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14 **UNITED STATES DISTRICT COURT**
 15 **SOUTHERN DISTRICT OF CALIFORNIA**

16 SOUTH BAY ROD & GUN CLUB,
 17 INC.; GARY BRENNAN, an
 individual; CORY HENRY, an
 18 individual; PATRICK LOVETTE, an
 individual; VIRGINIA DUNCAN, an
 19 individual; RANDY RICKS, an
 individual; CITIZENS COMMITTEE
 20 FOR THE RIGHT TO KEEP AND
 BEAR ARMS; GUN OWNERS OF
 21 CALIFORNIA; SECOND
 AMENDMENT LAW CENTER; and
 22 CALIFORNIA RIFLE & PISTOL
 ASSOCIATION, INCORPORATED,

23 Plaintiffs,

24 v.

25 ROB BONTA, in his official capacity
 26 as Attorney General of the State of
 California; and DOES 1-10,
 27

28 Defendants.

CASE NO: 3:22-cv-01461-RBM-WVG
PLAINTIFFS’ NOTICE OF MOTION
AND MOTION FOR PRELIMINARY
INJUNCTION

Date: November 21, 2022
 Courtroom: 5B

NO ORAL ARGUMENT UNLESS
ORDERED BY THE COURT

1 TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Notice is hereby given that on November 21, 2022, at 10:00 a.m. in
3 Courtroom 5B of the above-captioned court, located at 221 West Broadway, San
4 Diego, California, 92101, Plaintiffs South Bay Rod & Gun Club, Inc. Gary Brennan,
5 Cory Henry, Patrick Lovette, Virginia Duncan, Randy Ricks, Citizens Committee
6 for the Right to Keep and Bear Arms, Gun Owners of California, Second
7 Amendment Law Center, and California Rifle and Pistol Association, Incorporated
8 (collectively, “Plaintiffs”) will move for a preliminary injunction under Rule 65(a)
9 of the Federal Rules of Civil Procedure. Specifically, Plaintiffs will seek an order
10 temporarily enjoining Defendant Attorney General Rob Bonta, employees, agents,
11 successors in office, and all District Attorneys, County Counsel, and City Attorneys
12 holding office in the state of California, as well as their successors in office, from
13 enforcing to California Code of Civil Procedure section 1021.11 during the
14 pendency of this action.

15 Plaintiffs bring this motion because section 1021.11 violates the rights of
16 Plaintiffs in several ways including their right to petition the government for redress
17 of grievances, the right to counsel of their choosing, and their right to equal
18 protection. 1021.11 is also void because it is overly vague, constitutes a bill of
19 attainder, and violates the Supremacy Clause. Unless this Court orders the requested
20 preliminary relief, Plaintiffs will continue to suffer actual and substantial irreparable
21 harm as described in the memorandum of points and authorities filed simultaneously
22 herewith.

23 This application is made on the grounds set forth in the accompanying
24 memorandum of points and authorities; the signed declarations of Konstadinos T.
25 Moros, Gary Brennan, Cory Henry, Patrick Lovette, Virginia Duncan, Alan
26 Gottlieb, Richard Minnich, Chuck D. Michel, Sam Paredes, Jon Sivers, and Bill
27 Ortiz; all pleadings and papers filed in this action, the argument of counsel, and
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further evidence as the Court may consider at or before a hearing on this Application or the hearing on the preliminary injunction requested herein.

Dated: October 17, 2022

MICHEL & ASSOCIATES, P.C.

/s/ Konstadinos T. Moros
C.D. Michel
Joshua Robert Dale
Konstadinos T. Moros
Counsel for Plaintiffs South Bay Rod & Gun Club, Inc. Gary Brennan, Cory Henry, Patrick Lovette, Virginia Duncan, Randy Ricks, Gun Owners of California, Second Amendment Law Center, and California Rifle and Pistol Association, Incorporated
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Dated: October 17, 2022

LAW OFFICES OF DON KILMER

s/ Don Kilmer
Don Kilmer
Counsel for Plaintiff Citizens Committee for the Right to Keep and Bear Arms