EFS-020

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ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: Anthony P. Schoenberg	STATE BAR NO.: 203714	FOR COURT USE ONLY
FIRM NAME: Farella Braun + Martel, LLP	th	
STREET ADDRESS: 235 Montgomery Street, 17	Floor	
CITY: San Francisco	STATE: CA ZIP CODE: 94104	
TELEPHONE NO.: 415-954-4400	FAX NO.: 415-954-4480	
E-MAIL ADDRESS: tschoenberg@fbm.com		
CITY OF MORGAN HIL		
ATTORNEY FOR (name): DAVID SWING, MORGAN HILL CITY CLERK IRMA TORREZ		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara		
STREET ADDRESS: 161 N. First Street		
MAILING ADDRESS:		
CITY AND ZIP CODE: San Jose, CA 95113		
BRANCH NAME:		CASE NUMBER:
G. MITCHELL	KIRK; and CALIFORNIA RIFLE &	19CV346360
PLAINTIFF/PETITIONER: PISTOL ASSC	CIATION, INCORPORATED	
CITY OF MOR	GAN HILL; MORGAN HILL CHIEF OF	JUDICIAL OFFICER:
	D SWING, in his official capacity;	
DEFENDANT/RESPONDENT: MORGAN HIL		
OTHER:		
		DEPT:
PROPOSED ORDER (COVER SHEET)		

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.

Name of the party submitting the proposed order: 1. 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)

Cal. Rules of Court, rules 2.252, 3.1312 www.courts.ca.gov

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Form Adopted for Mandatory Use Judicial Council of California EFS-020 [Rev. February 1, 2017] PROPOSED ORDER (COVER SHEEI) (Electronic Filing)

2 3 4	Anthony P. Schoenberg (State Bar No. 203714) tschoenberg@fbm.com James Allison (State Bar No. 319204) jallison@fbm.com Farella Braun + Martel LLP 235 Montgomery Street, 17 th Floor San Francisco, California 94104 Telephone: (415) 954-4400 Facsimile: (415) 954-4480		
7 8	Hannah Shearer (State Bar No. 292710) <u>hshearer@giffords.org</u> Giffords Law Center to Prevent Gun Violence 268 Bush Street #555 San Francisco, CA 94104 Telephone: (415) 433-2062 Facsimile: (415) 433-3357		
11	Attorneys for CITY OF MORGAN HILL, MORGAN HILL CHIEF OF POLICE DAVID SWING, MORGAN HILL CITY CLERK IRMA TORREZ		
12 13 14	SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF SANTA CLARA, DOWNTOWN COURTHOUSE		
15 16	G. MITCHELL KIRK; and CALIFORNIA RIFLE & PISTOL ASSOCIATION, INCORPORATED,	Case No. 19CV346 PROPOSED JUD	
17 18	Plaintiffs and Petitioners, vs.	Action Filed:	April 15, 2019
19 20	CITY OF MORGAN HILL; MORGAN HILL CHIEF OF POLICE DAVID SWING, in his official capacity; MORGAN HILL CITY		
21 22	CLERK IRMA TORREZ, in her official capacity; and DOES 1-10, Defendants and Respondents.		
23 24		or of Defendants CIT	Y OF MORGAN HILL
25	The Court hereby enters judgment in favor of Defendants, CITY OF MORGAN HILL; 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.		
Farella Braun + Martel LLP 235 Montgomery Street, 17 th Floor San Francisco, California 94104 (415) 954-4400	PROPOSED HUDGMEN	T - Case No. 19CV34636	36713\13599045.1

PROPOSED JUDGMENT - Case No. 19CV346360

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:		
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7	Peter H. Kirwan Judge of the Superior Court		
8	County of Santa Clara		
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Farella Braun + Martel LLP 235 Montgomery Street, 17 th Floor San Francisco, California 94104 (415) 954-4400	2 36713\13599045.1		
(** <i>.) 7.0</i> ***400	PROPOSED JUDGMENT - Case No. 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)

Tusor ECLARANT

EFS-020 [Rev. February 1, 2017]

PROPOSED ORDER (COVER SHEET) (Electronic Filing)

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