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Attorneys for Defendants

ARTHUR J. LOGAN, in his official capacity as

Police Chief of the City & County of Honolulu,

and CITY AND COUNTY OF HONOLULU

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

RONALD G. LIVINGSTON;
MICHAEL J. BOTELLO; KITIYA M.
SHIROMA; JACOB STEWART; and
HAWAII RIFLE ASSOCIATION,

Plaintiffs,

vs.

ARTHUR J. LOGAN,¹ in his official
capacity as Police Chief of the City &
County of Honolulu; CITY &

(Caption continued on next page)

CIVIL NO. CV19-00157 JMS/RT

CITY DEFENDANTS' NOTICE OF
SIGNIFICANT DEVELOPMENTS;
DECLARATION OF COUNSEL;
EXHIBITS 1 – 5; CERTIFICATE OF
SERVICE

Judge: The Hon. J. Michael Seabright
Relating to: ECF Docket #27, 40

Trial Date: None.

¹ Pursuant to Fed. R. Civ. P. 25(d), Arthur J. Logan, Chief of Police of the Honolulu Police Department, is substituted for Susan Ballard.

COUNTY OF HONOLULU; and
HOLLY T. SHIKADA,² in her official
capacity as Attorney General of Hawaii,
Defendants.

CITY DEFENDANTS’ NOTICE OF SIGNIFICANT DEVELOPMENTS

In this Court’s Order Granting Motion to Stay Proceedings entered on June 10, 2019, the Court stated: “The parties are . . . directed to file a notice with this court if any significant developments occur . . . in the en banc proceedings in *Young*. The court will lift the administrative stay after a final decision in *Young*.” ECF 40, at 9.

Accordingly, Defendants Arthur J. Logan, Chief of Police of the Honolulu Police Department (“HPD”) and City & County of Honolulu (collectively, “City Defendants”) hereby notify the Court of the following significant developments:

On June 23, 2022, the United States Supreme Court ruled in *N.Y. State Rifle & Pistol Ass’n v. Bruen*, 142 S. Ct. 2111 (2022).

² Pursuant to Fed. R. Civ. P. 25(d), Holly T. Shikada, Attorney General of Hawai‘i, is substituted for Clare E. Connors.

On June 30, the Supreme Court granted the petition for a writ of certiorari in *Young v. Hawaii*, vacated the judgment of the Ninth Circuit Court of Appeals, and remanded the case to the Ninth Circuit for further consideration in light of *Bruen*. The Ninth Circuit's Order is attached as Exhibit 1 to the Declaration of Daniel M. Gluck ("Gluck Decl.").

On June 30, Appellant Young filed a Motion for Summary Reversal with the Ninth Circuit. Civ. No. 12-17808, Dkt. #324-1.

On August 19, the Ninth Circuit vacated the judgment of the District Court and remanded the case for further proceedings. Gluck Decl., Ex. 2 at 3. The Ninth Circuit denied Appellant Young's Motion for Summary Reversal. *Id.*

On August 29, the Ninth Circuit issued its mandate in *Young*. Gluck Decl., Ex. 3.

Following the Supreme Court's ruling in *Bruen*, HPD prepared draft administrative rules to establish the processes and procedures to issue licenses to carry firearms outside the home. Those administrative rules were posted on the HPD's website on August 26, Gluck Decl. ¶7, and are attached hereto. Gluck Decl., Exhibit 4.

HPD will hold a public hearing on those administrative rules on October 4, 2022. Gluck Decl., Exhibit 5.

This Notice is filed pursuant to the Court’s June 10, 2019 Order (ECF #40) and is based on the attached declaration of Daniel M. Gluck and Exhibits 1–5 thereto.

DATED: Honolulu, Hawai‘i, September 6, 2022.

DANA M. O. VIOLA
Corporation Counsel

By: /s/ Daniel M. Gluck
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ROBERT M. KOHN
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