	148	23	10	<u></u>	308
				226	136	120			<u></u>	
05/15/2018									-	249
1	298			251	136	122	50		8	290
05/16/2018				229	130	121	47		4	254
			7	171	121	113	25		15	191
05/18/2018		25	5	163	104	94	7		6	187
		-		210 <sub>2</sub>	125	119	31		4	219
	429		9	365	188	171 -	39		17	412
05/21/2018	421	36	7	378	173	157	64	20	5	416 .
05/22/2018	287	26	3	258	172	141	26	12	25	262
05/23/2018	305	32	10	263 .	153	131	47	25	18	287
05/24/2018	237	32	7	198	120	106	21	12	9	228
05/25/2018	240	9	3	228	151	133	18	11	5	235
05/26/2018	300	20		280	161	137	61	22	20	280
05/27/2018	303	8	9	286	171	148	57	23	9	294
05/28/2018	513	40	10	463	265	212	70	20	37	476
	and the second	35		301	192	174	38		22	321
		49		313	194	173	66		26	342
		51		375	202	186	49	23	12	416
				288	176	155	51	· · · · · · · · · · · · · · · · · · ·	32	298
		•	9	338	201	177	53		11	365
			5	462	270	245		34	19	481
		27	5	389	246	226	56		·····	
			7						34	389
			9	511		241			31	541
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		46	11 ,	476	285	238	126	33	13	520
		25	7	336	206	180	29		8	360
		36	5	505	296	263	63	18	40	506
		72	17 ,	555	349	293			39	605
		42	12	549		326	47		32	571
	672	80	18	574	362	328	107	43	24	648
06/13/2018	705	76	10	619	373	336	79 、	36	29	676
06/14/2018	648	68	15	565	366	310	112	43	49	599
06/15/2018	633	80	11	542	322	282	74	24	30	603
06/16/2018	727	60	18	649	408	330	95	32	41	686
06/17/2018	797	54	6	737	433	356	93	50	26	771
06/18/2018	788	65	13	710	466	400	78	35	25	763
06/19/2018	1017	89	18	910	516	468	156	45	80	937
		94		827		439	170	53	50	882
	1258	120		1120		605	164		51	1207
			22	1116	648	559	163	63	34	1187
	1250		27	1101	656	589		64	58	1192
		247	44	1736		895	337	114	88	1939
		192	46	1714		956		94	80	1872
				2043	1245	1104	260	100	126	2181
		275	55	2369	1477	1286	398	131	185	2514
			85	3413	2024	1707	605	179	260	3700
L		650	134	5256		2784	940		336	5704
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# **EXHIBIT B**

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1 2 3 4 5 6 7 8 9		OF THE STATE OF CALIFORNIA OUNTY OF FRESNO
10	KIM BELEMJIAN; JONATHAN	CASE NO. 15-CE-CG-00029
11	FAIRFIELD; T.J. JOHNSTON; MATTHEW PIMENTEL; STANLEY ROY;	PLAINTIFFS' NON-OPPOSITION TO
12	FFLGUARD, INC.; CALÍFORNIA RIFLE AND PISTOL ASSOCIATION;	DEFENDANTS' AND RESPONDENTS' DEMURRER TO FIRST AMENDED
13	Plaintiffs,	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION
14	VS.	FOR WRIT OF MANDATE
15	KAMALA D. HARRIS, in her official	Date: April 15, 2015 Time: 3:30 p.m.
16	capacity as Attorney General for the State of California; STEPHEN LINDLEY, in his	Dept: 503 Judge: Hon. Alan M. Simpson
17	official capacity as CHIEF OF THE CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS;	Trial Date: None Action Filed: January 6, 2015
18	CALIFORNIA DEPARTMENT OF JUSTICE; and DOES 1-10,	
19	Defendants.	
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	PLAINTIFFS' NON-OPPOSITION TO DEM	URRER TO FIRST AMENDED COMPLAINT

Document received by the CA 5th District Court of Appeal.

