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15 IN THE UNITED STATES DISTRICT COURT  
16 FOR THE EASTERN DISTRICT OF CALIFORNIA  
17 SACRAMENTO DIVISION

19 **WILLIAM WIESE, et al.,**

20 Plaintiffs,

21 v.

23 **XAVIER BECERRA, et al.,**

24 Defendants.

2:17-cv-00903-WBS-KJN

**JOINT STATEMENT RE: STATUS  
CONFERENCE RE: FURTHER  
PROCEEDINGS**

1 Plaintiffs William Wiese, Jeremiah Morris, Lance Cowley, Sherman Macaston, Frank  
2 Federau, Alan Normandy, Todd Nielsen, Calguns Foundation, Firearms Policy Foundation,  
3 Firearms Policy Coalition, Firearms Policy Foundation, Second Amendment Foundation, Second  
4 Amendment Coalition, Adam Richards, Clifford Flores, and I.Q. Dang, and Defendants Rob  
5 Bonta in his official capacity as Attorney General of California and Allison Mendoza in her  
6 official capacity as Acting Director of the Department of Justice Bureau of Firearms (Defendants,  
7 and together with Plaintiffs, the Parties) hereby agree as follows:

8 WHEREAS, on October 19, 2022, the Court set a status conference regarding Further  
9 Proceedings to be conducted via Zoom on November 7, 2022 (Dkt. 116);

10 WHEREAS, on November 2, 2022, the Court issued an order for the Parties' counsel to  
11 appear in person at the November 7, 2022 conference (Dkt. 117);

12 WHEREAS, on November 2, 2022, Defendants' lead counsel asked the Court to permit  
13 him to appear remotely at the November 7, 2022 conference;

14 WHEREAS, Defendants' lead counsel made that request because (a) his partner and he  
15 are expecting a child in early December of 2022, and he is hesitant to travel from Los Angeles  
16 (where he is based) so close to the due date in case of any complications, and (b) he is lead  
17 counsel in *Duncan v. Bonta*, Case No. 17-1017 (S.D. Cal.), another case in which Plaintiffs  
18 challenge California's restrictions on large-capacity magazines, and the Attorney General has a  
19 November 10, 2022 deadline for the Attorney General to provide the court in *Duncan* with  
20 supplemental briefing responsive to the Supreme Court's decision in *New York State Rifle &*  
21 *Pistol Ass'n, Inc. v. Bruen*, 142 S. Ct. 2111 (2022), and traveling to and from Los Angeles for the  
22 day prior to that deadline would potentially have a negative impact on his client's ability to  
23 provide the most fulsome responsive briefing; and

24 WHEREAS, respective counsel for Defendants and Plaintiffs have met and conferred  
25 regarding the timing of the status conference, and make the following representations and  
26 requests for relief:

27 1. Defendants respectfully request via this joint statement that the conference be continued  
28 to January 17, 2023, or a date thereafter, but not if in doing so the Court also grants Plaintiffs the

1 leave they request to file a summary judgment prior to the conference being held, for the reasons  
2 stated in the parties' Joint Status Report filed on October 7, 2022 (Dkt. 115).

3 2. Plaintiffs state that for the reasons set forth in the parties' Joint Status Report filed on  
4 October 7, 2022 (Dkt. 115), and the long delay Plaintiffs have endured while waiting for the  
5 *Duncan v. Bonta* case to be decided, Plaintiffs cannot stipulate to a lengthy delay of the  
6 proceedings. Plaintiffs advise the Court, however, that their counsel undersigned would be  
7 available for personal appearance at a status conference on January 17, 2023, or the first available  
8 date for such status conference as the Court may allow, to accommodate defense counsel's  
9 hardship. Plaintiffs would request that if the Court continues the status conference to such date,  
10 that it also grant Plaintiffs leave to file a summary judgment motion as a part of any order  
11 continuing the status conference.

12 Dated: November 3, 2022

13 ROB BONTA  
14 Attorney General of California  
15 MARK R. BECKINGTON  
16 Supervising Deputy Attorney General

17 /s/ Robert L. Meyerhoff  
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ROBERT L. MEYERHOFF  
19 Deputy Attorney General  
20 *Attorneys for Defendants*

21 Dated: November 3, 2022

22 SEILER EPSTEIN LLP

23 /s/ GEORGE M. LEE

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George M. Lee  
25 *Attorneys for Plaintiffs*