

1 HARMEET K. DHILLON (SBN: 207873)  
harmeet@dhillonlaw.com  
2 MICHAEL A. COLUMBO (SBN: 271283)  
mcolumbo@dhillonlaw.com  
3 MARK P. MEUSER (SBN: 231335)  
4 mmeuser@dhillonlaw.com  
DHILLON LAW GROUP INC.  
5 177 Post Street, Suite 700  
6 San Francisco, California 94108  
Telephone: (415) 433-1700  
7

8 DAVID A. WARRINGTON\*  
dwarrington@dhillonlaw.com  
9 CURTIS M. SCHUBE\*  
cschube@dhillonlaw.com  
10 DHILLON LAW GROUP INC.  
11 2121 Eisenhower Avenue, Suite 402  
Alexandria, VA 22314  
12 Telephone: (571) 400-2121

13 \*Admitted *Pro Hac Vice*

14 **UNITED STATES DISTRICT COURT**  
15  
16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN JOSE DIVISION**

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

21 Plaintiffs,

22 v.

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

26 Defendants.  
27  
28

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

PLAINTIFFS' POSITION REGARDING  
CONSOLIDATION WITH *HOWARD JARVIS*  
*TAXPAYERS ASSOCIATION V. CITY OF SAN*  
*JOSE*



1 On April 20, 2022, this Court issued an Order to the parties to show cause why this matter and  
2 *Howard Jarvis Taxpayers Association, et. al. v. City of San Jose*, 22-cv-02365-BLF (N.D. Cal.)  
3 should not be consolidated.

4 Rule 42(a) of the Federal Rules of Civil Procedure states that a court “may” consolidate  
5 actions which “involve a common question of law or fact.” Some issues in this matter overlap with  
6 *Howard Jarvis* while others do not. Because Plaintiffs and Defendants have briefed this matter but  
7 *Howard Jarvis* is just getting under way, Plaintiffs’ main concern with consolidation of this matter  
8 with *Howard Jarvis* is whether consolidation would risk delaying the Court’s disposition of this  
9 matter until after the Defendants’ challenged ordinance takes effect, and thereby inflict the harms the  
10 Plaintiffs timely filed this suit months ago to prevent.

11 At the status conference, the Court indicated there may be measures other than Plaintiffs  
12 incurring the added cost of filing a motion for a temporary restraining order that could preserve the  
13 *status quo* while the Court considers the merits of the case after the additional briefing. With that  
14 prospect for relief from either the burden of additional pleading or suffering the harms threatened by  
15 the Ordinance, Plaintiffs will not argue against consolidation of this matter with *Howard Jarvis*.

16  
17 Dated: May 4, 2022

By: /s/ Harmeet K. Dhillon

18 Harmeet K. Dhillon  
19 Michael A. Columbo  
20 Mark P. Meuser  
21 DHILLON LAW GROUP INC.  
22 177 Post Street, Suite 700  
23 San Francisco, California 94108  
24 (415) 433-1700

25 David A. Warrington (*pro hac vice*)  
26 Curtis M. Schube (*pro hac vice*)  
27 DHILLON LAW GROUP INC.  
28 2121 Eisenhower Avenue, Suite 402  
Alexandria, VA 22314  
(571) 400-2121

*Attorneys for Plaintiffs*