1 Plaintiffs Kim Belemjian, Jonathan Fairfield, T.J. Johnston, Matthew Pimentel, Stanley 2 Roy, FFLGuard, Inc., and California Rifle and Pistol Association ("Plaintiffs") agree with 3 Defendants Kamala D. Harris, Stephen Lindley, and the California Department of Justice 4 ("Defendants") that there remains nothing to be litigated as regards the merits of the claims raised in Plaintiffs' First Amended Complaint. Plaintiffs thus file this non-opposition to Defendants' 5 Demurrer to First Amended Complaint for Declaratory and Injunctive Relief and Petition for Writ 6 7 of Mandate, and support the granting of Defendants' demurrer without leave to amend. Plaintiffs believe, however, that Defendants' suggestion that they have not disputed Plaintiffs' position is 8 9 misleading (if not patently false). As such, they also request that the Court delay entering judgment pending limited discovery to investigate the extent to which this litigation prompted 10 ppeal 11 Defendants's actions and to establish that Plaintiffs have a valid catalyst-based fee claim. On October 2 and December 18, 2014, Defendants announced, by way of letter to various 12 interested parties, four regulations for the implementation and administration of the newly enacted 13 Firearm Safety Certificate Program ("FSC Program") and long-gun safe-handling demonstrations 14 Firearm Safety Certificate Program ("FSC Program") and long-gun safe-handling demonstrations (Barvir Decl. Supp. Pls.' Non-oppn. to Defs.' Demurrer ("Barvir Decl."), Exhs. B-C.) Those regulations were not adopted pursuant to the stringent notice and comment requirements of the . California Administrative Procedure Act ("APA"). On December 29, 2014, Plaintiff *FFLGuard*, Inc., thus submitted a petition to the Office of Administrative Law ("OAL") complaining of Defendants' failure to adhere to the APA when adopting those implementing regulations. (Barvir Decl., Exh. D.) Petitioners submitted a copy of their OAL complaint to Defendants Harris and Lindley. (Barvir Decl., ¶ D.) Defendants did not respond to *FFLGuard*'s petition; they instead began enforcing the challenged rules on January 1, 2015, when the FSC Program took effect. Plaintiffs thus brought suit on January 6, 2015, challenging the four underground regulations adopted and enforced by Defendants. (Verified Compl. for Decl. & Inj. Rel ("Verified Compl."), ¶¶ 1-11, 78-126.) Plaintiffs also brought a writ of mandate to compel Defendants to adopt formal regulations implementing the long-gun safe-handling demonstrations as mandated by 15 16 17 18 19 20 21 22 23 24 25 adopt formal regulations implementing the long-gun safe-handling demonstrations as mandated by 26 27 state law. (Verified Compl., ¶ 127-131.) On January 7, 2015, Plaintiffs filed an application for an 28 order to show cause and temporary restraining order. (Pls.' Ex Parte Appln. Order to Show Cause  $13_{2}$ 

& Temp. Rest. Order, Jan. 7, 2015.) That request was denied in response to Defendants' argument that Plaintiffs had not established the irreparable harm necessary for such extraordinary relief. (See Barvir Decl., Exh. F, pp. 8-14; Defs.' Mem. Oppn. Pls.' Order to Show Cause & Temp. Rest. Order, p. 4.) Two days later, on January 9, Defendants notified Plaintiffs for the first time that they were "in the process of preparing emergency regulations and final regulations, pursuant to the Administrative Procedures [sic] Act. ... " (Barvir Decl., ¶ 8, Exh. H.) That emergency regulation package would not be finalized and submitted to OAL until February 25, 2015—nearly seven weeks later. (Defs.' Req. Jud. Not. Supp. Defs.' Demurrer, ¶ 1, Exh. 1.)<sup>1</sup> In the intervening weeks, Defendants continued to enforce the challenged underground regulations.

When Defendants filed their demurrer, OAL had not yet ruled on Defendants' proposed package of "emergency" regulations for the implementation and maintenance of the FSC Program and safe-handling demonstrations. On March 9, 2015, however, OAL adopted the "emergency" regulations and those regulations took immediate effect. (Pls.' Req. Jud. Not., ¶ 1 [filed simultaneously herewith]; Pls.' Req. Jud. Not., Exh. A.) The newly adopted regulatory package formalized each of the four illegally adopted and previously enforced rules challenged in Plaintiffs' first through sixth causes of action for declaratory relief. (Pls.' Req. Jud. Not., Exh. A; Pls.' First Am. Compl. & Writ of Mand. ("First Am. Compl."), pp. 17-25.) Adoption of the emergency package also formalized regulations for the implementation of the long-gun safe-handling demonstration as requested in Plaintiffs' seventh cause of action for writ of mandate. (Pls.' Req. Jud. Not., Exh. A; First Am. Compl., pp. 25-26.) As such, Plaintiffs have achieved exactly the result they sought in their First Amended Complaint. (First Am. Compl., pp. 26-28.) The underground regulations at the heart of this dispute are no longer being unlawfully enforced against Plaintiffs, their members, or clients. Because Defendants' promulgation of the emergency regulations has favorably mooted each of Plaintiffs' claims, Plaintiffs agree that there inforced against Plaintiffs, in an attempt to gauge whether they could settle this dispute without resort to further litigation\_contacted Defendante? acumal to the information of the without resort to further litigation. When Defendants filed their demurrer, OAL had not yet ruled on Defendants' proposed 

