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14 **UNITED STATES DISTRICT COURT**
15 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

16 JAMES FAHR; DESIREE BERGMAN;
17 COLIN RUDOLPH; SAN DIEGO
18 COUNTY GUN OWNERS PAC; and
19 FIREARMS POLICY COALITION,
20 INC.,

Case No. '21CV1676 BAS BGS

**PLAINTIFFS' NOTICE OF
RELATED CASES**

21 Plaintiffs,

22 vs.

23 CITY OF SAN DIEGO, CALIFORNIA;
24 and DAVID NISLEIT, in his official
25 capacity as Chief of Police of San Diego
26 City, California,

27 Defendants.
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2 Pursuant to Local Rule 40.1(f), Plaintiffs in this case provide notice of the
3 following matters as potentially related cases: *Duncan v. Bonta*, Case No. 3:17-cv-
4 1017-BEN-JLB, filed in the Southern District of California, on May 17, 2017; *Miller*
5 *v. Bonta*, Case No. 3:19-cv-01537-BEN-JLB, filed in the Southern District of
6 California, on August 15, 2019; and *Renna v. Bonta*, Case No. 3:20-cv-02190-DMS-
7 DEB, filed in the Southern District of California, on November 10, 2020.
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11 The *Duncan* case involves a Second Amendment challenge to California’s
12 categorical prohibition against “large-capacity” magazines, commonly used for self-
13 defense and other lawful purposes as integral parts of otherwise lawfully owned and
14 commonly used firearms. The *Miller* case involves a Second Amendment challenge
15 to California’s categorical prohibition against so-called “assault weapons,” which,
16 despite the menacing label, are commonly used for self-defense and other lawful
17 purposes. The *Renna* case involves a Second Amendment challenge to California’s
18 handgun “roster” which effectively constitutes a categorical prohibition against
19 numerous handguns commonly used as bearable arms for self-defense and other
20 lawful purposes.
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24 As in this case, the laws, and related regulations, policies, practices, and
25 customs challenged in the above-referenced actions carry the weight of criminal
26 sanctions for any violation of their prohibitions, they all target arms commonly used
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1 as bearable arms for self-defense and other lawful purposes, and the plaintiffs in each
2 case are ordinary law-abiding citizens who otherwise remain subject to such
3 sanctions should they attempt to exercise their constitutional rights to bear arms in
4 contravention of the laws respectively restraining their rights to these bearable arms.
5

6 All five cases involve Second Amendment challenges related to laws in
7 California prohibiting the possession, manufacture, transportation, receipt, sale, and
8 transfer of otherwise lawfully owned and commonly used bearable arms.
9 Consequently, they all involve substantially similar legal issues concerning whether
10 and the extent to which the government may constitutionally restrain law-abiding
11 citizens from possessing, manufacturing, transporting, receiving, selling, and/or
12 transferring bearable arms in common use for self-defense and other lawful
13 purposes. Each action also seeks substantially the same relief against the offending
14 regulatory scheme—a declaration that the respective scheme is unconstitutional and
15 an injunction against further enforcement of the same on that grounds.
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20 Further, this case involves some of the same plaintiffs who are plaintiffs the
21 *Miller* and *Renna* cases—specifically, Firearms Policy Coalition and San Diego
22 County Gun Owners Political Action Committee.
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24 Finally, the consideration of this matter alongside these related matters would
25 effect a savings of judicial effort and avoid or minimize the risk of multiple,
26 inconsistent rulings and judgments within the same District. Accordingly, and
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1 pursuant to CivLR 40.1.h, the Clerk of the Court is requested to report the related
2 cases to “the judges concerned at the earliest date practicable.”
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4 Date: September 24, 2021

/s/Raymond M. DiGuiseppe

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