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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

10 FRANKLIN ARMORY, INC. and
CALIFORNIA RIFLE & PISTOL
11 ASSOCIATION, INCORPORATED

12 Petitioners-Plaintiffs,

13 v.

14 CALIFORNIA DEPARTMENT OF JUSTICE,
XAVIER BECERRA, in his official capacity
15 as Attorney General for the State of California,
and DOES 1-10,

16 Respondents-Defendants.
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Case No.: 20STCP01747

[Assigned for all purposes to the Honorable
James C. Chalfant; Department 85]

**PLAINTIFFS’ NOTICE OF MOTION AND
MOTION FOR LEAVE TO FILE SECOND
AMENDED VERIFIED COMPLAINT
FOR DECLARATORY AND INJUNCTIVE
RELIEF; PETITION FOR WRIT OF
MANDATE AND/OR PROHIBITION OR
OTHER APPROPRIATE RELIEF**

Hearing Date: March 25, 2021
Hearing Time: 9:30 a.m.
Department: 85

Action filed: May 27, 2020

1 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR RESPECTIVE ATTORNEYS OF**
2 **RECORD:**

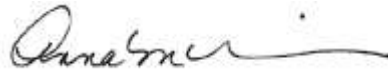
3 **PLEASE TAKE NOTICE** that on March 25, 2021 at 9:30 a.m., in Department 85 of the
4 Superior Court of California, County of Los Angeles, located at 111 North Hill Street, Los Angeles,
5 California 90012, Petitioners-Plaintiffs Franklin Armory, Inc. and California Rifle & Pistol Association,
6 Incorporated, will and hereby do move this Court for an order granting them leave to file a second
7 amended verified complaint, pursuant to California Rule of Court 3.1324 and California Code of Civil
8 Procedure sections 473 and 576.

9 Petitioners bring this motion because, as described in the Declaration of Anna M. Barvir filed
10 together with this Motion, they have recently been made aware of potential defects in verifying the First
11 Amended Complaint and because they wish to clarify those factual allegations that establish their
12 standing to bring this action. The motion is made on the grounds that granting leave to amend is
13 necessary and proper in furtherance of justice and that no prejudice will befall Respondents should leave
14 be granted.

15 This motion is based on this notice of motion and motion, the memorandum of points and
16 authorities in support, the Declaration of Anna M. Barvir, and all exhibits filed simultaneously herewith.
17 This motion is also based on all other matters of which the Court may take notice, the oral argument of
18 counsel, pleadings already on file, and on any such evidence as may be presented at the hearing of the
19 motion.

20
21 Date: January 12, 2021

MICHEL & ASSOCIATES, P.C.



Anna M. Barvir
Attorneys for Petitioners-Plaintiffs

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County, California. I
5 am over the age eighteen (18) years and am not a party to the within action. My business address is 180
6 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On January 12, 2021, I served the foregoing document(s) described as

8 **PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR LEAVE TO FILE SECOND
9 AMENDED VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF;
10 PETITION FOR WRIT OF MANDATE AND/OR PROHIBITION OR OTHER APPROPRIATE
11 RELIEF**

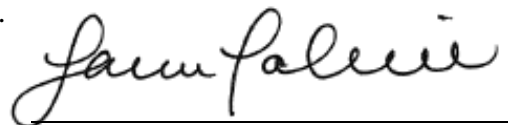
12 on the interested parties in this action by placing
13 [] the original
14 [X] a true and correct copy
15 thereof by the following means, addressed as follows:

16 Benjamin Barnouw
17 Deputy Attorney General
18 California Department of Justice
19 300 South Spring Street, Suite 1702
20 Los Angeles, CA 90013
21 Email: Ben.Barnouw@doj.ca.gov
22 *Attorney for Respondents-Defendants*

23 X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic
24 transmission through One Legal. Said transmission was reported and completed without error.

25 X (STATE) I declare under penalty of perjury under the laws of the State of California that the
26 foregoing is true and correct.

27 Executed on January 12, 2021, at Long Beach, California.

28 
Laura Palmerin