
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

GREGORY T. ANGELO, <i>et al.</i>,	:	
	:	
Plaintiffs	:	
v.	:	
	:	Civil Action No. 1:22-cv-01878-RDM
District of Columbia, <i>et al.</i>,	:	
	:	
	:	
Defendants	:	

**UNOPPOSED MOTION OF THE SECOND AMENDMENT FOUNDATION
TO FILE AMICUS BRIEF IN SUPPORT OF PLAINTIFFS' APPLICATION
FOR PRELIMINARY INJUNCTION AND MOTION FOR SUMMARY
JUDGMENT**

The Second Amendment Foundation ("SAF") respectfully moves for leave to file an amicus curiae brief in the above-captioned matter in support of Plaintiffs' Application for Preliminary Injunction and Motion for Summary Judgment. If granted leave, SAF will file the brief attached as Exhibit A. Plaintiffs and Defendants have consented to the filing of this brief. A proposed order accompanies this motion.

SAF is a 501(c)(3), founded in 1974, with a mission to promote a better understanding about our Constitutional heritage to privately own and possess firearms. In furtherance of that mission, SAF is engaged in educational, research, publishing, and legal action programs. SAF's legal portfolio is extensive and

includes cases such as *McDonald v. City of Chicago*, 561 U.S. 742 (2010), *Wrenn v. District of Columbia*, 864 F.3d 650 (D.C. Cir. 2017), *Moore v. Madigan*, 702 F.3d 933 (7th Cir. 2012), and a plethora of others that pertain to the right to keep and bear arms.

SAF should be granted leave to file the accompanying brief for two reasons. *First*, SAF has a strong interest in this case because it is currently supporting and litigating the underlying matter in Illinois and New York. SAF has a specific interest in ensuring that so called “sensitive places” are limited to those that can draw from an identical or narrowly tailored historical analogue and not any area in which the government merely purports to believe qualifies. *Second*, SAF possesses unique information and perspective that this Court may find useful in analyzing the historical backdrop and the bounds of what constitutes a “sensitive place” within that context. As such, SAF believes its brief may help inform the Court beyond the information provided by Plaintiffs.

There is no Federal Rule of Civil Procedure that controls motions for leave to appear as *amicus curiae* in federal district court. District courts have “inherent authority” to grant participation by an *amicus curiae*. See *Jin v. Ministry of State Sec.*, 557 F. Supp. 2d 131, 136 (D.D.C. 2008). This Court has “broad discretion” in determining whether to grant leave to participate as an *amicus*. *Nat’l Ass’n of Home Builders v. U.S. Army Corps of Eng’rs*, 519 F. Supp. 2d 89, 93 (D.D.C. 2007). Courts generally grant *amicus* status when “the information offered is ‘timely and useful.’”

Ellsworth Assocs., Inc. v. United States, 917 F. Supp. 841, 846 (D.D.C. 1996)
(quoting *Waste Mgmt. of Pa. v. City of York*, 162 F.R.D. 34, 36 (M.D. Pa. 1995)).

As stated above, SAF believes the information it wishes to provide the Court is useful. Furthermore, SAF's brief is timely, as Plaintiffs filed their reply brief on October 30, 2022. This motion follows a mere three days later and does not unduly burden or delay these proceedings.

In accordance with Local Rule 7(o)(5), the undersigned certifies that the attached brief was authored entirely by counsel for the amicus curiae and not by counsel for any party, in whole or in part; (2) no party or counsel for any party contributed money to fund preparing or submitting the attached brief; and (3) apart from amicus curiae, its members, and its counsel, no other person contributed money to fund preparing or submitting the attached brief.

CONCLUSION

For these reasons, SAF respectfully requests that it be granted leave to file the attached *amicus curiae* brief.

Respectfully submitted,

/s/ Adam Kraut

Adam Kraut

D.C. Bar No. PA0080

SECOND AMENDMENT FOUNDATION

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