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11 and SAN DIEGO CHIEF OF POLICE DAVID NISLEIT
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13 UNITED STATES DISTRICT COURT
14 SOUTHERN DISTRICT OF CALIFORNIA

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

20 Plaintiffs,

21 v.

22 CITY OF SAN DIEGO, CALIFORNIA
23 AND DAVID NISLEIT, IN HIS
24 OFFICIAL CAPACITY AS CHIEF OF
25 POLICE OF SAN DIEGO CITY,
26 CALIFORNIA,

27 Defendants.

Case No. 21cv1676 BAS (BGS)

**JOINT MOTION TO EXTEND
TIME FOR DEFENDANTS TO
ANSWER OR OTHERWISE
RESPOND TO COMPLAINT**

Judge: Hon. Cynthia Bashant
Court Room: 4B

28 Through this motion, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Plaintiffs, JAMES FAHR; DESIREE BERGMAN; COLIN RUDOLPH; SAN DIEGO COUNTY GUN OWNERS PAC; and FIREARMS POLICY COALITION, INC. (“Plaintiffs”) and Defendants, CITY OF SAN DIEGO and SAN DIEGO CHIEF OF POLICE DAVID NISLEIT (“Defendants”), through their respective counsel of record, hereby stipulate to and jointly move for this Court to allow Defendants additional time within which to answer or otherwise respond to Plaintiffs’ Complaint. Therefore, the last day for Defendants to answer or otherwise respond to Plaintiffs’ Complaint will be **November 8, 2021**.

1 Good cause exists to warrant an extension of time for the Defendants to file
2 an answer or otherwise respond to Plaintiffs' Complaint for the following reasons:

3 WHEREAS Plaintiffs filed the instant Complaint on September 23, 2021;

4 WHEREAS Defendants' current deadline to respond to the complaint is
5 October 18, 2021;

6 WHEREAS Plaintiffs filed an application for temporary restraining order and
7 alternative motion for preliminary injunction on September 23, 2021;

8 WHEREAS Defendants filed a response to Plaintiffs application for
9 temporary restraining order and alternative motion for preliminary injunction on
10 October 7, 2021;

11 WHEREAS Plaintiffs filed a reply to Defendants response to Plaintiffs
12 application for temporary restraining order and alternative motion for preliminary
13 injunction on October 12, 2021;

14 WHEREAS Defendants intend to file a motion under Rule 12(b)(6) and
15 require additional time to comply with the Court's Chamber Rules and Standing
16 Order for Civil Cases requiring conference of counsel prior to filing a noticed
17 motion;

18 WHEREAS the parties have jointly agreed to continue Defendants'
19 responsive pleadings deadline to allow for a conference of counsel;

20 WHEREAS no party will suffer prejudice due to the requested brief
21 extension of time for responsive pleadings;

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1 The parties hereby respectfully request that that Court grant the instant joint
2 motion and issue an Order extending the deadline for Defendants’ responsive
3 pleadings to Plaintiffs’ Complaint to November 8, 2021.

4 IT IS SO STIPULATED.

5 Respectfully submitted,

6 Dated: October 15, 2021

DILLON LAW GROUP, APC

7
8 By /s/ John W. Dillon
John W. Dillon
Attorney for Plaintiffs

9
10 Dated: October 15, 2021

THE DIGUISEPPE LAW FIRM, P.C.

11
12 By /s/ Raymond M. DiGuiseppe
Raymond M. DiGuiseppe
Attorney for Plaintiffs

13
14 Dated: October 15, 2021

FIREARMS POLICY COALITION

15
16 By /s/ William Sack
William Sack
Attorney for Plaintiffs

17
18 Dated: October 15, 2021

MARA W. ELLIOTT, City Attorney

19
20 By /s/ Matthew L. Zollman
Matthew L. Zollman
Deputy City Attorney

21 Attorneys for Defendants CITY OF
22 SAN DIEGO and SAN DIEGO
23 CHIEF OF POLICE DAVID
24 NISLEIT
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SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to John W. Dillon, Raymond M. DiGuiseppe, and William Sack, counsel for Plaintiffs and that I have obtained Mr. Dillon, Mr. DiGuiseppe, and Mr. Sack’s authorization to affix his electronic signature to this document.

Dated: October 15, 2021

MARA W. ELLIOTT, City Attorney

By /s/ Matthew L. Zollman
Matthew L. Zollman
Deputy City Attorney

Attorneys for Defendants CITY OF
SAN DIEGO and SAN DIEGO
CHIEF OF POLICE DAVID
NISLEIT