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1 AMY K. VAN ZANT (STATE BAR NO. 197426) avanzant@orrick.com 2 SHAYAN SAID (STATE BAR NO. 331978) ssaid@orrick.com 3 AMANDA H. SCHWARTZ (PRO HAC VICE) aschwartz@orrick.com 4 DANNY BAREFOOT (PRO HAC VICE) rbarefoot@orrick.com 5 C. ANNE MALIK (PRO HAC VICE) amalik@orrick.com 6 CHRISTIE BOYDEN (PRO HAC VICE) cboyden@orrick.com 7 ORRICK, HERRINGTON & SUTCLIFFE LLP 1000 Marsh Road 8 Menlo Park, CA 94025-1015 Telephone: +1 650 614 7400 9 Facsimile: +1 650 614 7401 10 Attorneys for Plaintiffs Francisco Gudino Cardenas and Troy McFadyen, et al. 11 SUPERIOR COURT OF THE STATE OF CALIFORNIA 12 **COUNTY OF ORANGE** 13 14 GHOST GUNNER FIREARMS CASES JCCP No. 5167 15 Superior Court of California 16 Included actions: County of Orange Case No. 30-2019-01111797-CU-PO-17 CJC 30-2019-01111797-CU-PO-CJC Cardenas v. Ghost 18 Gunner, Inc. dba GhostGunner.net, et al. Superior Court of California County of San Bernardino 19 Case No. CIV-DS-1935422 CIV-DS-1935422 McFadyen, et al. v. Ghost Gunner, 20 Inc., dba GhostGunner.net, et al. JOINT STIPULATION AND 21 [PROPOSED] ORDER TO VACATE DEMURRER 22 **DEADLINES PENDING** SETTLEMENT DISCUSSIONS 23 N/A Date: 24 Time: N/A Dept.: CX 104 25 Judge: Hon. William D. Claster 26 27 28

ORRICK, HERRINGTON & SUTCLIFFE LLP

## 1 JOINT STIPULATION 2 The Parties respectfully submit this Stipulation requesting that the Court Vacate the 3 Demurrer Deadlines Pending Settlement Discussions. WHEREAS the Parties are currently engaged in good faith settlement discussions that 4 5 they believe will lead to resolution of the case; 6 WHEREAS Defendants must file their demurrers to Plaintiffs' First Amended Complaint 7 by October 20, 2022; 8 WHEREAS the Parties wish to conserve the Court's resources while they complete 9 settlement discussions; 10 THEREFORE, the Parties jointly request that the Court vacate the current October 20, 2022 deadline for Defendants to file their demurrers, to be reset at the request of the Parties if 11 12 they have been unable to successfully settle by November 30, 2022; 13 Respectfully submitted. 14 Dated: October 14, 2022 ORRICK, HERRINGTON & SUTCLIFFE LLP 15 16 By: /s/ Amy K. Van Zant AMY K. VAN ZANT 17 Attorneys for Plaintiffs Francisco Gudino Cardenas and 18 Troy McFayden, et al., and Liaison Counsel for **Plaintiffs** 19 20 MICHEL & ASSOCIATES, P.C. 21 22 By: /s/ Sean Brady Sean Brady 23 Attorneys for MFY Technical Solutions, LLC, Thunder Guns LLC, d/b/a ThunderTactical.com, and 24 Ghost Firearms LLC and Liaison Counsel for **Defendants** 25 26 27 28 1

## [PROPOSED] ORDER The Court, having considered the Parties' Joint Stipulation to Vacate Demurrer Deadlines Pending Settlement Discussions, and good cause appearing, hereby ORDERS as follows: 1. The October 20, 2022 deadline for Defendants to file their demurrers to Plaintiffs' First Amended Complaint is vacated. 2. The parties may reset the deadline to file demurrers if they have been unable to successfully settle by November 30, 2022. IT IS SO ORDERED. Dated: The Honorable William D. Claster Judge of the Superior Court

ORRICK, HERRINGTON &
SUTCLIFFE LLP
ATTORNEYS AT LAW
SILICON VALLEY

## 1 PROOF OF SERVICE 2 I am employed in the County of San Mateo, State of California. I am over the age of 3 eighteen years old and not a party to this action. My business address is Orrick, Herrington & 4 Sutcliffe LLP, 1000 Marsh Rd., Menlo Park, CA 94025. 5 On October 14, 2022, I served the following document(s) entitled: JOINT STIPULATION AND [PROPOSED] ORDER TO VACATE DEMURRER 6 DEADLINES PENDING SETTLEMENT DISCUSSIONS 7 on all interested parties to this action in the manner described as follows: 8 (VIA EMAIL) I caused to be transmitted via electronic mail the document(s) listed 9 above to the electronic address(es) set forth below. 10 (VIA Electronic Means) I caused to be transmitted via electronic means the document(s) listed above to the electronic address(es) set forth below. 11 (VIA U.S. MAIL) By placing the document(s) listed above in a sealed envelope with 12 postage thereon fully prepaid, in the United States mail at Menlo Park, California addressed as set forth below. 13 C.D. Michel 14 Sean A. Brady MICHEL & ASSOCIATES, P.C. 15 180 E. Ocean Blvd., Suite 200 16 Long Beach, CA 90802 cmichel@michellawyers.com 17 sbrady@michellawyers.com 18 Attorneys for MFY Technical Solutions, LLC, Thunder Guns LLC, d/b/a ThunderTactical.com, 19 and Ghost Firearms LLC and Liaison Counsel 20 for Defendants 21 22 I declare under penalty of perjury under the laws of the State of California that the above 23 is true and correct. 24 Executed on October 14, 2022 at Moss Beach, California. 25 26 /s/ Karin Barnick 27 28