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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 30-2019-01111797-CU-PO-CJC *Cardenas v. Ghost*
16 *Gunner, Inc. dba GhostGunner.net, et al.*

17 CIV-DS-1935422 *McFadyen, et al. v. Ghost Gunner,*
18 *Inc., dba GhostGunner.net, et al.*

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

**FURTHER 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 **FURTHER JOINT STIPULATION REGARDING POLYMER80, INC.’S MOTION FOR**
2 **DISMISSAL, ATTORNEYS’ FEES, AND OTHER SANCTIONS**
3 **PURSUANT TO C.C.P. § 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 a
6 further extension of the opposition and reply briefing deadlines in view of the continuance of the
7 hearing date for Polymer80’s Motion for Dismissal, Attorneys’ Fees, and Other Sanctions
8 Pursuant to California Code of Civil Procedure Section 128.7 (the “Motion”) to February 4,
9 2022. The parties’ stipulation is based on the following:

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

12 WHEREAS, on December 28, 2021, the parties jointly requested an extension of the
13 opposition and reply briefing deadlines to January 10, 2022 and January 14, 2022, respectively,
14 and a continuance of the hearing date from January 14, 2022 to January 21, 2022;

15 WHEREAS, on December 28, 2021, the Court granted the extensions of the opposition
16 and reply briefing deadlines as requested and continued the hearing date to February 4, 2022
17 (instead of to January 21, 2022);

18 WHEREAS, because the parties continue to meet and confer in an attempt to resolve
19 certain disputes and in view of the hearing date being set for February 4, 2022, the parties jointly
20 request a further extension of the opposition and reply brief deadlines in accordance with that
21 hearing date. The parties believe that the further extensions are likely to conserve the Court’s and
22 the parties’ resources while also alleviating staffing shortages. The parties do not anticipate
23 requesting further extensions in connection with this briefing. Pursuant to the parties’
24 discussions, Polymer80 is filing a Revised Memorandum of Points and Authorities that will
25 replace and supersede its original Memorandum of Points and Authorities that was filed on
26 December 16, 2021;

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28 ///

1 NOW, THEREFORE, IT IS STIPULATED THAT THE PARTIES RESPECTFULLY
2 REQUEST AN ORDER MAINTAINING THE FEBRUARY 4, 2022 HEARING DATE AND
3 EXTENDING THE MOTION BRIEFING SCHEDULE AS FOLLOWS:

4 1. The deadline to file an opposition to the Motion shall be extended from January
5 10, 2022 to January 24, 2022; and

6 2. The deadline to file a reply in support of the Motion shall be extended from
7 January 14, 2022 to January 28, 2022.

8
9 Dated: January 6, 2022

ORRICK HERRINGTON & SUTCLIFFE LLP
AMY K. VAN ZANT
RIC T. FUKUSHIMA
SHAYAN SAID
ANNA Z. SABER

11
12
13 By: /s/ Amy K. Van Zant

14 AMY K. VAN ZANT
15 Attorneys for Plaintiffs
Francisco Gudino Cardenas and
Troy McFadyen, et al.

16
17 Dated: January 6, 2022

GREENSPOON MARDER LLP
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20
21 By: /s/ James J. McGuire

22 JAMES J. McGUIRE
Attorneys for Defendant Polymer80, Inc.

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[PROPOSED] ORDER

Having considered the Plaintiffs' and Defendant Polymer80, Inc.'s Further 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 10, 2022 to January 24, 2022; and
2. The deadline to file a reply in support of the Motion shall be extended from January 14, 2022 to January 28, 2022.

IT IS SO ORDERED.

Dated: January __, 2022

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

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19 Inc., dba GhostGunner.net, et al.*

PROOF OF SERVICE

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

PROOF OF SERVICE

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

On January 6, 2022, I served the following document(s) entitled:

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

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.

Germain D. Labat
 Michael Patrick
 Michael Marron
 James J. McGuire
 Puneet Bhullar
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Attorneys for Defendant
POLYMER80, INC

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

Executed on January 6, 2022 at Moss Beach, California.

/s/ Karin Barnick