

NOTE: This cover sheet is to be used to electronically file and submit to the court a proposed order. The proposed order sent electronically to the court must be in PDF format and must be attached to this cover sheet. In addition, a version of the proposed order in an editable word-processing format must be sent to the court at the same time as this cover sheet and the attached proposed order in PDF format are filed.

1. Name of the party submitting the proposed order:
CITY OF MORGAN HILL; MORGAN HILL CHIEF OF POLICE DAVID SWING, in his official capacity; MORGAN HILL CITY CLERK IRMA TORREZ
2. Title of the proposed order:
[Proposed] Judgment
3. The proceeding to which the proposed order relates is:
Motion for Summary Judgment
 - a. Description of proceeding: Summary Judgment Hearing
 - b. Date and time: July 30, 2020, 9:00 a.m.
 - c. Place: Department 6, Santa Clara Superior Court
4. The proposed order was served on the other parties in the case.
Yes

Anthony P. Schoenberg
(TYPE OR PRINT NAME)


 (SIGNATURE OF PARTY OR ATTORNEY)

1 of 2

1 Anthony P. Schoenberg (State Bar No. 203714)
tschoenberg@fbm.com

2 James Allison (State Bar No. 319204)
jallison@fbm.com

3 Farella Braun + Martel LLP
235 Montgomery Street, 17th Floor
4 San Francisco, California 94104
Telephone: (415) 954-4400
5 Facsimile: (415) 954-4480

6 Hannah Shearer (State Bar No. 292710)
hshearer@giffords.org
7 Giffords Law Center to Prevent Gun Violence
268 Bush Street #555
8 San Francisco, CA 94104
Telephone: (415) 433-2062
9 Facsimile: (415) 433-3357

10 Attorneys for CITY OF MORGAN HILL,
MORGAN HILL CHIEF OF POLICE DAVID
11 SWING, MORGAN HILL CITY CLERK IRMA
TORREZ

12
13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF SANTA CLARA, DOWNTOWN COURTHOUSE

15 G. MITCHELL KIRK; and CALIFORNIA
16 RIFLE & PISTOL ASSOCIATION,
INCORPORATED,

17 Plaintiffs and Petitioners,

18 vs.

19 CITY OF MORGAN HILL; MORGAN HILL
20 CHIEF OF POLICE DAVID SWING, in his
official capacity; MORGAN HILL CITY
21 CLERK IRMA TORREZ, in her official
capacity; and DOES 1-10,

22 Defendants and Respondents.
23

Case No. 19CV346360

PROPOSED JUDGMENT

Action Filed: April 15, 2019

24 The Court hereby enters judgment in favor of Defendants, CITY OF MORGAN HILL;
25 MORGAN HILL CHIEF OF POLICE DAVID SWING, in his official capacity; MORGAN HILL
26 CITY CLERK IRMA TORREZ, in her official capacity sued herein as CITY OF MORGAN
27 HILL; MORGAN HILL CHIEF OF POLICE DAVID SWING, in his official capacity; MORGAN
28 HILL CITY CLERK IRMA TORREZ, in her official capacity, and against Plaintiff G.

1 MITCHELL KIRK; and CALIFORNIA RIFLE & PISTOL ASSOCIATION, INCORPORATED,
2 pursuant to the Order granting Defendants' Motion for Summary Judgment, signed by the Court
3 on July 30, 2020.

4 Dated:
5
6

7 Peter H. Kirwan
8 Judge of the Superior Court
9 County of Santa Clara
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CASE NAME: Kirk v. City of Morgan Hill	CASE NUMBER: 19CV346360
---	----------------------------

**PROOF OF ELECTRONIC SERVICE
PROPOSED ORDER**

1. I am at least 18 years old and **not a party to this action.**

a. My residence or business address is (*specify*):
235 Montgomery Street, 17th Floor, San Francisco, CA 94104

b. My electronic service address is (*specify*):
abrown@fbm.com

2. I electronically served the *Proposed Order (Cover Sheet)* with a proposed order in PDF format attached, and a proposed order in an editable word-processing format as follows:

a. On (*name of person served*) (*If the person served is an attorney, the party or parties represented should also be stated.*):
C.D. Michel, Esq.
Anna M. Barvir, Esq.
Tiffany D. Cheuvront, Esq.
MICHEL & ASSOCIATES, P.C.
180 Est Ocean Blvd., Suite 200
Long Beach, CA 90802
Tel: (562) 216-4444 / Fax: (562) 216-4445

b. To (*electronic service address of person served*):
cmichel@michellawyers.com; tcheuvront@michellawyers.com; abarvir@michellawyers.com

c. On (*date*):
11-24-2020

☐ Electronic service of the *Proposed Order (Cover Sheet)* with the attached proposed order in PDF format and service of the proposed order in an editable word-processing format on additional persons are described in an attachment.

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

Date:
11-24-2020

Alison Brown
(TYPE OR PRINT NAME OF DECLARANT)

► 
(SIGNATURE OF DECLARANT)