

1 George M. Lee (SBN 172982)  
2 [gml@seilerepstein.com](mailto: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. DiGuiseppe (SBN 228457)  
9 [law.rmd@gmail.com](mailto: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](mailto: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 DECISION 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

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

9 Local Rule 7-3(d)(2) provides that “counsel may bring to the Court’s attention a  
10 relevant judicial opinion published after the date the opposition or reply was filed  
11 by filing and serving a Statement of Recent Decision, containing a citation to and  
12 providing a copy of the new opinion—without argument.” To that end, Plaintiffs cite the United  
13 States Supreme Court’s *per curiam* opinion in *Roman Catholic Diocese of Brooklyn v. Cuomo*,  
14 592 U. S. \_\_\_\_ (2020), 2020 WL 6948354, which was published two days ago—in particular the  
15 analysis appearing at pages \*4 through \*7. A copy of the opinion is provided in Attachment A.

16 Respectfully submitted,

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

18 Dated: November 27, 2020

19 /s/ Raymond M. DiGuiseppe  
20 Raymond M. DiGuiseppe  
21 Attorney for Plaintiffs  
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