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1 AMY K. VAN ZANT (STATE BAR NO. 197426)
avanzant@orrick.com
2 RIC R. FUKUSHIMA (STATE BAR NO. 272747)
rfukushima@orrick.com
3 SHAYAN SAID (STATE BAR NO. 331978)
ssaid@orrick.com
4 ANNA Z. SABER (STATE BAR NO. 324628)
annasaber@orrick.com
5 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
6 Menlo Park, CA 94025-1015
Telephone: +1 650 614 7400
7 Facsimile: +1 650 614 7401

8 Attorneys for Plaintiffs
Francisco Gudino Cardenas and Troy McFadyen, et al.

9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF ORANGE**

12 GHOST GUNNER FIREARMS CASES
13
14 Included actions:
15
16 30-2019-01111797-CU-PO-CJC *Cardenas v. Ghost*
Gunner, Inc. dba GhostGunner.net, et al.
17
18 CIV-DS-1935422 *McFadyen, et al. v. Ghost Gunner,*
Inc., dba GhostGunner.net, et al.
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JCCP No. 5167
Superior Court of California
County of Orange
Case No. 30-2019-01111797-CU-PO-
CJC
Superior Court of California
County of San Bernardino
Case No. CIV-DS-1935422

**JOINT STIPULATION AND
[PROPOSED] ORDER
REGARDING POLYMER80,
INC.'S MOTION FOR
DISMISSAL, ATTORNEYS' FEES,
AND OTHER SANCTIONS
PURSUANT TO C.C.P. § 128.7**

Dept.: CX 104
Judge: Hon. William D. Cluster

1 **JOINT STIPULATION REGARDING POLYMER80, INC.’S MOTION FOR**
2 **DISMISSAL, ATTORNEYS’ FEES, AND OTHER SANCTIONS PURSUANT TO C.C.P.**
3 **§ 128.7**

4 Plaintiffs Francisco Gudino Cardenas and Troy McFadyen, et al. (“Plaintiffs”) and
5 Defendant Polymer80, Inc. (“Polymer80”) respectfully submit this Joint Stipulation requesting
6 an extension of the remaining briefing deadlines and a continuance of the hearing date for
7 Polymer80’s Motion for Dismissal, Attorneys’ Fees, and Other Sanctions Pursuant to California
8 Code of Civil Procedure Section 128.7 (the “Motion”). The parties’ stipulation is based on the
9 following:

10 WHEREAS, Polymer80 filed and served the Motion on December 16, 2021;

11 WHEREAS, the Motion was noticed for hearing on January 14, 2022, at 9:00 a.m.;

12 WHEREAS, the parties have met and conferred regarding the scheduling of briefing and
13 of a possible hearing on the Motion;

14 WHEREAS, due to a combination of personnel outages at both parties due to the
15 holidays and lead counsel for Polymer80 falling ill, the parties require additional time to
16 complete meet and confer;

17 WHEREAS, in an effort to conserve the Court’s and the parties’ resources and out of
18 professional consideration of the parties’ staffing issues, the parties hereby jointly request that
19 the Court order a one-week extension of the current Motion briefing deadlines and a continuance
20 of the Motion hearing date by one week.

21 NOW, THEREFORE, IT IS STIPULATED THAT THE PARTIES RESPECTFULLY
22 REQUEST AN ORDER EXTENDING THE MOTION BRIEFING SCHEDULE AND
23 CONTINUING THE MOTION HEARING DATE AS FOLLOWS:

24 1. The deadline to file an opposition to the Motion shall be extended from January 3,
25 2022 to January 10, 2022;

26 2. The deadline to file a reply in support of the Motion shall be extended from
27 January 7, 2022 to January 14, 2022; and

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[PROPOSED] ORDER

Having considered the Plaintiffs’ and Defendant Polymer80, Inc.’s Joint Stipulation Regarding Polymer80, Inc.’s Motion for Dismissal, Attorneys’ Fees, and Other Sanctions Pursuant to C.C.P. § 128.7, and good cause appearing therein, it is hereby ORDERED that:

1. The deadline to file an opposition to the Motion shall be extended from January 3, 2022 to January 10, 2022;
2. The deadline to file a reply in support of the Motion shall be extended from January 7, 2022 to January 14, 2022; and
3. The hearing on the Motion shall be continued from January 14, 2022 at 9:00 a.m. to January 21, 2022, at 9:00 a.m.

IT IS SO ORDERED.

Dated: December ___, 2021

By: _____
HON. WILLIAM D. CLASTER
Judge of the Superior Court

1 AMY K. VAN ZANT (STATE BAR NO. 197426)
avanzant@orrick.com
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rfukushima@orrick.com
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18 CIV-DS-1935422 *McFadyen, et al. v. Ghost Gunner,
19 Inc., dba GhostGunner.net, et al.*

PROOF OF SERVICE

Dept.: CX 104
Judge: Hon. William D. Cluster

1 **PROOF OF SERVICE**

2 I am employed in the County of San Mateo, State of California. I am over the age of
3 eighteen years old and not a party to this action. My business address is Orrick, Herrington &
4 Sutcliffe LLP, 1000 Marsh Rd., Menlo Park, CA 94025.

5 On December 28, 2021, I served the following document(s) entitled:

- 6 • **JOINT STIPULATION AND [PROPOSED] ORDER REGARDING POLYMER80,**
7 **INC.’S MOTION FOR DISMISSAL, ATTORNEYS’ FEES, AND OTHER**
8 **SANCTIONS PURSUANT TO C.C.P. § 128.7**

8 on all interested parties to this action in the manner described as follows:

	(VIA EMAIL) I caused to be transmitted via electronic mail the document(s) listed above to the electronic address(es) set forth below.
X	(VIA Electronic Means) I caused to be transmitted via electronic means the document(s) listed above to the electronic address(es) set forth below.
	(VIA U.S. MAIL) By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Menlo Park, California addressed as set forth below.

14
15 Germain D. Labat
16 Michael Patrick
17 Michael Marron
18 James J. McGuire
19 Puneet Bhullar
20 **GREENSPOON MARDER LLP**
21 1875 Century Park East, Suite 1900
22 Los Angeles, California 90067
germain.labat@gmlaw.com
michael.patrick@gmlaw.com
michael.marron@gmlaw.com
james.mcguire@gmlaw.com
puneet.bhullar@gmlaw.com

23 *Attorneys for Defendant*
24 **POLYMER80, INC**

25 I declare under penalty of perjury under the laws of the State of California that the above
26 is true and correct.

27 Executed on December 28, 2021 at Moss Beach, California.

28 /s/ Karin Barnick