

1 C.D. Michel (SBN 144258)
Anna M. Barvir (SBN 268728)
2 Tiffany D. Chevront (SBN 317144)
MICHEL & ASSOCIATES, P.C.
3 180 East Ocean Blvd., Suite 200
Long Beach, CA 90802
4 Telephone: (562) 216-4444
Fax: (562) 216-4445
5 Email: cmichel@michellawyers.com

Attorneys for Plaintiffs B & L Productions, Inc., Barry Bardack, Ronald J. Diaz, Sr., John Dupree, Christopher Irick, Lawrence Walsh, Maximum Wholesale, Inc., California Rifle & Pistol Association, Incorporated, South Bay Rod and Gun Club, Inc.

8 Donald Kilmer (SBN 179986)
Law Offices of Donald Kilmer, APC
9 1645 Willow Street Suite 150
San Jose, CA 95125
10 Telephone: (408) 264-8489
Fax: (408) 264-8487
11 Email: Don@DKLawOffice.com

Attorney for Plaintiff Second Amendment Foundation

12 XAVIER BECERRA, Attorney General of California
13 PAUL STEIN, Supervising Deputy Attorney General
JOSHUA M. CAPLAN (SBN 245469)
14 CHAD A. STEGEMAN (SBN 225745)
NATASHA SAGGAR SHETH (SBN 282896)
15 P. PATTY LI (SBN 266937)
Deputy Attorneys General
16 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
17 Telephone: (415) 510-3817
Fax: (415) 703-1234
18 E-mail: Patty.Li@doj.ca.gov

Attorneys for Defendant 22nd District Agricultural Association

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 al.,

23 Plaintiffs,

v.

24 22nd DISTRICT AGRICULTURAL
25 ASSOCIATION, et al.,

26 Defendants.

CASE NO.: 3:19-cv-00134-CAB-NLS

**JOINT MOTION TO FURTHER
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 Pursuant to Rule 7.2 of the Local Rules for the United States District Court for
2 the Southern District of California, Plaintiffs B & L Productions, Inc., Barry Bardack,
3 Ronald J. Diaz, Sr., John Dupree, Christopher Irick, Lawrence Walsh, Maximum
4 Wholesale, Inc., California Rifle & Pistol Association, Incorporated, South Bay Rod
5 and Gun Club, Inc., and Second Amended Foundation (“Plaintiffs”) and Defendant
6 22nd District Agricultural Association (“Defendant”) (collectively “the Parties”) by
7 and through their counsel of record, hereby stipulate and jointly move as follows:

8 WHEREAS, the Court previously granted two joint requests to extend
9 discovery and summary judgment deadlines so that the Parties could engage in
10 settlement negotiations (ECF No. 32; ECF No. 34);

11 WHEREAS, the Parties have engaged in settlement discussions, including a
12 mediation session and regular telephone conferences and written communications;

13 WHEREAS, the Parties agree that significant progress has been made toward
14 reaching a settlement in this matter and that terms of settlement are likely to be
15 agreed to by the parties in the coming weeks;

16 WHEREAS, Assembly Bill 893, Cal. Stats. 2019 Ch. 731, which was signed
17 into law in October 2019, prohibits the sale of firearms or ammunition at the San
18 Diego County Fairgrounds, effective January 1, 2021;

19 WHEREAS, the Parties have discussed Plaintiffs’ intention to seek leave to
20 file a supplemental complaint in the above-captioned action addressing events that
21 occurred after the filing of the original pleading;

22 WHEREAS, nothing in this Joint Motion constitutes a consent or waiver of
23 objections by Defendant, any previously dismissed defendants, or any defendants to
24 be named in a supplemental complaint, to the filing of a supplemental complaint in
25 the above-captioned action;

26 WHEREAS, once Plaintiffs file their motion for leave to file a supplemental
27 complaint, the Parties will require additional time to negotiate settlement, while the
28 parties brief and the Court hears Plaintiffs’ motion for leave, and while the Parties

1 determine what impact the supplemental material, if allowed by this Court, might
2 have on the terms of settlement;

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

7 WHEREAS, in the interest of conserving the Parties' and the Court's
8 resources, the Parties agree that further extension of the previously established
9 discovery and summary judgment deadlines (ECF No. 34) while the Parties finalize
10 the terms of a settlement agreement is appropriate and would not prejudice any Party;

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

13 1. The discovery deadline in this matter is extended from April 10, 2020, to
14 July 9, 2020.

15 2. The deadline to file motion(s) for summary judgment is extended from
16 May 8, 2020 to August 6, 2020. The deadline to file opposition(s) is extended from
17 May 22, 2020 to August 20, 2020. The deadline to file any reply is extended from
18 June 5, 2020 to September 3, 2020. A hearing on any motion(s) for summary
19 judgment shall be set by future order of the Court.

20 **IT IS SO STIPULATED.**

21
22 Dated: March 10, 2020

MICHEL & ASSOCIATES, P.C.

23 *s/ Anna M. Barvir*

24 Anna M. Barvir
25 Attorneys for Plaintiffs B & L
26 Productions, Inc., Barry Bardack,
27 Ronald J. Diaz, Sr., John Dupree,
28 Christopher Irick, Lawrence Walsh,
Maximum Wholesale, Inc., California
Rifle & Pistol Association, Incorporated,
South Bay Rod and Gun Club, Inc.
Email: abarvir@michellawyers.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: March 10, 2020

Law Offices of Donald Kilmer, APC

s/ Donald Kilmer
Donald Kilmer
Attorneys for Plaintiff Second Amended
Foundation
Email: Don@DKLawOffice.com

Dated: March 10, 2020

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

s/ P. Patty Li
P. Patty Li
Deputy Attorney General
Attorneys for Defendant 22nd District
Agricultural Association
Email: Patty.Li@doj.ca.gov

Pursuant to Southern District of California Electronic Case Filing
Administrative Policies and Procedures, Section 2(f)(4), the below filer attests that
concurrence in the filing of this document has been obtained from the above
signatories.

s/ Anna M. Barvir
Anna M. Barvir

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Case Name: *B & L Productions, Inc., et al. v. 22nd District Agricultural Association, et al.*

Case No.: 3:19-cv-00134 CAB (NLS)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

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

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Xavier Becerra
Attorney General of California
P. Patty Li
Deputy Attorney General
E-mail: patty.li@doj.ca.gov
Natasha Saggar Sheth
Deputy Attorney General
E-mail: natasha.sheth@doj.ca.gov
Chad A. Stegeman
Deputy Attorney General
E-mail: chad.stegeman@doj.ca.gov
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Attorneys for Defendants

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

Executed March 10, 2020.

s/ Laura Palmerin

Laura Palmerin