- <sup>1</sup> Two weeks later, Plaintiffs, in an attempt to gauge whether they could settle this dispute without resort to further litigation, contacted Defendants' counsel to ask if and when the Department of Justice intended to begin the emergency rule-making process. (Barvir Decl., ¶9, Exh. I, p. 1-2.) They would learn two days later that Defendants would not submit the emergency package for at least another month. (Barvir Decl., ¶10, Exh. I, p. 1.)
  - NON-OPPOSITION TO DEMURRER TO FIRST AMENDED COMPLAINT

remains no reason for this Court to consider or for the parties to continue litigating the merits of
 those claims.

Plaintiffs dispute, however, Defendants' contention that no actual controversy has existed between the parties because "(1) the defendants do not actually oppose the position taken by the plaintiffs that Penal Code section 26860, subdivision (b), requires regulations, and (2) the defendants submitted emergency regulations under the APA, ...." (Defs.' Mem. Supp. Demurrer, p. 7.) Defendants have actively resisted Plaintiffs' attempts to resolve the matter at every juncture. And, though they were given many opportunities in the earliest stages of this dispute, Defendants made no mention to Plaintiffs that they were working on formal regulations, emergency or otherwise, until two days after the hearing on Plaintiffs' application for TRO/OSC. (Barvir Decl.,\_\_\_ otherwise, until two days after the hearing on Plaintiffs' application for TRO/OSC. (Barvir Decl., ¶ 8, Exh. H.) In fact, during a week of communications with Plaintiffs' counsel resulting from Plaintiffs' December 30th notice that they'd be filing suit and seeking preliminary relief, Defendants' counsel never disclosed his clients' intention to promulgate emergency regulations, nor did he suggest that litigation could be avoided as a result. (Barvir Decl., ¶ 5; Exh. E.) Defendants, in responding to Plaintiffs' request for temporary injunctive relief, did not take the position they do now that Plaintiffs could not succeed on the merits for lack of controversy or admit that they should have adopted formal regulations. (Defs.' Mem. Oppn. Pls.' Order to Show Cause & Temp. Rest. Order, pp. 4-5.) And at the TRO/OSC hearing, Defendants never discussed Cause & Temp. Rest. Order, pp. 4-5.) And at the TRO/OSC hearing, Defendants never discussed their intention to promulgate regulations for the FSC Program or safe-handling demonstrations. (Barvir Decl., ¶ 6; Exh. F.) Instead, they waited until Plaintiffs reached out to engage in settlement negotiations to claim that they were "in the process of drafting emergency regulations." (Barvir Decl., ¶¶ 7-8; Exhs. G-H.) What's more, Defendants never stopped enforcing the illegal safe-handling demonstration rules, even though they now claim that they agree with Plaintiffs' position that Penal Code section 26860 mandated the adoption of formal regulations. (Defs.' Mem. Supp. Demurrer, pp. 5-11.) And Defendants still do not claim to have ever agreed with Plaintiffs' contention that the four FSC Program rules announced by letter were underground Plaintiffs' contention that the four FSC Program rules announced by letter were underground regulations that should have been adopted pursuant to the APA.

For these reasons, among others, Plaintiffs strongly suspect that the parties did, in fact,

