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7 *Attorneys for Defendant Rob Bonta in his*
official as Attorney General of the State of
8 *California*

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
11
12

13 **VIRGINIA DUNCAN, RICHARD**
14 **LEWIS, PATRICK LOVETTE,**
15 **DAVID MARGUGLIO,**
16 **CHRISTOPHER WADDELL, and**
CALIFORNIA RIFLE & PISTOL
ASSOCIATION, INC., a California
corporation,

17 Plaintiffs,

18 v.
19

20 **ROB BONTA, in his official capacity**
21 **as Attorney General of the State of**
California; and DOES 1-10,

22 Defendants.
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17-cv-1017-BEN-JLB

**DECLARATION OF ROBERT L.
MEYERHOFF IN SUPPORT OF
EX PARTE APPLICATION FOR
AN ORDER SHORTENING TIME
ON MOTION FOR
RECONSIDERATION OF
BRIEFING SCHEDULE SET
FORTH IN ORDER SPREADING
THE MANDATE AND
CONTINUING THE
PRELIMINARY INJUNCTION**

Hearing Date: November 9, 2022
Time: 10:30 a.m.
Courtroom: 5A
Judge: Hon. Roger T. Benitez
Action Filed: May 17, 2017

1 I, Robert L. Meyerhoff, declare as follows:

2 1. I am an attorney duly licensed to practice before all courts in the State of
3 California. I am a Deputy Attorney General in the Office of the Attorney General,
4 California Department of Justice, and am an attorney of record for Defendant Rob
5 Bonta in his official capacity as Attorney General of the State of California (the
6 “Attorney General”), in the above-captioned action. If called as a witness, I could
7 and would testify to the facts set forth herein under oath.

8 2. On October 13, 2022, I emailed counsel for Plaintiffs, informing them
9 that the Attorney General would be filing an ex parte application for an order
10 shortening time on the Motion for Reconsideration of Briefing Schedule Set Forth
11 in Order Spreading the Mandate and Continuing the Preliminary Injunction (the
12 “Motion”) (Dkt. 112), and that we would be asking for the Court to enter the
13 following briefing schedule on the Motion: Plaintiffs’ opposition to the Motion due
14 on Monday, October 24, 2022, Defendants’ Reply in support of the Motion due on
15 Thursday, October 27, 2022, and a hearing on the Motion (if ordered) on November
16 1, 2022. Plaintiffs’ counsel responded on October 14, 2022 and stated that
17 “Plaintiffs would not oppose your request to shorten time on the State’s motion for
18 reconsideration—as long as the relief granted would only move Plaintiffs’ deadline
19 to October 24 and not earlier.” Attached as Exhibit A is a true and correct copy of
20 that October 13-14, 2022 email exchange.

21 I declare under penalty of perjury under the laws of the State of California that
22 the foregoing is true and correct.

23 Executed this 14th day of October, 2022, at Los Angeles, California.

24
25 Dated: October 14, 2022

/s/ Robert L. Meyerhoff
Robert L. Meyerhoff
Deputy Attorney General

EXHIBIT A

RE: Duncan, et al. v. Bonta (Case No. 17-cv-1017-BEN-JLB) [MA-Interwoven.FID92062]

Anna M. Barvir <ABarvir@michellawyers.com>

Fri 10/14/2022 10:33 AM

To: Robert Meyerhoff <Robert.Meyerhoff@doj.ca.gov>; C.D. Michel <cmichel@michellawyers.com>; Matthew D. Cubeiro <mcubeiro@michellawyers.com>; Sean Brady <sbrady@michellawyers.com>;


Cc: Mark Beckington <Mark.Beckington@doj.ca.gov>;

EXTERNAL EMAIL: This message was sent from outside DOJ. Please do not click links or open attachments that appear suspicious.

Thank you for the notice of your imminent ex parte filing, Mr. Meyerhoff. I write to inform you that Plaintiffs would not oppose your request to shorten time on the State's motion for reconsideration—as long as the relief granted would only move Plaintiffs' deadline to October 24 and not earlier.

Should you like to discuss further, feel free to give me a call at (562) 216-4453.

Regards,
Anna

<p>Anna M. Barvir Partner</p>  <p>MICHEL & ASSOCIATES, P.C. Attorneys at Law Environmental - Land Use - Firearms - Employment Law Civil Litigation - Criminal Defense</p>	<p>Direct: (562) 216-4453 Main: (562) 216-4444 Fax: (562) 216-4445 Email: ABarvir@michellawyers.com Web: www.michellawyers.com</p> <p>180 E. Ocean Blvd. Suite 200 Long Beach, CA 90802</p>
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From: Robert Meyerhoff <Robert.Meyerhoff@doj.ca.gov>

Sent: Thursday, October 13, 2022 4:59 PM

To: C.D. Michel <cmichel@michellawyers.com>; Anna M. Barvir <ABarvir@michellawyers.com>; Matthew D. Cubeiro <mcubeiro@michellawyers.com>; Sean Brady <sbrady@michellawyers.com>

Cc: Mark Beckington <Mark.Beckington@doj.ca.gov>

Subject: Duncan, et al. v. Bonta (Case No. 17-cv-1017-BEN-JLB)

Counsel:

Pursuant to Local Rules 7.1(e)(5) and 83.3(g), I am writing to give notice that Defendant Rob Bonta in his official capacity as Attorney General of the State California (the Attorney General) will be filing an ex parte

application with the Honorable Roger T. Benitez in the above matter tomorrow, Friday, October 14, to shorten time on the Attorney General's Motion for Reconsideration of Briefing Schedule Set Forth in the Order Spreading the Mandate and Continuing the Preliminary Injunction, Dkt. 112.

In the application, the Attorney General will seek to move the hearing date on the Motion for Reconsideration from November 9, 2022, to November 1, 2022, to move the deadline for Plaintiffs to file a response to the Motion for Reconsideration to October 24, 2022, and to move the deadline for the Attorney General to file a reply in support of the Motion for Reconsideration to October 27, 2022.

Thank you,

Rob

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