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 Becerra*

8
 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA
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 13 **MARK BAIRD and RICHARD**
GALLARDO,
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 Plaintiffs,
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 v.
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XAVIER BECERRA, in his official capacity
as Attorney General of the State of
California, and DOES 1-10,
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 Defendants.
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Case No. 2:19-cv-00617-KJM-AC

**DEFENDANT ATTORNEY GENERAL
 XAVIER BECERRA’S ANSWER TO
 PLAINTIFFS’ FIRST AMENDED
 COMPLAINT**

Courtroom: 3
 Judge: Kimberly J. Mueller
 Action Filed: April 10, 2019

21 Defendant Attorney General Xavier Becerra hereby answers the First Amended Complaint
 22 filed by Plaintiffs Mark Baird and Richard Gallardo as follows:

23 1. Paragraph No. 1 consists of allegations that contain argument and legal contentions.
 24 To the extent that a response to the allegations in this paragraph is required, Defendant denies
 25 each and every allegation.

26 2. Paragraph No. 2 contains allegations that cite statutory provisions, which speak for
 27 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
 28 response is required, Defendant denies each and every allegation.

1 3. Paragraph No. 3 contains allegations that cite statutory provisions, which speak for
2 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
3 response is required, Defendant denies each and every allegation.

4 4. Paragraph No. 4 contains allegations that cite statutory provisions, which speak for
5 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
6 response is required, Defendant denies each and every allegation.

7 5. Paragraph No. 5 contains allegations that cite statutory provisions, which speak for
8 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
9 response is required, Defendant denies each and every allegation.

10 6. Defendant lacks sufficient information or belief to respond to the allegations in
11 Paragraph No. 6, and on that basis denies each and every allegation.

12 7. Defendant lacks sufficient information or belief to respond to the allegations in
13 Paragraph No. 7, and on that basis denies each and every allegation.

14 8. In answer to Paragraph No. 8, Defendant admits that he is the Attorney General of the
15 State of California and that he is sued in his official capacity only. Paragraph No. 8 contains
16 allegations that cite the California Constitution, which speaks for itself. Defendant denies any
17 allegations that misstate the law. To the extent that a further response is required, Defendant
18 denies each and every allegation.

19 9. Paragraph No. 9 consists of allegations that contain argument and legal contentions.
20 To the extent that a response is required, Defendant denies each and every allegation.

21 10. Paragraph No. 10 consists of allegations that contain argument and legal contentions.
22 To the extent that a response is required, Defendant denies each and every allegation.

23 11. Defendant lacks sufficient information or belief to respond to the allegations in
24 Paragraph No. 11, and on that basis denies each and every allegation.

25 12. Defendant lacks sufficient information or belief to respond to the allegations in
26 Paragraph No. 12, and on that basis denies each and every allegation.

27 13. Defendant lacks sufficient information or belief to respond to the allegations in
28 Paragraph No. 13, and on that basis denies each and every allegation.

1 14. Defendant lacks sufficient information or belief to respond to the allegations in
2 Paragraph No. 14, and on that basis denies each and every allegation.

3 15. Paragraph No. 15 contains allegations that cite California law, which speaks for itself.
4 Defendant denies any allegations that misstate the law. To the extent that a further response is
5 required, Defendant denies each and every allegation.

6 16. Defendant lacks sufficient information or belief to respond to the allegations in
7 Paragraph No. 16, and on that basis denies each and every allegation.

8 17. Defendant lacks sufficient information or belief to respond to the allegations in
9 Paragraph No. 17, and on that basis denies each and every allegation.

10 18. Defendant lacks sufficient information or belief to respond to the allegations in
11 Paragraph No. 18, and on that basis denies each and every allegation.

12 19. In answer to Paragraph No. 19, Defendant admits that according to the 2010 census,
13 Siskiyou County had a population of less than 200,000 people.

14 20. In answer to Paragraph No. 20, Defendant admits that California's statutory firearms
15 licensing scheme does not prohibit Siskiyou County residents from applying for an open carry
16 license. To the extent a further response is required, Defendant denies each and every allegation.

17 21. In answer to Paragraph No. 21, Defendant admits that Plaintiff Baird may only obtain
18 a license to carry a firearm in his county of residence. To the extent a further response is
19 required, Defendant denies each and every allegation.

20 22. Defendant lacks sufficient information or belief to respond to the allegations in
21 Paragraph No. 22, and on that basis denies each and every allegation.

22 23. Defendant lacks sufficient information or belief to respond to the allegations in
23 Paragraph No. 23, and on that basis denies each and every allegation.

24 24. Defendant lacks sufficient information or belief to respond to the allegations in
25 Paragraph No. 24, and on that basis denies each and every allegation.

26 25. Defendant lacks sufficient information or belief to respond to the allegations in
27 Paragraph No. 25, and on that basis denies each and every allegation.

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1 26. Defendant lacks sufficient information or belief to respond to the allegations in
2 Paragraph No. 26, and on that basis denies each and every allegation.

3 27. Defendant lacks sufficient information or belief to respond to the allegations in
4 Paragraph No. 27, and on that basis denies each and every allegation.

5 28. Defendant lacks sufficient information or belief to respond to the allegations in
6 Paragraph No. 28, and on that basis denies each and every allegation.

7 29. Defendant lacks sufficient information or belief to respond to the allegations in
8 Paragraph No. 29, and on that basis denies each and every allegation.

