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IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

<p>B&L PRODUCTIONS, INC., d/b/a CROSSROADS OF THE WEST, et. al.,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>GAVIN NEWSOM, et al.,</p> <p style="text-align: right;">Defendants.</p>

Case No. 3:21-cv-01718-AJB-DDL

**JOINT MOTION FOR EXTENDED
 BRIEFING SCHEDULE FOR
 DEFENDANTS' MOTIONS TO
 DISMISS THE FIRST AMENDED
 COMPLAINT**

[L.R. 7.2, 12.1]

Judge: The Hon. Anthony J. Battaglia

Action Filed: 10/4/2021

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16 *Bardack, Diaz, Dupree, Irick, Solis, Walsh,*
17 *Captain Jon's Lockers, LLC, LAX Firing*
18 *Range, Inc., California Rifle & Pistol*
19 *Association, Inc., and South Bay Rod and Gun*
20 *Club, Inc.*

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27 *Attorney for Plaintiff Second Amendment*
28 *Foundation*

1 Pursuant to Rules 7.2 and 12.1 of the Local Rules for the United States District
2 Court for the Southern District of California, and this Court’s Civil Case Procedures,
3 Plaintiffs B & L Productions, Inc., d/b/a Crossroads of the West; Ronald J. Diaz, Sr.;
4 John Dupree; Christopher Irick; Robert Solis; Lawrence M. Walsh; Captain Jon’s
5 Lockers, LLC.; LAX Firing Range, Inc., d/b/a LAX Ammo; California Rifle &
6 Pistol Association, Incorporated; South Bay Rod and Gun Club, Inc.; and Second
7 Amendment Foundation (collectively, “Plaintiffs”), and Defendants Governor Gavin
8 Newsom; Attorney General Rob Bonta; Karen Ross, Secretary of California
9 Department of Food & Agriculture; the 22nd District Agricultural Association; and
10 District Attorney Summer Stephan (collectively, “Defendants,” and together with
11 Plaintiffs, the “Parties”), by and through their attorneys, hereby stipulate and jointly
12 move as follows:

13 WHEREAS, on August 18, 2022, this Court granted the Defendants’ motions
14 to dismiss Plaintiffs’ Complaint with leave to file an amended complaint by August
15 31, 2022 (ECF No. 35);

16 WHEREAS, the Plaintiffs filed a First Amended Complaint on August 31,
17 2022 (ECF No. 36);

18 WHEREAS, the First Amended Complaint (ECF No. 36) includes new
19 allegations to support the nine claims previously alleged in the Complaint, and raises
20 a new claim under the Second Amendment. The Complaint (ECF No. 1) raised
21 constitutional claims only under the First Amendment and Equal Protection Clause,
22 but the First Amended Complaint also raises a Second Amendment claim for the
23 first time following the United States Supreme Court’s decision in *N.Y. State Rifle &*
24 *Pistol Ass’n v. Bruen*, 142 S.Ct. 2111 (2022);

25 WHEREAS, on September 8, 2022, Plaintiffs filed a “Notice of Errata Re: First
26 Amended Complaint” (ECF No. 37), which included a redlined version of the First
27 Amended Complaint compared to Complaint, as required under Local Rule 15.1(c).
28 This redlined version was inadvertently omitted from the filing of the First Amended

1 Complaint on August 31, 2022;

2 WHEREAS, under Federal Rule of Civil Procedure 15(a)(3), the Defendants’
3 responses to the First Amended Complaint are currently due on September 14, 2022;

4 WHEREAS, Defendants have notified the Plaintiffs of their intent to move to
5 dismiss the First Amended Complaint;

6 WHEREAS, the Parties agree that an extended briefing schedule is in the best
7 interest of the Court and the Parties to give sufficient time for the Parties to prepare
8 their briefing given the number and complexity of the claims and issues raised in the
9 First Amended Complaint, including a new claim under the Second Amendment;

10 WHEREAS, it would be less burdensome on the Court for the Parties to file a
11 joint motion for an extended briefing schedule, as opposed to filing two joint
12 motions: one to extend the deadline for the motion to dismiss, and one to extend the
13 deadline for the opposition and reply briefs;

14 WHEREAS, the Parties agree to an extension of 45 days for Defendants to file
15 their motions to dismiss, which would result in the motions to dismiss being due on
16 October 31, 2022 because the 45th day falls on a Saturday (October 29, 2022);

17 WHEREAS, the Parties agree that Plaintiffs’ opposition brief would be due 28
18 days after the extended deadline for the motions to dismiss, which would result in
19 the opposition brief being due on November 28, 2022;

20 WHEREAS, the Parties agree that Defendants’ reply briefs to support their
21 motions to dismiss would be due 21 days after the deadline for the Plaintiffs’
22 opposition brief, which would result in the reply briefs being due on December 19,
23 2022;

24 WHEREAS, Defendants will obtain a hearing date from the Court for the
25 motions to dismiss in accordance with this Court’s Civil Case Procedures and Local
26 Rule 7.1(e).

27 NOW, THEREFORE, in consideration of the foregoing, the Parties further
28 stipulate and jointly move as follows:

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1. Defendants’ time to move to dismiss the First Amended Complaint shall be extended from September 14, 2022 to October 31, 2022;
2. The Plaintiffs’ brief in opposition to the motions to dismiss shall be due on November 28, 2022; and
3. Defendants’ reply briefs in support of the motions to dismiss shall be due on December 19, 2022.

IT IS SO STIPULATED

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Dated: September 8, 2022

Respectfully submitted,
ROB BONTA
Attorney General of California
ANTHONY R. HAKL
Supervising Deputy Attorney General

s/ Charles J. Sarosy

CHARLES J. SAROSY
Deputy Attorney General
Attorneys for Defendants Governor Gavin Newsom, Attorney General Rob Bonta, Secretary Karen Ross, and 22nd District Agricultural Association

Dated: September 8, 2022

Office of County Counsel, County of San Diego

s/ Timothy M. White

TIMOTHY M. WHITE
Senior Deputy County
Attorney for Defendant District Attorney Summer Stephan

Dated: September 8, 2022

MICHEL & ASSOCIATES, P.C.

s/ Anna M. Barvir

Anna M. Barvir
Attorneys for Plaintiffs B&L Productions, Inc., Bardack, Diaz, Dupree, Irick, Solis, Walsh, Captain Jon's Lockers, LLC, LAX Firing Range, Inc., California Rifle & Pistol Association, Inc., and South Bay Rod and Gun Club, Inc.

Dated: September 8, 2022

Law Offices of Donald Kilmer, APC

s/ Donald Kilmer

Donald Kilmer
Attorney for Plaintiff Second Amendment Foundation

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