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15 Attorneys for Plaintiffs

16 **UNITED STATES DISTRICT COURT**

17 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

18 ADAM BRANDY, an individual, et al.,

Case No. 2:20-cv-2874

19 Plaintiffs,

**PLAINTIFFS’ NOTICE OF VOLUNTARY
DISMISSAL OF DEFENDANTS GAVIN
NEWSOM AND SONIA Y. ANGELL**

20 vs.

[FRCP 41(a)(1)(A)(i)]

21 ALEX VILLANUEVA, in his official
22 capacity as Sheriff of Los Angeles
23 County, California, and in his capacity as
24 the Director of Emergency Operations, et
al.,

25 Defendants.

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**NOTICE OF VOLUNTARY DISMISSAL OF
DEFENDANTS GAVIN NEWSOM AND SONIA Y. ANGELL**

PLEASE TAKE NOTICE that pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs Adam Brandy, Jonah Martinez, Daemion Garro, DG2A Enterprises Inc., d.b.a. Gun World, Jason Montes, Weyland-Yutani LLC d.b.a. Match Grade Gunsmiths, Alan Kushner, The Target Range, Tom Watt, A Place To Shoot, Second Amendment Foundation, California Gun Rights Foundation, National Rifle Association of America, and Firearms Policy Coalition, Inc. (“Plaintiffs”), and pursuant to the Stipulation attached hereto as *Exhibit A*, hereby file this Notice of Voluntary Dismissal, without prejudice, as to Defendants **GAVIN NEWSOM**, sued in his official capacity as Governor and Commander in Chief of the State of California, and **SONIA Y. ANGELL**, sued in her official capacity as California Public Health Officer.

Dated: July 8, 2020

SEILER EPSTEIN LLP

/s/ George Lee
George M. Lee

Attorney for Plaintiffs

EXHIBIT A

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16 **UNITED STATES DISTRICT COURT**
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**STIPULATION RE: DISMISSAL OF
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SONIA Y. ANGELL**

20 vs.

21 ALEX VILLANUEVA, in his official
22 capacity as Sheriff of Los Angeles
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**STIPULATION RE: DISMISSAL OF STATE DEFENDANTS
GOVERNOR GAVIN NEWSOM, AND DR. SONIA Y. ANGELL**

The parties hereto, by and through their counsel undersigned, hereby agree and STIPULATE as follows:

RECITALS

1. On March 27, 2020, Plaintiffs filed their Original Complaint (Dkt. No. 1) and on March 29, 2020, filed their First Amended Complaint (Dkt No. 9).

2. On March 30, 2020, Plaintiffs filed their Application for a Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Issue (Dkt. No. 14) (“TRO Application”).

3. On April 2, 2020, counsel for State Defendants GAVIN NEWSOM, sued in his official capacity as Governor and Commander in Chief of the State of California, and SONIA Y. ANGELL, sued in her official capacity as California Public Health Officer (“State Defendants”) agreed to accept service by email on behalf of the State Defendants, and Plaintiffs served the State Defendants by email on April 2, 2020.

4. At issue in the First Amended Complaint was the issuance, meaning and effect of Executive Order N-33-20, which addressed the spread of COVID-19 in California (“Executive Order”).

5. On April 3, 2020, State Defendants filed an Opposition to the Plaintiffs’ TRO Application (Dkt. No. 24) (“Opposition”). In their Opposition, the State Defendants asserted: “As the Governor has publicly confirmed, the Executive Order does not mandate the closure of firearms and ammunition retailers. To the extent any local official acting on his or her own authority requires the closure of those retailers, such actions do not concern the Executive Order.” (Opposition at 1:17-20). The Opposition further asserted: “The Executive

1 Order does not prohibit Plaintiffs from purchasing or selling firearms or
2 ammunition or mandate the closure of firearms retailers.” (Opposition at 8:5-7).

3 6. The State Defendants’ position has been and remains that the
4 challenged orders of Governor Newsom and Dr. Angell did not require the closure
5 of firearm retailers, ammunition vendors, or shooting ranges. To the extent any
6 local authority requires the closure of those retailers, vendors, or ranges, such
7 action is not required by the State Defendants’ orders. The State Defendants’
8 position is that this fact does not relieve Plaintiffs from any obligation to comply
9 with the State Defendants’ orders. The State Defendants’ position is that if these
10 businesses remain open, they must comply with the guidelines and requirements
11 under the State Defendants’ orders that apply to all businesses.

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STIPULATION FOR DISMISSAL

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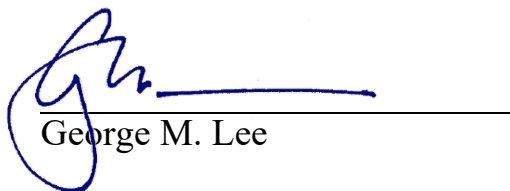
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NOW THEREFORE, and incorporating the foregoing recitals, Plaintiffs and
the State Defendants hereby STIPULATE to a dismissal by Plaintiffs of
Defendants GAVIN NEWSOM, sued in his official capacity as Governor and
Commander in Chief of the State of California, and SONIA Y. ANGELL, sued in
her official capacity as California Public Health Officer.

Dated: July 8, 2020

SEILER EPSTEIN LLP



George M. Lee

Attorney for Plaintiffs

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Dated: July 8, 2020

Xavier Becerra
ATTORNEY GENERAL OF CALIFORNIA
Mark R. Beckington
Supervising Deputy Attorney General



Peter H. Chang
Deputy Attorney General

Attorneys for Defendants Gavin Newsom, in
his official capacity as Governor and Sonia
Y. Angell, in her official capacity as
California Public Health Officer