9 30. Defendant lacks sufficient information or belief to respond to the allegations in
10 Paragraph No. 30, and on that basis denies each and every allegation.

11 31. Defendant lacks sufficient information or belief to respond to the allegations in
12 Paragraph No. 31, and on that basis denies each and every allegation.

13 32. In answer to Paragraph 32, Defendant admits that California Department of Justice
14 Bureau of Firearms Form 4012 contains a section for official use only that provides options for
15 the “type of license requested.” Defendant lacks sufficient information or belief to respond to the
16 remaining allegations in this paragraph, and on that basis denies each and every allegation.

17 33. In answer to Paragraph 33, Defendant admits that California Department of Justice
18 Bureau of Criminal Information and Analysis Form 8016 contains a section for the applicant to
19 provide the “authorized applicant type.” Defendant lacks sufficient information or belief to
20 respond to the remaining allegations in this paragraph, and on that basis denies each and every
21 allegation.

22 34. Paragraph No. 34 consists of allegations that contain argument and legal contentions.
23 To the extent that a response to the allegations in this paragraph is required, Defendant denies
24 each and every allegation.

25 35. Paragraph No. 35 consists of allegations that contain argument and legal contentions.
26 To the extent that a response to the allegations in this paragraph is required, Defendant denies
27 each and every allegation.

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1 36. Defendant lacks sufficient information or belief to respond to the allegations in
2 Paragraph No. 36, and on that basis denies each and every allegation.

3 37. Defendant lacks sufficient information or belief to respond to the allegations in
4 Paragraph No. 37, and on that basis denies each and every allegation.

5 38. Paragraph No. 38 contains allegations that cite statutory provisions, which speak for
6 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
7 response is required, Defendant denies each and every allegation.

8 39. Defendant lacks sufficient information or belief to respond to the allegations in
9 Paragraph No. 39, and on that basis denies each and every allegation.

10 40. Paragraph No. 40 contains allegations that cite statutory provisions, which speak for
11 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
12 response is required, Defendant denies each and every allegation.

13 41. Defendant denies the allegations in Paragraph 41.

14 42. Defendant lacks sufficient information or belief to respond to the allegations in
15 Paragraph No. 42, and on that basis denies each and every allegation.

16 43. Defendant lacks sufficient information or belief to respond to the allegations in
17 Paragraph No. 43, and on that basis denies each and every allegation.

18 44. Defendant lacks sufficient information or belief to respond to the allegations in
19 Paragraph No. 44, and on that basis denies each and every allegation.

20 45. Paragraph No. 45 consists of allegations that contain argument and legal contentions.
21 To the extent that a response to the allegations in this paragraph is required, Defendant denies
22 each and every allegation.

23 46. Paragraph No. 46 contains allegations that cite statutory provisions, which speak for
24 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
25 response is required, Defendant denies each and every allegation.

26 47. Paragraph No. 47 contains allegations that cite California law, which speaks for itself.
27 Defendant denies any allegations that misstate the law. To the extent that a further response is
28 required, Defendant denies each and every allegation.

1 48. Paragraph No. 48 contains allegations that cite statutory provisions, which speak for
2 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
3 response is required, Defendant denies each and every allegation.

4 49. Paragraph No. 49 consists of allegations that contain argument and legal contentions.
5 To the extent that a response to the allegations in this paragraph is required, Defendant denies
6 each and every allegation.

7 50. Paragraph No. 50 contains allegations that cite statutory provisions, which speak for
8 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
9 response is required, Defendant denies each and every allegation.

10 51. Defendant lacks sufficient information or belief to respond to the allegations in
11 Paragraph No. 51, and on that basis denies each and every allegation.

12 52. Paragraph No. 52 consists of allegations that contain argument and legal contentions.
13 To the extent that a response to the allegations in this paragraph is required, Defendant denies
14 each and every allegation.

15 53. Defendant lacks sufficient information or belief to respond to the allegations in
16 Paragraph No. 53, and on that basis denies each and every allegation.

17 54. Defendant lacks sufficient information or belief to respond to the allegations in
18 Paragraph No. 54, and on that basis denies each and every allegation.

19 55. Defendant lacks sufficient information or belief to respond to the allegations in
20 Paragraph No. 55, and on that basis denies each and every allegation.

21 56. Defendant lacks sufficient information or belief to respond to the allegations in
22 Paragraph No. 56, and on that basis denies each and every allegation.

23 57. Defendant lacks sufficient information or belief to respond to the allegations in
24 Paragraph No. 57, and on that basis denies each and every allegation.

25 58. Paragraph No. 58 contains allegations that cite California law, which speaks for itself.
26 Defendant denies any allegations that misstate the law. To the extent that a further response is
27 required, Defendant denies each and every allegation.

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1 59. Defendant lacks sufficient information or belief to respond to the allegations in
2 Paragraph No. 59, and on that basis denies each and every allegation.

3 60. Defendant lacks sufficient information or belief to respond to the allegations in
4 Paragraph No. 60, and on that basis denies each and every allegation.

5 61. Defendant lacks sufficient information or belief to respond to the allegations in
6 Paragraph No. 61, and on that basis denies each and every allegation.

7 62. Defendant lacks sufficient information or belief to respond to the allegations in
8 Paragraph No. 62, and on that basis denies each and every allegation.