1	face an actual controversy at the start of this litigation and that this case was the very impetus for
2	Defendants' promulgation of emergency regulations. So while Plaintiffs believe they are entitled
3	to attorneys' fees based on the catalyst theory, it is their burden to establish such and Defendants
4	have only recently begun to suggest that formal regulations were being prepared independent of
5	this litigation. But because this case is still in its infancy, no discovery has yet taken place and
6	Plaintiffs have not had the opportunity to test the veracity of Defendants' claims. (Decl. of Jeffrey
7	A. Rich Supp. Defs.'Mem. Supp. Demurrer, Exh. 2; Defs.' Mem. Supp. Demurrer, p. 3.) Plaintiffs
8	thus require limited discovery at this stage for that very purpose.
9	Again, Plaintiffs do not oppose Defendants' request that the Court sustain their demurrer
10	without leave to amend. But Plaintiffs respectfully ask the Court to delay entering a final
11	judgment on Defendants' demurrer to allow for Plaintiffs to engage in limited discovery for the
12	purpose of investigating and confirming the validity of their attorneys' fees claim. Alternatively, $\underbrace{\nabla}_{\mathbf{u}}$
13	Plaintiffs request that the Court order such relief as it deems necessary to allow Plaintiffs to $\Xi$
14	engage in limited discovery for the purpose of supporting their fee motion.
15	Date: April 2, 2015 MICHEL & ASSOCIATES, P.C.
16	judgment on Defendants' demurrer to allow for Plaintiffs to engage in limited discovery for the purpose of investigating and confirming the validity of their attorneys' fees claim. Alternatively, Plaintiffs request that the Court order such relief as it deems necessary to allow Plaintiffs to engage in limited discovery for the purpose of supporting their fee motion. Date: April 2, 2015 MICHEL & ASSOCIATES, P.C. Anna M. Barvir Computer for Plaintiffs
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	PLAINTIFFS' NON-OPPOSITION TO DEMURRER TO FIRST AMENDED COMPLAINT

I

1	PROOF OF SERVICE
2 3	I, Laura Quesada, am employed in the City of Long Beach, Los Angeles County, California. I am over the age eighteen (18) years and am not a party to the within action. My business address is 180 East Ocean Blvd., Suite 200, Long Beach, California 90802.
4	On April 2, 2015, I served the foregoing document(s) described as:
5	PLAINTIFFS' NON-OPPOSITION TO DEFENDANTS' AND RESPONDENTS'
6	DEMURRER TO FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION FOR WRIT OF MANDATE
7	on the interested parties in this action by placing [ ] the original
8	[X] a true and correct copy thereof enclosed in sealed envelope(s) addressed as follows:
9	Mr. Jeffrey Rich
10	Deputy Attorney General
11	1300 I Street, Suite 125 P.O. Box 944255
12	Sacramento, CA 95814
13	1300 I Street, Suite 125       P.O. Box 944255         Sacramento, CA 95814
14	Executed on, 2015, at Long Beach, California.
15	X (OVERNIGHT MAIL) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for overnight delivery by UPS/FED-EX. Under
16	the practice it would be deposited with a facility regularly maintained by UPS/FED-EX for receipt on the same day in the ordinary course of business. Such envelope was sealed an
17	placed for collection and delivery by UPS/FED-EX with delivery fees paid or provided for in accordance.
18	Executed on April 2, 2015, at Long Beach, California.
19	$\underline{X}$ ( <u>STATE</u> ) I declare under penalty of perjury under the laws of the State of California that
20	$\underline{X}$ ( <u>STATE</u> ) Future and correct.
21	
22	( <u>FEDERAL</u> ) I declare that I am employed in the office of the member of the bar of this court at whose direction the service was made.
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24	LAURA L. QUESADA
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	$17_{6}$
	PLAINTIFFS' NON-OPPOSITION TO DEMURRER TO FIRST AMENDED COMPLAINT

### PROOF OF ELECTRONIC SERVICE (Court of Appeal)

Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read *Information Sheet for Proof of Service (Court of Appeal)* (form APP-009-INFO) before completing this form.

Case Name: Villanueva, et al. v. Becerra, et al.

Court of Appeal Case Number: F078062

Superior Court Case Number: 17CECG03093

- 1. At the time of service I was at least 18 years of age.
- 2. a. My residence **x** business address is (*specify*): 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802
  - b. My electronic service address is (specify): lpalmerin@michellawvers.com
- I electronically served the following documents (exact titles): Exhibits to Appellants' Request for Judicial Notice
- 4. I electronically served the documents listed in 3. as follows:
  - a. Name of person served: P. Pattv Li
     On behalf of (name or names of parties represented, if person served is an attorney):
     Defendants-Respondents Xavier Becerra, in his official capacity as Attorney for the State of California; Brent E. Orick, in his official capacity as Acting Director of the California Dept. of Justice, Bureau of Firearms; and California Department of Justice
  - b. Electronic service address of person served: patty.li@doi.ca.gov
  - c. On (date): October 9, 2019
  - The documents listed in 3. were served electronically on the persons and in the manner described in an attachment (write "APP-009E, Item 4" at the top of the page).

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

Date: October 9, 2019

Laura Palmerin (TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

am (SIGNATURE OF PERSON COMPLETING THIS FORM)

Page 1 of 1

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Form Approved for Optional Use
Judicial Council of California
APP-009E [New January 1, 2017]

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PROOF OF ELECTRONIC SERVICE (Court of Appeal) Clear 18 Print this form Save this form

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