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15 *Attorneys for Defendants*

16 **UNITED STATES DISTRICT COURT**
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN JOSE DIVISION**

19 **NATIONAL ASSOCIATION FOR GUN**
 20 **RIGHTS, INC.**, a non-profit corporation, and
 21 **MARK SIKES**, an individual,

22 Plaintiffs,

23 v.

24 **CITY OF SAN JOSE**, a public entity,
 25 **JENNIFER MAGUIRE**, in her official
 26 capacity as City Manager of the City of San
 27 Jose, and the **CITY OF SAN JOSE CITY**
 28 **COUNCIL**,

Defendants.

Case No. 5:22-cv-00501-BLF

WAIVER OF SERVICE OF SUMMONS BY ALL DEFENDANTS

Courtroom: 3 – 5th Floor
 Judge: Hon. Beth Labson Freeman

Complaint Filed: January 25, 2022

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TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

I am counsel to Defendants City of San Jose, Jennifer Maguire, and the City of San Jose City Council.

I, or the entities I represent, agree to save the expense of serving a summons and complaint in this case because we are aware of the existence of the instant suit, and of the documents electronically filed on CM/ECF on the case docket.

I understand that I, or the entities I represent, will keep all defenses or objections to the lawsuit, the court’s jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entities I represent, must file and serve an answer or a motion under Rule 12 within 60 days from February 7, 2022, the date on which this waiver of service was caused to be lodged with the Court and electronically served on Plaintiffs’ counsel via CM/ECF on the case docket. If I fail to do so, a default judgment will be entered against me or the entities I represent.

Parties waiving service of summons: **City of San Jose, Jennifer Maguire**, in her official capacity as City Manager of the City of San Jose, and **City of San Jose City Council**.

Dated: February 7, 2022 **COTCHETT, PITRE & McCARTHY, LLP**

By: /s/ Tamarah P. Prevost
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