9 63. In answer to Paragraph No. 63, Defendant admits that according to the 2010 census,
10 Shasta County had a population of less than 200,000 people.

11 64. In answer to Paragraph No. 64, Defendant admits that California's statutory firearms
12 licensing scheme does not prohibit Shasta County residents from applying for an open carry
13 license. To the extent a further response is required, Defendant denies each and every allegation.

14 65. In answer to Paragraph No. 65, Defendant admits that Plaintiff Gallardo may only
15 obtain a concealed carry or open carry license in his county of residence. To the extent a further
16 response is required, Defendant denies each and every allegation.

17 66. Defendant lacks sufficient information or belief to respond to the allegations in
18 Paragraph No. 66, and on that basis denies each and every allegation.

19 67. Defendant lacks sufficient information or belief to respond to the allegations in
20 Paragraph No. 67, and on that basis denies each and every allegation.

21 68. Defendant lacks sufficient information or belief to respond to the allegations in
22 Paragraph No. 68, and on that basis denies each and every allegation.

23 69. Defendant lacks sufficient information or belief to respond to the allegations in
24 Paragraph No. 69, and on that basis denies each and every allegation.

25 70. Defendant lacks sufficient information or belief to respond to the allegations in
26 Paragraph No. 70, and on that basis denies each and every allegation.

27 71. Defendant lacks sufficient information or belief to respond to the allegations in
28 Paragraph No. 71, and on that basis denies each and every allegation.

1 72. Defendant lacks sufficient information or belief to respond to the allegations in
2 Paragraph No. 72, and on that basis denies each and every allegation.

3 73. Defendant lacks sufficient information or belief to respond to the allegations in
4 Paragraph No. 73, and on that basis denies each and every allegation.

5 74. Defendant lacks sufficient information or belief to respond to the allegations in
6 Paragraph No. 74, and on that basis denies each and every allegation.

7 75. Defendant lacks sufficient information or belief to respond to the allegations in
8 Paragraph No. 75, and on that basis denies each and every allegation.

9 76. Defendant lacks sufficient information or belief to respond to the allegations in
10 Paragraph No. 76, and on that basis denies each and every allegation.

11 77. Defendant lacks sufficient information or belief to respond to the allegations in
12 Paragraph No. 77, and on that basis denies each and every allegation.

13 78. Defendant lacks sufficient information or belief to respond to the allegations in
14 Paragraph No. 78, and on that basis denies each and every allegation.

15 79. In answer to Paragraph No. 79, Defendant lacks sufficient information or belief to
16 respond to the allegation that Sheriff Bosenko has stated publicly that, to his knowledge based on
17 his regular meetings with the sheriffs around the State, none of the sheriffs serving in counties in
18 California permitted to issue open carry licenses have ever issued open carry licenses. Defendant
19 denies the remaining allegations in this paragraph.

20 80. Defendant lacks sufficient information or belief to respond to the allegations in
21 Paragraph No. 80, and on that basis denies each and every allegation.

22 81. Defendant lacks sufficient information or belief to respond to the allegations in
23 Paragraph No. 81, and on that basis denies each and every allegation.

24 82. Paragraph No. 82 contains allegations that cite statutory provisions, which speak for
25 themselves. Defendant denies any allegations that misstate the law. Defendant lacks sufficient
26 information or belief to respond to the remaining allegations in this paragraph, and on that basis
27 denies each and every allegation.

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1 83. Paragraph No. 83 consists of allegations that contain argument and legal contentions.
2 To the extent that a response to the allegations in this paragraph is required, Defendant denies
3 each and every allegation.

4 84. Paragraph No. 84 contains allegations that cite statutory provisions, which speak for
5 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
6 response is required, Defendant denies each and every allegation.

7 85. In answer to Paragraph No. 85, Defendant admits that Plaintiff Gallardo may only
8 apply for an open carry license in his county of residence. To the extent a further response is
9 required, Defendant denies each and every allegation.

10 86. Defendant lacks sufficient information or belief to respond to the allegations in
11 Paragraph No. 86, and on that basis denies each and every allegation.

12 87. Defendant lacks sufficient information or belief to respond to the allegations in
13 Paragraph No. 87, and on that basis denies each and every allegation.

14 88. Paragraph No. 88 contains allegations that cite statutory provisions, which speak for
15 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
16 response is required, Defendant denies each and every allegation.

17 89. Paragraph No. 89 contains allegations that cite statutory provisions, which speak for
18 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
19 response is required, Defendant denies each and every allegation.

20 90. Defendant lacks sufficient information or belief to respond to the allegations in
21 Paragraph No. 90, and on that basis denies each and every allegation.

22 91. Paragraph No. 91 consists of allegations that contain argument and legal contentions.
23 To the extent that a response to the allegations in this paragraph is required, Defendant denies
24 each and every allegation.

25 92. Defendant lacks sufficient information or belief to respond to the allegations in
26 Paragraph No. 92, and on that basis denies each and every allegation.

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1 93. Paragraph No. 93 contains allegations that cite California law, which speaks for itself.
2 Defendant denies any allegations that misstate the law. To the extent that a further response is
3 required, Defendant denies each and every allegation.

4 94. Paragraph No. 94 contains allegations that cite statutory provisions, which speak for
5 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
6 response is required, Defendant denies each and every allegation.

