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6 Attorneys for Plaintiffs

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10 VIRGINIA DUNCAN, et al.,

11 Plaintiffs,

12 v.

13 XAVIER BECERRA, in his official  
14 capacity as Attorney General of the State  
15 of California,

16 Defendant.

Case No: 17-cv-1017-BEN-JLB

**PLAINTIFFS' EX PARTE  
APPLICATION FOR ORDER  
EXTENDING PAGE LIMITATION**

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD**

2 Notice is hereby given that on December 1, 2022, Plaintiffs Virginia Duncan,  
3 Richard Lewis, Patrick Lovette, David Marguglio, Christopher Waddell, and California  
4 Rifle & Pistol Association, Incorporated, (“Plaintiffs”) will apply ex parte to this Court  
5 for an order extending the page limit for their supplemental brief in response to the  
6 Court’s Order of September 26, 2022.

7 At 10:20 a.m., on November 30, 2022, Plaintiffs’ counsel contacted Deputy  
8 Attorneys General Robert D. Meyerhoff and John D. Echeverria, counsel of record for  
9 Defendant Attorney General Xavier Becerra in this matter. Barvir Decl. ¶ 2. Plaintiffs’  
10 counsel was subsequently directed to Deputy Attorney General Kevin Kelly because  
11 Mr. Meyerhoff is currently on leave. *Id.* Mr. Kelly informed me that his client’s  
12 position is that “Local Rule 7.1(h) does not apply to limit the length of the court-  
13 ordered briefing, since that rule pertains to briefs ‘in support of or in opposition to  
14 motions’ and there is no pertinent motion currently pending before the Court.” *Id.* ¶ 3.  
15 That said, Mr. Kelly indicated that his client would not oppose Plaintiffs’ request for  
16 an order extending the page limitation. *Id.*

17 Plaintiffs bring this application for good cause on the grounds that they require  
18 more than 25 pages to address the issues the State raised in its 63-page supplemental  
19 brief, and they will face irreparable harm if relief is not granted because they will be  
20 denied the ability to counter many of the arguments in the State’s oversized brief. *Id.* ¶  
21 4. Further, Plaintiffs could not bring a fully noticed motion because the Court ordered  
22 Plaintiffs to file their supplemental brief just 21 days after the State filed its brief.

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1 This application is based on the memorandum of points and authorities and the  
2 declaration of Anna M. Barvir filed simultaneously herewith, as well as all the records  
3 currently on file and any oral argument that this Court may authorize.  
4

5 Dated: December 1, 2022

**MICHEL & ASSOCIATES, P.C.**

6  
7 s/ Anna M. Barvir

Anna M. Barvir

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Attorneys for Plaintiffs  
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**CERTIFICATE OF SERVICE**  
**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

Case Name: *Duncan, et al. v. Becerra*

Case No.: 17-cv-1017-BEN-JLB

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, declare under penalty of perjury that I am a citizen of the United States over 18 years of age. My business address is 180 East Ocean Boulevard, Suite 200 Long Beach, CA 90802. I am not a party to the above-entitled action.

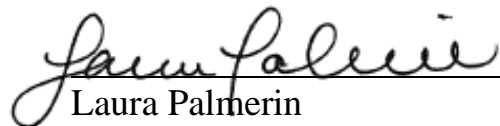
I have caused service of the following documents, described as:

**PLAINTIFFS' EX PARTE APPLICATION FOR ORDER EXTENDING PAGE  
LIMITATION**

on the following parties by electronically filing the foregoing on December 1, 2022, with the Clerk of the District Court using its ECF System, which electronically notifies them.

Rob Bonta  
Attorney General of California  
Mark R. Beckington  
Supervising Deputy Attorney General  
Kevin J. Kelly  
Deputy Attorney General  
300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
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I declare under penalty of perjury that the foregoing is true and correct.  
Executed on December 1, 2022, at Long Beach, CA.

  
Laura Palmerin