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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

19 **JOINT STIPULATION AND**
20 **[PROPOSED] ORDER**
21 **REGARDING PROCEDURES**
22 **AND SCHEDULES FOR**
23 **DEMURRERS AND DISCOVERY**

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

1 **JOINT STIPULATION REGARDING PROCEDURES AND SCHEDULES FOR**
2 **DEMURRERS AND DISCOVERY**

3 The Parties respectfully submit this Joint Stipulation requesting formal approval of the
4 stipulations approved by the Court in the December 10, 2021 Minute Order regarding 1) the
5 procedures and deadlines for demurrer briefing and 2) the Parties' discovery limits and schedule.

6 WHEREAS, following the December 10, 2021 Case Management Conference, the Court
7 issued a Minute Order, dated December 10, 2021, approving the Parties' demurrer and discovery
8 agreements set forth in the December 6, 2021 Joint Case Management Conference Statement and
9 requested that the Parties submit a formal stipulation documenting the same for the Court's
10 approval;

11 NOW, THEREFORE, the Parties, through their respective counsel of record, formally
12 stipulate to the following:

13 **PROCESSES FOR DEFENDANTS' DEMURRERS: GLOBAL AND UNIQUE**

14 1. Defendants are permitted to submit: a) a single, coordinated joint demurrer
15 ("Global Demurrer") addressing issues that apply to all Defendants; and b) a maximum of three
16 (3) individual demurrers ("Unique Demurrers") addressing discrete issues unique to a subset of
17 one or more defendants.

18 2. The Parties shall adhere to the following processes and schedule for demurrers:

Pleading	Page Limits	Deadline
Defendants' Global Demurrer	30 pages	January 24, 2022 (45 days after the December 10, 2021 Status Conference)
Defendants' Unique Demurrers* *Defendants are limited to filing a maximum of three (3) Unique Demurrers	15 pages each	January 24, 2022 (45 days after the December 10, 2021 Status Conference)
Plaintiffs' Joint Opposition to Defendants' Joint Demurrer	30 pages	March 10, 2022 (45 days after filing of Defendants' Joint Demurrer)
Plaintiffs' Joint Opposition(s) to	15 pages each	March 10, 2022 (45 days after filing of Defendants' Unique

Defendants' Unique Demurrers		Demurrers)
Defendants' Joint Reply to Joint Demurrer	10 pages	April 4, 2022 (21 days after Plaintiffs' Joint Opposition to Defendants' Joint Demurrer)
Defendants' Joint Replies to Unique Demurrers	7 pages each	April 4, 2022 (21 days after Plaintiffs' Joint Opposition to Defendants' Unique Demurrer)
Hearing	N/A	May 6, 2022 at 9:00 a.m. (as ordered by the Court in its December 10, 2021 Minute Order)

DISCOVERY LIMITS AND SCHEDULE

3. ***Special Interrogatories.*** The Parties are limited to the following processes for Special Interrogatories:

- a. Joint Special Interrogatories. Plaintiffs/Defendants are permitted to jointly serve up to 30 Joint Special Interrogatories which shall be responded to by each and every Defendant/Plaintiff.
- b. Individual Special Interrogatories. Each Plaintiff/Defendant is permitted to serve up to 5 Individual Special Interrogatories on any other Party.

4. ***Form Interrogatories.*** Plaintiffs/Defendants are permitted to jointly serve a set of Joint Form Interrogatories which shall be responded to by each and every Defendant/Plaintiff.

5. ***Requests for Production/Inspection.*** The Parties are limited to the following processes for Requests for Production/Inspection ("RFPs").

- a. Joint RFPs. Plaintiffs/Defendants are permitted to jointly serve up to 30 Joint RFPs which shall be responded to by each and every Defendant/Plaintiff.
- b. Individual RFPs. Each Plaintiff/Defendant is permitted to serve up to 7 Individual RFPs on any other Party.

6. Each party shall have the right to petition the Court for additional written and/or document discovery, which shall be granted upon a showing of good cause by the moving party.

1 7. The Parties shall adhere to the following fact discovery schedule for written and
2 document discovery:

Event	Proposed Deadline
Fact Discovery	
Deadline for Serving Written and Document Discovery	8/31/2022
Deadline to File Discovery Motions on Written and Document Discovery	9/16/2022
Close of Fact Discovery	12/2/2022
Deadline to File Discovery Motions on Fact Depositions	12/16/2022

9
10 Dated: January 24, 2022

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

13 By: /s/ Amy K. Van Zant

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

16
17 Dated: January 24, 2022

MICHEL & ASSOCIATES, P.C.
C.D. MICHEL
SEAN A. BRADY

19 By: /s/ Sean A. Brady

20 SEAN A. BRADY
21 Attorneys for Defendants Blackhawk
22 Manufacturing Group, Inc.;
23 Ryan Beezley and Bob Beezley; Ghost
24 Firearms, LLC;
25 MFY Technical Solutions, LLC; and
26 Thunder Guns, LLC and Liaison Counsel
27 for Defendants
28

[PROPOSED] ORDER

Having considered the Plaintiffs' and Defendants' Joint Stipulation Regarding Procedures and Schedules for Demurrers and Discovery, and good cause appearing therein, it is hereby ORDERED that:

PROCESSES FOR DEFENDANTS' DEMURRERS: GLOBAL AND UNIQUE

1. The Defendants are permitted to submit two types of demurrers: a) a single, coordinated joint demurrer ("Global Demurrer") addressing issues that apply to all Defendants; and b) a maximum of three (3) individual demurrers ("Unique Demurrers") addressing discrete issues unique to some, but not all Defendants.

2. The Parties shall adhere to the following processes and schedule for demurrers:

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Hearing	N/A	May 6, 2022 at 9:00 a.m. (as ordered by the Court in its December 10, 2021 Minute Order)

1 **DISCOVERY LIMITS AND SCHEDULE**

2 3. ***Special Interrogatories.***

3 a. Joint Special Interrogatories. Plaintiffs/Defendants may jointly serve up to
4 30 Joint Special Interrogatories which shall be responded to by each and
5 every Defendant/Plaintiff.

6 b. Individual Special Interrogatories. Each Plaintiff/Defendant may serve up
7 to 5 Individual Special Interrogatories on any other Party.

8 4. ***Form Interrogatories.*** Plaintiffs/Defendants may jointly serve a set of Joint Form
9 Interrogatories which shall be responded to by each and every Defendant/Plaintiff.

10 5. ***Requests for Production/Inspection.***

11 a. Joint RFPs. Plaintiffs/Defendants may jointly serve up to 30 Joint RFPs
12 which shall be responded to by each and every Defendant/Plaintiff.

13 b. Individual RFPs. Each Plaintiff/Defendant may serve up to 7 Individual
14 RFPs on any other Party.

15 6. Each party shall have the right to petition the Court for additional written and/or
16 document discovery, which shall be granted upon a showing of good cause by the moving party.

17 7. The Parties shall adhere to the following fact discovery schedule for written and
18 document discovery:

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Close of Fact Discovery	12/2/2022
Deadline to File Discovery Motions on Fact Depositions	12/16/2022

24

25 **IT IS SO ORDERED.**

26

27 Dated: January 25, 2022

26 
27 By: _____
28 HON. WILLIAM D. CLASTER
 Judge of the Superior Court