7 95. Paragraph No. 95 contains allegations that cite statutory provisions, which speak for
8 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
9 response is required, Defendant denies each and every allegation.

10 96. Paragraph No. 96 contains allegations that cite statutory provisions and case law,
11 which speak for themselves. Defendant denies any allegations that misstate the law. To the
12 extent that a further response is required, Defendant denies each and every allegation.

13 97. Paragraph No. 97 contains allegations that cite statutory provisions, which speak for
14 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
15 response is required, Defendant denies each and every allegation.

16 98. Paragraph No. 98 contains allegations that cite statutory provisions, which speak for
17 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
18 response is required, Defendant denies each and every allegation.

19 99. Paragraph No. 99 contains allegations that cite statutory provisions, which speak for
20 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
21 response is required, Defendant denies each and every allegation.

22 100. Paragraph 100 contains allegations that cite statutory provisions, which speak for
23 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
24 response is required, Defendant denies each and every allegation.

25 101. Paragraph No. 101 contains allegations that cite statutory provisions, which speak for
26 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
27 response is required, Defendant denies each and every allegation.

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1 102. Paragraph No. 102 contains allegations that cite statutory provisions, which speak for
2 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
3 response is required, Defendant denies each and every allegation.

4 103. Paragraph No. 103 contains allegations that cite statutory provisions, which speak for
5 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
6 response is required, Defendant denies each and every allegation.

7 104. Paragraph No. 104 contains allegations that cite statutory provisions, which speak for
8 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
9 response is required, Defendant denies each and every allegation.

10 105. Paragraph No. 105 contains allegations that cite statutory provisions, which speak for
11 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
12 response is required, Defendant denies each and every allegation.

13 106. Paragraph No. 106 contains allegations that cite statutory provisions, which speak for
14 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
15 response is required, Defendant denies each and every allegation.

16 107. Paragraph No. 107 contains allegations that cite statutory provisions, which speak for
17 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
18 response is required, Defendant denies each and every allegation.

19 108. Paragraph No. 108 contains allegations that cite statutory provisions, which speak for
20 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
21 response is required, Defendant denies each and every allegation.

22 109. Paragraph No. 109 contains allegations that cite statutory provisions, which speak for
23 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
24 response is required, Defendant denies each and every allegation.

25 110. Paragraph No. 110 contains allegations that cite statutory provisions, which speak for
26 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
27 response is required, Defendant denies each and every allegation.

28 111. Defendant admits the allegations in Paragraph No. 111.

1 112. Paragraph No. 112 contains allegations that cite statutory provisions, which speak for
2 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
3 response is required, Defendant denies each and every allegation.

4 113. Paragraph No. 113 contains allegations that cite statutory provisions, which speak for
5 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
6 response is required, Defendant denies each and every allegation.

7 114. Defendant admits the allegations in Paragraph No. 114.

8 115. Defendant denies the allegations in Paragraph No. 115.

9 116. Defendant denies the allegations in Paragraph No. 116.

10 117. Defendant lacks sufficient information or belief to respond to the allegations in
11 Paragraph No. 117, and on that basis denies each and every allegation.

12 118. Paragraph No. 118 contains allegations that cite statutory provisions, which speak for
13 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
14 response is required, Defendant denies each and every allegation.

15 119. Defendant admits the allegations in Paragraph No. 119.

16 120. Paragraph No. 120 contains allegations that cite case law, which speaks for itself.
17 Defendant denies any allegations that misstate the law. To the extent that a further response is
18 required, Defendant denies each and every allegation.

19 121. Paragraph No. 121 contains allegations that cite case law, which speaks for itself.
20 Defendant denies any allegations that misstate the law. To the extent that a further response is
21 required, Defendant denies each and every allegation.

22 122. Paragraph No. 122 contains allegations that cite case law, which speaks for itself.
23 Defendant denies any allegations that misstate the law. To the extent that a further response is
24 required, Defendant denies each and every allegation.

25 123. Paragraph No. 123 contains allegations that cite case law, which speaks for itself.
26 Defendant denies any allegations that misstate the law. To the extent that a further response is
27 required, Defendant denies each and every allegation.

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1 124. Paragraph No. 124 contains allegations that cite case law, which speaks for itself.
2 Defendant denies any allegations that misstate the law. To the extent that a further response is
3 required, Defendant denies each and every allegation.

4 125. Paragraph No. 125 contains allegations that cite case law, which speaks for itself.
5 Defendant denies any allegations that misstate the law. To the extent that a further response is
6 required, Defendant denies each and every allegation.

7 126. Paragraph No. 126 contains allegations that cite case law, which speaks for itself.
8 Defendant denies any allegations that misstate the law. To the extent that a further response is
9 required, Defendant denies each and every allegation.

10 127. Paragraph No. 127 contains allegations that cite case law, which speaks for itself.
11 Defendant denies any allegations that misstate the law. To the extent that a further response is
12 required, Defendant denies each and every allegation.

13 128. Paragraph No. 128 contains allegations that cite case law, which speaks for itself.
14 Defendant denies any allegations that misstate the law. To the extent that a further response is
15 required, Defendant denies each and every allegation.

16 129. Paragraph No. 129 contains allegations that cite case law, which speaks for itself.
17 Defendant denies any allegations that misstate the law. To the extent that a further response is
18 required, Defendant denies each and every allegation.

