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13 Counsel to Defendant

14 Polymer80, Inc.

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

16 **FOR THE COUNTY OF ORANGE**

17 FRANCISCO GUDINO CARDENAS, an
individual; and

18 TROY MCFADYEN, in his Individual Capacity,
19 and as Heir at Law and Successor in Interest to
MICHELLE MCFADYEN, Deceased, ET AL.

20 Plaintiffs,

21 vs.

22 GHOST GUNNER INC., d/b/a
GHOSTGUNNER.NET; DEFENSE
23 DISTRIBUTED d/b/a GHOSTGUNNER.NET;
24 CODY WILSON d/b/a GHOSTGUNNER.NET;
BLACKHAWK MANUFACTURING GROUP
25 INC., d/b/a 80PERCENTARMS.COM; RYAN
BEEZLEY and BOB BEEZLEY d/b/a
26 RBTACTICALTOOLING.COM; GHOST
AMERICA LLC, d/b/a GHOSTGUNS.COM;
27 GHOST GUNS LLC, d/b/a GRID DEFENSE and
GHOSTRIFLES.COM; JUDGGERNAUT
28 TACTICAL INC. d/b/a JTACTICAL.COM; MFY

Case No. JCCP 5167

***[Coordinated Cases CIVDS 1935422 date
filed 11/14/2019, and 30-2019-01111797-
CU-PO-CJC date filed 11/14/2019]***

***[Assigned for all purposes to Hon. William
Cluster, Department CX 104]***

Filing Date: March 22, 2021

Trial Date: Not Yet Set

**NOTICE OF MOTION OF
POLYMER80, INC. FOR DISMISSAL,
ATTORNEYS' FEES, AND OTHER
SANCTIONS PURSUANT
TO CALIFORNIA CODE
OF CIVIL PROCEDURE SECTION 128.7**

RES. ID: 73664942

1 TECHNICAL SOLUTIONS LLC, d/b/a
2 5DTACTICAL.COM; TACTICAL GEAR HEADS
3 LLC, d/b/a 80-LOWER.COM; AR-
4 15LOWERRECEIVERS.COM and
5 80LOWERJIG.COM; JAMES TROMBLEE, JR.,
6 d/b/a USPATRIOTARMORY.COM; INDUSTRY
7 ARMAMENT INC., d/b/a
8 AMERICANWEAPONSCOMPONENTS.COM;
9 THUNDER GUNS LLC, d/b/a
10 THUNDERTACTICAL.COM; POLYMER80,
11 INC.; and DOES 2 through 100, inclusive,
12 Defendants.

Date: January 14, 2022
Time: 9:00 a.m.
Dept: CX104
Honorable William Cluster

11 TO ALL PARTIES AND ATTORNEYS OF RECORD:

12 PLEASE TAKE NOTICE that on January 14, 2022, at 9:00 a.m., or as soon thereafter as the
13 matter may be heard in Department CX104 of the above-captioned Court, located at 751 West Santa
14 Ana Boulevard, Santa Ana, California 92701, defendant Polymer80, Inc. (“Polymer80”) will move
15 the Court to impose sanctions, including striking the complaint and dismissing the action as against
16 Polymer80, and assessing reasonable attorneys’ fees and costs against plaintiffs and their counsel of
17 record, as well as such other sanctions and further relief as the Court may deem just and proper.
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19 This motion is made pursuant to California Code of Civil Procedure Section 128.7 on the
20 grounds that the operative complaints are without factual or legal merit and the allegations in the
21 operative complaints lack evidentiary support.
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1 This motion will be based upon this Notice, the Memorandum of Points and Authorities, the
2 Declarations of Germain D. Labat, Daniel Lee McCalmon, and Richard Vasquez, all pleadings,
3 papers, and records on file in this action, any information of which the Court may take judicial
4 notice at or before the hearing, and upon such further documents and evidence as may be presented
5 at the hearing of this motion.
6

7 Dated: December 16, 2021

GREENSPOON MARDER LLP

8 By: 

9 GERMAIN D. LABAT

10 Counsel to Defendant Polymer80, Inc.
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1 **PROOF OF SERVICE**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*
3 Case No. JCCP 5167

4 STATE OF CALIFORNIA)
5) ss
6 COUNTY OF LOS ANGELES)

7 I am employed in the County of Los Angeles, State of California. I am over the age of
8 eighteen years and not a party to the action. My business address is 1875 Century Park East, Suite
9 1900, Los Angeles, CA 90067. On December 16, 2021, I served the document(s) on the interested
10 parties in this action as follows:

