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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES**

13 FRANKLIN ARMORY, INC., and
14 CALIFORNIA RIFLE & PISTOL
15 ASSOCIATION, INCORPORATED,

16 Petitioners-Plaintiffs,

17 v.

18 CALIFORNIA DEPARTMENT OF
19 JUSTICE, ROBERT A. BONTA, in his
20 official capacity as Attorney General for the
21 State of California, and DOES 1-10,

22 Respondents-Defendants.

Case No.: 20STCP01747

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

**[PROPOSED] ORDER RE: PLAINTIFFS
AND PETITIONERS' DEMURRER TO
AND MOTION TO STRIKE
RESPONDENTS' ANSWER TO THE
FIRST, SECOND, AND EIGHTH CAUSES
OF ACTION TO THE SECOND AMENDED
COMPLAINT**

Hearing Date: October 14, 2021
Hearing Time: 9:30 a.m.
Department: 85

Action Filed: May 27, 2020

23
24
25 On October 14, 2021, 2021 at 9:30 a.m., in Department 85 of the Superior Court of California,
26 County of Los Angeles, located at 111 North Hill Street, Los Angeles, California 90012, Petitioners-
27 Plaintiffs Franklin Armory, Inc. and California Rifle & Pistol Association, Incorporated's Demurrer to
28 and Motion to Strike Respondents' Answer to the First, Second, and Eighth Causes of Action to the

1 Second Amended Complaint came on for hearing.

2 Having reviewed Plaintiffs-Petitioners' demurrer and motion to strike, the parties' memoranda of
3 points and authorities, and all papers and evidence on file, and having heard the argument of counsel, the
4 Court hereby ORDERS as follows:

5 _____ Petitioners' Motion to Strike Respondents' Answer in its entirety because it is unverified
6 is granted [WITH/WITHOUT] leave to amend.

7
8 _____ Petitioners' Demurrer to Affirmative Defenses Three through Forty-Two and Forty-Four
9 through Fifty-Three is sustained [WITH/WITHOUT] leave to amend; OR

10
11 _____ Petitioners' Demurrer to Affirmative Defenses Three through Forty-Two and Forty-Four
12 through Fifty-Three is sustained [WITH/WITHOUT] leave to amend as to the following
13 affirmative defenses: _____

14
15 _____
16
17 _____ Petitioners' Motion to Strike Affirmative Defenses Three through Fifty-Three is granted
18 [WITH/WITHOUT] leave to amend; OR

19
20 _____ Petitioners' Motion to Strike Affirmative Defenses Three through Fifty-Three is granted
21 [WITH/WITHOUT] leave to amend as to the following affirmative defenses:

22 _____
23 _____
24 _____
25 **IT IS SO ORDERED.**

26 Date: _____

Honorable Judge James C. Chalfant
Judge of the Superior Court

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
6 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On August 6, 2021, I served the foregoing document(s) described as

8 **[PROPOSED] ORDER RE: PLAINTIFFS AND PETITIONERS’ DEMURRER TO AND**
9 **MOTION TO STRIKE RESPONDENTS’ ANSWER TO THE FIRST, SECOND, AND**
10 **EIGHTH CAUSES OF ACTION TO THE SECOND AMENDED COMPLAINT**

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

15 Benjamin Barnouw
16 Deputy Attorney General
17 Email: Ben.Barnouw@doj.ca.gov
18 Kenneth G. Lake
19 Deputy Attorney General
20 Email: Kenneth.Lake@doj.ca.gov
21 Alexis Diamond
22 Deputy Attorney General
23 Email: Alexis.Diamond@doj.ca.gov
24 California Department of Justice
25 300 South Spring Street, Suite 1702
26 Los Angeles, CA 90013
27 *Attorney for Respondents-Defendants*

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

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

Executed on August 6, 2021, at Long Beach, California.



Laura Palmerin