19 130. Paragraph No. 130 contains allegations that cite case law, which speaks for itself.
20 Defendant denies any allegations that misstate the law. To the extent that a further response is
21 required, Defendant denies each and every allegation.

22 131. Paragraph No. 131 contains allegations that cite case law, which speaks for itself.
23 Defendant denies any allegations that misstate the law. To the extent that a further response is
24 required, Defendant denies each and every allegation.

25 132. Paragraph No. 132 contains allegations that cite case law, which speaks for itself.
26 Defendant denies any allegations that misstate the law. To the extent that a further response is
27 required, Defendant denies each and every allegation.
28

1 133. Paragraph No. 133 contains allegations that cite case law, which speaks for itself.
2 Defendant denies any allegations that misstate the law. To the extent that a further response is
3 required, Defendant denies each and every allegation.

4 134. Paragraph No. 134 contains allegations that cite case law, which speaks for itself.
5 Defendant denies any allegations that misstate the law. To the extent that a further response is
6 required, Defendant denies each and every allegation.

7 135. Paragraph No. 135 contains allegations that cite case law, which speaks for itself.
8 Defendant denies any allegations that misstate the law. To the extent that a further response is
9 required, Defendant denies each and every allegation.

10 136. Paragraph No. 136 consists of allegations that contain argument and legal
11 contentions. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 137. Paragraph No. 137 contains allegations that cite case law, which speaks for itself.
14 Defendant denies any allegations that misstate the law. To the extent that a further response is
15 required, Defendant denies each and every allegation.

16 138. Paragraph No. 138 consists of allegations that cite statutory provisions, which speak
17 for themselves. To the extent that a response to the allegations in this paragraph is required,
18 Defendant denies each and every allegation.

19 139. Paragraph No. 139 consists of allegations that cite statutory provisions, which speak
20 for themselves. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 140. Paragraph No. 140 consists of allegations that cite statutory provisions, which speak
23 for themselves. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 141. Paragraph No. 141 consists of allegations that cite statutory provisions and case law,
26 which speak for themselves. To the extent that a response to the allegations in this paragraph is
27 required, Defendant denies each and every allegation.

28

1 142. Paragraph No. 142 consists of allegations that cite statutory provisions, which speak
2 for themselves. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 143. Paragraph No. 143 consists of allegations that cite statutory provisions, which speak
5 for themselves. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 144. Paragraph No. 144 consists of allegations that contain argument and legal
8 contentions. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 145. Paragraph No. 145 consists of allegations that cite statutory provisions, which speak
11 for themselves. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 146. Defendant admits the allegations in Paragraph 146.

14 147. Paragraph No. 147 consists of allegations that cite statutory provisions, which speak
15 for themselves. To the extent that a response to the allegations in this paragraph is required,
16 Defendant denies each and every allegation.

17 148. Paragraph No. 148 consists of allegations that cite statutory provisions, which speak
18 for themselves. To the extent that a response to the allegations in this paragraph is required,
19 Defendant denies each and every allegation.

20 149. Defendant admits the allegations in Paragraph 149.

21 150. Defendant denies the allegations in Paragraph 150.

22 151. Defendant lacks sufficient information or belief to respond to the allegations in
23 Paragraph No. 151, and on that basis denies each and every allegation.

24 152. Paragraph No. 152 consists of allegations that cite statutory provisions, which speak
25 for themselves. To the extent that a response to the allegations in this paragraph is required,
26 Defendant denies each and every allegation.

27 153. Defendant admits the allegations in Paragraph No. 153.

28

1 154. Paragraph No. 154 consists of allegations that cite statutory provisions, which speak
2 for themselves. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 155. Paragraph No. 155 consists of allegations that cite statutory provisions, which speak
5 for themselves. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 156. Paragraph No. 156 consists of allegations that cite statutory provisions, which speak
8 for themselves. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 157. Paragraph No. 157 consists of allegations that contain argument and legal
11 contentions. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 158. Paragraph No. 158 consists of allegations that contain argument and legal
14 contentions. To the extent that a response to the allegations in this paragraph is required,
15 Defendant denies each and every allegation.

16 159. Paragraph No. 159 consists of allegations that cite statutory provisions, which speak
17 for themselves. To the extent that a response to the allegations in this paragraph is required,
18 Defendant denies each and every allegation.

19 160. Paragraph No. 160 consists of allegations that cite statutory provisions, which speak
20 for themselves. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 161. Paragraph No. 161 consists of allegations that cite statutory provisions, which speak
23 for themselves. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 162. Paragraph No. 162 contains allegations that cite case law, which speaks for itself.
26 Defendant denies any allegations that misstate the law. To the extent that a further response is
27 required, Defendant denies each and every allegation.
28

1 163. Paragraph No. 163 contains allegations that cite case law, which speaks for itself.
2 Defendant denies any allegations that misstate the law. To the extent that a further response is
3 required, Defendant denies each and every allegation.

4 164. Paragraph No. 164 consists of allegations that contain argument and legal
5 contentions. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 165. Paragraph No. 165 consists of allegations that contain argument and legal
8 contentions. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 166. Paragraph No. 166 consists of allegations that contain argument and legal
11 contentions. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 167. Paragraph No. 167 consists of allegations that contain argument and legal
14 contentions. To the extent that a response to the allegations in this paragraph is required,
15 Defendant denies each and every allegation.

