

1 George M. Lee (SBN 172982)
2 gml@seilerepstein.com
3 **SEILER EPSTEIN LLP**
4 275 Battery Street, Suite 1600
5 San Francisco, California 94111
6 Phone: (415) 979-0500
7 Fax: (415) 979-0511

8 Raymond M. DiGuseppe (SBN 228457)
9 law.rmd@gmail.com
10 **THE DIGUISEPPE LAW FIRM, P.C.**
11 4320 Southport-Supply Road, Suite 300
12 Southport, North Carolina 28461
13 Phone: 910-713-8804
14 Fax: 910-672-7705

15 Adam Kraut, Esq. (Admitted *pro hac vice*)
16 akraut@fpclaw.org
17 **FIREARMS POLICY COALITION**
18 1215 K Street, 17th Floor
19 Sacramento, CA 95814
20 (916) 476-2342
21 Attorneys for Plaintiffs

22 **UNITED STATES DISTRICT COURT**
23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

24 JANICE ALTMAN, an individual, et al.

25 Plaintiffs,

26 vs.

27 COUNTY OF SANTA CLARA,
28 CALIFORNIA, et al.

Defendants.

Case No. 4:20-cv-02180-JST

**PLAINTIFFS' STATEMENT OF
RECENT DECISIONS RELEVANT TO
PLAINTIFFS' OPPOSITION TO
DEFENDANTS COUNTY OF
ALAMEDA, GREGORY J. AHERN, AND
ERICA PAN'S MOTION TO DISMISS
THE FIRST AMENDED COMPLAINT**

Judge: Hon. Jon S. Tigar
Courtroom: 6; 2nd Floor
Action Filed: March 31, 2020
First Amended Comp. filed: April 10, 2020

Plaintiffs Janice Altman, et al. ("Plaintiffs"), by and through counsel of record, submit

1 this Statement of Recent Decisions relevant to Plaintiffs’ Opposition to Defendants County of
2 Alameda, Gregory J. Ahern, and Erica Pan’s (“Defendants”) Motion to Dismiss the First
3 Amended Complaint, ECFs No. 68 & 69, pursuant to Local Rule 7-3(d)(2). Defendants’ Motion
4 was filed on July 1, 2020, and Plaintiffs’ Opposition was filed on July 15, 2020. Defendants’
5 Reply was filed on July 22, 2020. ECF No. 70. A hearing on Defendants’ Motion was previously
6 scheduled to be held on August 12, 2020. This Court vacated that hearing on August 7, 2020,
7 finding the matter suitable for disposition without oral argument. ECF No. 72.

8 Local Rule 7-3(d)(2) provides that “counsel may bring to the Court’s attention a
9 relevant judicial opinion published after the date the opposition or reply was filed
10 by filing and serving a Statement of Recent Decision, containing a citation to and
11 providing a copy of the new opinion—without argument.” To that end, Plaintiffs cite two relevant
12 opinions published after the filing of Plaintiffs’ Opposition to Defendants’ Motion and after the
13 filing of Defendants’ Reply to Plaintiffs’ Opposition. Specifically, Plaintiffs cite (1) the opinion
14 in *Duncan v. Becerra*, ___ F.3d ___ (9th Cir. 2020), 2020 WL 4730668, published on August 14,
15 2020 (Attachment A), in particular the analysis at pages *12 through *17; and (2) the opinion in
16 *County of Butler v. Wolf*, ___ F.Supp.3d ___ (W.D.Pa. 2020), 2020 WL 5510690, published
17 September 14, 2020 (Attachment B), in particular the analysis at pages *5 through *10.

18 Respectfully submitted,

19 **THE DIGUISEPPE LAW FIRM, P.C.**

20 Dated: September 15, 2020

21 /s/ Raymond M. DiGuiseppe
22 Raymond M. DiGuiseppe
23 Attorney for Plaintiffs
24
25
26
27
28