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8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11

12
13 **LANCE BOLAND, ET AL.,**

14 Plaintiffs,

15 v.

16 **ROB BONTA, IN HIS OFFICIAL**
17 **CAPACITY AS ATTORNEY GENERAL OF**
18 **THE STATE OF CALIFORNIA, ET AL.,**

19 Defendants.

Case No. 8:22-cv-01421-DFM

**OBJECTIONS TO PLAINTIFFS'
EVIDENCE IN SUPPORT OF
MOTION FOR PRELIMINARY
INJUNCTION**

Date: January 23, 2023
Time: 9:00 a.m.
Courtroom: 6B
Judge: Hon. Cormac J. Carney
Trial Date: None set
Action Filed: August 3, 2022

1 Defendant California Attorney General Rob Bonta hereby submits the
2 following objections to evidence submitted by Plaintiffs in connection with their
3 Motion for Preliminary Injunction, ECF. No. 23.

4 1. Defendant objects to Plaintiffs' **Request for Judicial Notice No. 2.**

5 Defendant objects to this evidence on the grounds that it lacks relevance. Fed.
6 R. Evid. 403.

7 2. Defendant objects to Plaintiffs' **Request for Judicial Notice No. 3.**

8 Defendant objects to this evidence on the grounds that it lacks relevance. Fed.
9 R. Evid. 403.

10 3. Defendant objects to Plaintiffs' **Request for Judicial Notice No. 4.**

11 Defendant objects to this evidence on the grounds that document and facts
12 submitted are not proper for judicial notice because they are not "generally known"
13 and cannot be "accurately and readily determined from sources whose accuracy
14 cannot reasonably be questioned." Fed. R. Evid. rule 201(b).

15 Defendant also objects on the grounds that the document has not been
16 authenticated. Fed. R. Evid. Rule 901(a).

17 4. Defendant objects to **lines 11 through 13 on page 2 of the Declaration**
18 **of Jerome Schammel**: "I do not want to purchase an Off-Roster handgun in a
19 private party transaction because of the egregious price markups, the logistical
20 difficulty of coordinating with sellers, the limited availability of the Off-Roster
21 firearms I am interested in . . ."

22 Defendant objects to this evidence on the grounds that the Plaintiffs have
23 failed to introduce evidence "sufficient to support a finding that the witness has
24 personal knowledge of the matter." Fed. R. Evid. rule 602.

25 Defendant also objects on the grounds that the evidence is inadmissible
26 hearsay. Fed. R. Evid. rule 802.

27 5. Defendant objects to **lines 10 through 13 on page 2 of the Declaration**
28 **of Mario Santellan**: "I do not want to purchase an Off-Roster handgun in a private

1 party transaction because of the egregious price markups, the logistical difficulty of
 2 coordinating with sellers, the limited availability of the Off-Roster firearms I am
 3 interested in . . .”

4 Defendant objects to this evidence on the grounds that the Plaintiffs have
 5 failed to introduce evidence “sufficient to support a finding that the witness has
 6 personal knowledge of the matter.” Fed. R. Evid. rule 602.

7 Defendant also objects on the grounds that the evidence is inadmissible
 8 hearsay. Fed. R. Evid. rule 802.

9 6. Defendant objects to **lines 16 through 19 on page 2 of the Declaration**
 10 **of Lance Boland**: “I would like to obtain in the primary retail market for my own
 11 self-defense purposes and for training purposes at my school, without having to
 12 incur the exorbitant price markups that are normal in the secondary market – if
 13 those firearms are even available in the secondary market.”

14 Defendant objects to this evidence on the grounds that the Plaintiffs have
 15 failed to introduce evidence “sufficient to support a finding that the witness has
 16 personal knowledge of the matter.” Fed. R. Evid. rule 602.

17 Defendant also objects on the grounds that the evidence is inadmissible
 18 hearsay. Fed. R. Evid. rule 802.

19 Dated: December 5, 2022

Respectfully submitted,

21 ROB BONTA
 22 Attorney General of California
 23 MARK R. BECKINGTON
 24 Supervising Deputy Attorney General

25 /s/ Gabrielle D. Boutin
 26 GABRIELLE D. BOUTIN
 27 Deputy Attorney General
 28 *Attorneys for Rob Bonta, in his official
 capacity as Attorney General of the
 State of California*