16 168. Paragraph No. 168 consists of allegations that contain argument and legal
17 contentions. To the extent that a response to the allegations in this paragraph is required,
18 Defendant denies each and every allegation.

19 169. Paragraph No. 169 contains allegations that cite case law, which speaks for itself.
20 Defendant denies any allegations that misstate the law. To the extent that a further response is
21 required, Defendant denies each and every allegation.

22 170. Paragraph No. 170 consists of allegations that contain argument and legal
23 contentions. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 171. Defendant denies the allegations in Paragraph 171.

26 172. Paragraph No. 172 consists of allegations that contain argument and legal
27 contentions. To the extent that a response to the allegations in this paragraph is required,
28 Defendant denies each and every allegation.

1 173. Paragraph No. 173 consists of allegations that contain argument and legal
2 contentions. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 174. Paragraph No. 174 consists of allegations that contain argument and legal
5 contentions. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 175. Paragraph No. 175 contains allegations that cite case law, which speaks for itself.
8 Defendant denies any allegations that misstate the law. To the extent that a further response is
9 required, Defendant denies each and every allegation.

10 176. Paragraph No. 176 consists of allegations that contain argument and legal
11 contentions. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 177. Paragraph No. 177 contains allegations that cite case law, which speaks for itself.
14 Defendant denies any allegations that misstate the law. To the extent that a further response is
15 required, Defendant denies each and every allegation.

16 178. Paragraph No. 178 consists of allegations that contain argument and legal
17 contentions. To the extent that a response to the allegations in this paragraph is required,
18 Defendant denies each and every allegation.

19 179. Paragraph No. 179 consists of allegations that contain argument and legal
20 contentions. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 180. Paragraph No. 180 consists of allegations that contain argument and legal
23 contentions. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 181. Paragraph No. 181 consists of allegations that cite statutory provisions, which speak
26 for themselves. To the extent that a response to the allegations in this paragraph is required,
27 Defendant denies each and every allegation.

28

1 182. Paragraph No. 182 consists of allegations that cite statutory provisions, which speak
2 for themselves. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 183. Paragraph No. 183 consists of allegations that cite statutory provisions, which speak
5 for themselves. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 184. Paragraph No. 184 consists of allegations that contain argument and legal
8 contentions. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 185. Paragraph No. 185 contains allegations that cite case law, which speaks for itself.
11 Defendant denies any allegations that misstate the law. To the extent that a further response is
12 required, Defendant denies each and every allegation.

13 186. Paragraph No. 186 contains allegations that cite case law, which speaks for itself.
14 Defendant denies any allegations that misstate the law. To the extent that a further response is
15 required, Defendant denies each and every allegation.

16 187. Paragraph No. 187 consists of allegations that contain argument and legal
17 contentions. To the extent that a response to the allegations in this paragraph is required,
18 Defendant denies each and every allegation.

19 188. Paragraph No. 188 consists of allegations that contain argument and legal
20 contentions. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 189. Paragraph No. 189 consists of allegations that contain argument and legal
23 contentions. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 190. Paragraph No. 190 consists of allegations that contain argument and legal
26 contentions. To the extent that a response to the allegations in this paragraph is required,
27 Defendant denies each and every allegation.
28

1 191. Paragraph No. 191 consists of allegations that contain argument and legal
2 contentions. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 192. Paragraph No. 192 consists of allegations that contain argument and legal
5 contentions. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 193. Paragraph No. 193 consists of allegations that contain argument and legal
8 contentions. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 194. Paragraph No. 194 consists of allegations that contain argument and legal
11 contentions. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 195. Paragraph No. 195 consists of allegations that contain argument and legal
14 contentions. To the extent that a response to the allegations in this paragraph is required,
15 Defendant denies each and every allegation.

16 196. Paragraph No. 196 contains allegations that cite published sources, which speak for
17 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
18 response is required, Defendant denies each and every allegation.

19 197. Paragraph No. 197 contains allegations that cite published sources, which speak for
20 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
21 response is required, Defendant denies each and every allegation.

22 198. Paragraph No. 198 consists of allegations that contain argument and legal
23 contentions. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 199. Paragraph No. 199 contains allegations that cite published sources, which speak for
26 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
27 response is required, Defendant denies each and every allegation.

28

1 200. Paragraph No. 200 contains allegations that cite published sources, which speak for
2 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
3 response is required, Defendant denies each and every allegation.

4 201. Paragraph No. 201 contains allegations that cite published sources, which speak for
5 themselves. Defendant denies any allegations that misstate the law. To the extent that a further
6 response is required, Defendant denies each and every allegation.

7 202. Paragraph No. 202 consists of allegations that cite statutory provisions, which speak
8 for themselves. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 203. Paragraph No. 203 consists of allegations that contain argument and legal
11 contentions. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 204. Paragraph No. 204 consists of allegations that contain argument and legal
14 contentions. To the extent that a response to the allegations in this paragraph is required,
15 Defendant denies each and every allegation.

16 205. Paragraph No. 205 consists of allegations that contain argument and legal
17 contentions. To the extent that a response to the allegations in this paragraph is required,
18 Defendant denies each and every allegation.

19 206. Paragraph No. 206 consists of allegations that contain argument and legal
20 contentions. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 207. Paragraph No. 207 consists of allegations that contain argument and legal
23 contentions. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 208. Paragraph No. 208 consists of allegations that cite statutory provisions, which speak
26 for themselves. To the extent that a response to the allegations in this paragraph is required,
27 Defendant denies each and every allegation.