11 **NOTICE OF MOTION OF POLYMER80, INC. FOR DISMISSAL, ATTORNEYS’ FEES,
12 AND OTHER SANCTIONS PURSUANT TO CALIFORNIA CODE OF CIVIL
13 PROCEDURE SECTION 128.7**

14 By placing the original a true copy thereof enclosed in a sealed envelope addressed as follows:
15 (SEE ATTACHED SERVICE LIST)

- 16 **BY ELECTRONIC MAIL-** I caused the foregoing document(s) to be served on all parties at
17 the e-mail addresses listed herein.
- 18 **BY MAIL:** The envelope was mailed with postage thereon fully prepaid. I am “readily
19 familiar” with the firm’s practice of collection and processing correspondence for mailing.
20 Under that practice it would be deposited with the U.S. postal service on that same day with
21 postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I
22 am aware that on motion of the party served, service is presumed invalid if the postal
23 cancellation date or postage meter date is more than one day after service of deposit for mailing
24 in affidavit.
- 25 **BY OVERNIGHT DELIVERY:** By causing such envelope to be deposited or delivered in a
26 box or other facility regularly maintained by Federal Express authorized to receive documents,
27 or delivering to a courier or driver authorized by said express service carrier to receive
28 documents, the copy of the foregoing document in a sealed envelope designated by the express
service carrier, addressed as stated above, with fees for overnight (next business day) delivery
paid or provided for and causing such envelope to be delivered by said express service carrier.
- [State] I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Executed on December 16, 2021, at Los Angeles, California.



Lorraine Corrales

1 **SERVICE LIST**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*
3 Case No. JCCP 5167

4 Amy K. Van Zant, Esq.
5 Shayan Said, Esq.
6 Anna Z. Saber
7 Ric T. Fuckushima

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29 Kyle JH. Gaines

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36 kgaines@eghblaw.com

*Attorneys for Defendant Juggernaut Tactical,
Inc.*

1 **SERVICE LIST**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*
3 Case No. JCCP 5167

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20 Sean A. Brady *Ghost Firearms, LC, Thunder Guns, LLC,*
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25 sbrady@michellawyers.com
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1 **PROOF OF SERVICE**

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3 Case No. JCCP 5167

4 STATE OF CALIFORNIA)
5) ss
6 COUNTY OF LOS ANGELES)

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20 Under that practice it would be deposited with the U.S. postal service on that same day with
21 postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I
22 am aware that on motion of the party served, service is presumed invalid if the postal
23 cancellation date or postage meter date is more than one day after service of deposit for mailing
24 in affidavit.
- 25 **BY PERSONAL SERVICE:** I caused to be delivered the foregoing document(s) to the
26 addressee(s) specified.
- 27 [State] I declare under penalty of perjury under the laws of the State of California that the
28 foregoing is true and correct.

Executed on December 16, 2021, at Los Angeles, California.



Lorraine Corrales

1 **SERVICE LIST**

2 *Francisco Gudino Cardenas, et al. v. Ghost Gunner Inc., et al.*
3 Case No. JCCP 5167

4 *Attorneys For Plaintiffs*

4 Amy K. Van Zant, Esq.

5 Shayan Said, Esq.

6 Anna Z. Saber

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Lorraine Corrales

From: donotreply@occourts.org
Sent: Thursday, December 16, 2021 12:15 PM
To: Lorraine Corrales
Subject: Superior Court of Orange County - Motion Reservation Request - CONFIRMATION

Follow Up Flag: Follow up
Flag Status: Flagged



Superior Court of California, County of Orange RESERVE A MOTION DATE

Your reservation request has been **CONFIRMED** by the Superior Court. The hearing date and time below has been reserved. You will be asked to provide your reservation number to the court at a later date.

MOVING PAPERS MUST BE E-FILED WITHIN 24 HOURS AFTER COMPLETING THE ON-LINE RESERVATION. Failure to submit your moving papers within 24 hours will result in the automatic **CANCELLATION** of the reservation.

NOTE: To **EXPEDITE** your **MOTION** filing place the appropriate Court Reservation number (e.g. 7XXXXXXX) on each Motion being submitted.

Please do not reply to this email.

Reservation Number:	73664942
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Hearing Date:	January 14, 2022
Hearing Time:	9:00 AM
Department:	CX104
Motion Type:	Motion for Sanctions

Case Number:	JCCP 5167
Case Title:	Ghost Gunner Firearms Cases
Judicial Officer:	Hon. William Cluster

Email:	lorraine.corrales@gmlaw.com
Requestor Name:	Lorraine Corrales
Requestor Phone:	3238804520
Filing Party:	Polymer80, Inc.

Date of Request:	December 16, 2021
Time of Request:	12:13 PM
Transaction Number:	1000247974