28

1 209. Paragraph No. 209 consists of allegations that cite statutory provisions, which speak
2 for themselves. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 210. Paragraph No. 210 consists of allegations that contain argument and legal
5 contentions. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 211. Paragraph No. 211 consists of allegations that cite statutory provisions, which speak
8 for themselves. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 212. Paragraph No. 212 consists of allegations that contain argument and legal
11 contentions. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 213. Paragraph No. 213 consists of allegations that contain argument and legal
14 contentions. To the extent that a response to the allegations in this paragraph is required,
15 Defendant denies each and every allegation.

16 214. Paragraph No. 214 consists of allegations that contain argument and legal
17 contentions. To the extent that a response to the allegations in this paragraph is required,
18 Defendant denies each and every allegation.

19 215. Paragraph No. 215 consists of allegations that contain argument and legal
20 contentions. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 216. Paragraph No. 216 consists of allegations that contain argument and legal
23 contentions. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 217. Paragraph No. 217 consists of allegations that contain argument and legal
26 contentions. To the extent that a response to the allegations in this paragraph is required,
27 Defendant denies each and every allegation.
28

1 218. Paragraph No. 218 consists of allegations that contain argument and legal
2 contentions. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 219. Paragraph No. 219 consists of allegations that cite statutory provisions, which speak
5 for themselves. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 220. Paragraph No. 220 consists of allegations that contain argument and legal
8 contentions. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 221. Paragraph No. 221 consists of allegations that contain argument and legal
11 contentions. To the extent that a response to the allegations in this paragraph is required,
12 Defendant denies each and every allegation.

13 222. Paragraph No. 222 consists of allegations that contain argument and legal
14 contentions. To the extent that a response to the allegations in this paragraph is required,
15 Defendant denies each and every allegation.

16 223. Paragraph No. 223 consists of allegations that contain argument and legal
17 contentions. To the extent that a response to the allegations in this paragraph is required,
18 Defendant denies each and every allegation.

19 224. Paragraph No. 224 consists of allegations that contain argument and legal
20 contentions. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 225. Paragraph No. 225 consists of allegations that cite statutory provisions, which speak
23 for themselves. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 226. Paragraph No. 226 consists of allegations that contain argument and legal
26 contentions. To the extent that a response to the allegations in this paragraph is required,
27 Defendant denies each and every allegation.
28

1 227. Paragraph No. 227 consists of allegations that contain argument and legal
2 contentions. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 228. Paragraph No. 228 consists of allegations that contain argument and legal
5 contentions. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 229. In answer to Paragraph 229, insofar as “these contentions” means the contentions
8 alleged in Paragraph 228, Defendant cannot admit or deny the allegations, which contain
9 argument and legal contentions. To the extent that a response to the allegations in this paragraph
10 is required, Defendant denies each and every allegation.

11 230. Paragraph No. 230 consists of allegations that contain argument and legal
12 contentions. To the extent that a response to the allegations in this paragraph is required,
13 Defendant denies each and every allegation.

14 231. Paragraph No. 231 consists of allegations that contain argument and legal
15 contentions. To the extent that a response to the allegations in this paragraph is required,
16 Defendant denies each and every allegation.

17 232. Paragraph No. 232 consists of allegations that contain argument and legal
18 contentions. To the extent that a response to the allegations in this paragraph is required,
19 Defendant denies each and every allegation.

20 233. Paragraph No. 233 consists of allegations that contain argument and legal
21 contentions. To the extent that a response to the allegations in this paragraph is required,
22 Defendant denies each and every allegation.

23 234. Paragraph No. 234 consists of allegations that contain argument and legal
24 contentions. To the extent that a response to the allegations in this paragraph is required,
25 Defendant denies each and every allegation.

26 235. In answer to Paragraph 235, insofar as “these contentions stated herein” means the
27 contentions alleged in Paragraph 233, Defendant cannot admit or deny the allegations, which
28

1 contain argument and legal contentions. To the extent that a response to the allegations in this
2 paragraph is required, Defendant denies each and every allegation.

3 236. Defendant incorporates by reference the answers in Paragraphs 1 through 235 above.

4 237. Paragraph No. 237 consists of allegations that contain argument and legal
5 contentions. To the extent that a response to the allegations in this paragraph is required,
6 Defendant denies each and every allegation.

7 238. Paragraph No. 238 consists of allegations that contain argument and legal
8 contentions. To the extent that a response to the allegations in this paragraph is required,
9 Defendant denies each and every allegation.

10 239. Defendant incorporates by reference the answers in Paragraphs 1 through 238 above.

11 240. Paragraph No. 240 consists of allegations that contain argument and legal
12 contentions. To the extent that a response to the allegations in this paragraph is required,
13 Defendant denies each and every allegation.

14 241. Paragraph No. 241 consists of allegations that contain argument and legal
15 contentions. To the extent that a response to the allegations in this paragraph is required,
16 Defendant denies each and every allegation.

17 242. Defendant incorporates by reference the answers in Paragraphs 1 through 241 above.

18 243. Paragraph No. 243 consists of allegations that contain argument and legal
19 contentions. To the extent that a response to the allegations in this paragraph is required,
20 Defendant denies each and every allegation.

21 244. Paragraph No. 244 consists of allegations that contain argument and legal
22 contentions. To the extent that a response to the allegations in this paragraph is required,
23 Defendant denies each and every allegation.

24 245. Defendant incorporates by reference the answers in Paragraphs 1 through 244 above.

25 246. Paragraph No. 246 consists of allegations that contain argument and legal
26 contentions. To the extent that a response to the allegations in this paragraph is required,
27 Defendant denies each and every allegation.
28

1 247. Paragraph No. 247 consists of allegations that contain argument and legal
2 contentions. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 248. Defendant incorporates by reference the answers in Paragraphs 1 through 247 above.

5 249. Paragraph No. 249 consists of allegations that contain argument and legal
6 contentions. To the extent that a response to the allegations in this paragraph is required,
7 Defendant denies each and every allegation.

8 250. Paragraph No. 250 consists of allegations that contain argument and legal
9 contentions. To the extent that a response to the allegations in this paragraph is required,
10 Defendant denies each and every allegation.

11 251. Defendant incorporates by reference the answers in Paragraphs 1 through 250 above.

12 252. Paragraph No. 252 consists of allegations that contain argument and legal
13 contentions. To the extent that a response to the allegations in this paragraph is required,
14 Defendant denies each and every allegation.

15 253. Paragraph No. 253 consists of allegations that contain argument and legal
16 contentions. To the extent that a response to the allegations in this paragraph is required,
17 Defendant denies each and every allegation.

18 254. Defendant incorporates by reference the answers in Paragraphs 1 through 253 above.

19 255. Paragraph No. 255 consists of allegations that contain argument and legal
20 contentions. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 256. Paragraph No. 256 consists of allegations that contain argument and legal
23 contentions. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 257. Defendant incorporates by reference the answers in Paragraphs 1 through 256 above.

26 258. Paragraph No. 258 consists of allegations that contain argument and legal
27 contentions. To the extent that a response to the allegations in this paragraph is required,
28 Defendant denies each and every allegation.

1 259. Paragraph No. 259 consists of allegations that contain argument and legal
2 contentions. To the extent that a response to the allegations in this paragraph is required,
3 Defendant denies each and every allegation.

4 260. Defendant incorporates by reference the answers in Paragraphs 1 through 259 above.

5 261. Paragraph No. 261 consists of allegations that contain argument and legal
6 contentions. To the extent that a response to the allegations in this paragraph is required,
7 Defendant denies each and every allegation.

8 262. Paragraph No. 262 consists of allegations that contain argument and legal
9 contentions. To the extent that a response to the allegations in this paragraph is required,
10 Defendant denies each and every allegation.

11 263. Defendant incorporates by reference the answers in Paragraphs 1 through 262 above.

12 264. Paragraph No. 264 consists of allegations that contain argument and legal
13 contentions. To the extent that a response to the allegations in this paragraph is required,
14 Defendant denies each and every allegation.

15 265. Paragraph No. 265 consists of allegations that contain argument and legal
16 contentions. To the extent that a response to the allegations in this paragraph is required,
17 Defendant denies each and every allegation.

18 266. Defendant incorporates by reference the answers in Paragraphs 1 through 265 above.

19 267. Paragraph No. 267 consists of allegations that contain argument and legal
20 contentions. To the extent that a response to the allegations in this paragraph is required,
21 Defendant denies each and every allegation.

22 268. Paragraph No. 268 consists of allegations that contain argument and legal
23 contentions. To the extent that a response to the allegations in this paragraph is required,
24 Defendant denies each and every allegation.

25 269. No response to Plaintiffs' Prayer for Relief is required. Defendant requests that the
26 Court deny all relief requested by Plaintiffs.

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AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The Court should dismiss Plaintiffs' Complaint because it fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

The Court should dismiss Plaintiffs' Complaint because Plaintiffs have an adequate remedy at law.

THIRD AFFIRMATIVE DEFENSE

The Court should dismiss Plaintiffs' Complaint because it raises only abstract or hypothetical issues, i.e., there is no live, concrete, and ripe case or controversy for this Court to adjudicate, and the Court would have to render an advisory opinion in this case.

FOURTH AFFIRMATIVE DEFENSE

The Court should dismiss Plaintiffs' Complaint because Plaintiffs lack standing.

WHEREFORE, Defendant prays that:

1. This Court deny Plaintiffs' Complaint in its entirety and dismiss this case with prejudice.
2. Plaintiffs take nothing by the Complaint.
3. Defendant be awarded his costs incurred in defending this action.
4. The Court grant such other and further relief in favor of Defendant and adverse to Plaintiffs that the Court deems just and proper.

Dated: November 2, 2020

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
MARK R. BECKINGTON
Supervising Deputy Attorney General

/s/ R. Matthew Wise

R. MATTHEW WISE
Deputy Attorney General
*Attorneys for Defendant Attorney General
Xavier Becerra*

CERTIFICATE OF SERVICE

Case Name: **Baird, Mark v. Xavier Becerra** No. **2:19-cv-00617-KJM-AC**

I hereby certify that on November 2, 2020, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**DEFENDANT ATTORNEY GENERAL XAVIER BECERRA’S ANSWER TO
PLAINTIFFS’ FIRST AMENDED COMPLAINT**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on November 2, 2020, at Sacramento, California.

Ritta Mashriqi
Declarant

/s/Ritta Mashriqi
Signature