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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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WILLIAM WIESE, an individual;
JEERMIAH MORRIS, an individual;
LANCE COWLEY, an individual;
SHERMAN MACASTON, an individual;
CLIFFORD FLORES, individually
and as trustee of the Flores
Family Trust; L.Q. DANG, an
individual; FRANK FEDEREAU, an
individual; ALAN NORMANDY, an
individual; TODD NIELSEN, an
individual; THE CALGUNS
FOUNDATION; FIREARMS POLICY
COALITION; FIREARMS POLICY
FOUNDATION; and SECOND AMENDMENT
FOUNDATION,

Plaintiffs,

v.

XAVIER BECERRA, in his official
capacity as Attorney General of
California; and MARTHA SUPERIOR,
in her official capacity as
Acting Chief of the Department
of Justice Bureau of Firearms,

Defendants.

No. 2:17-cv-903 WBS KJN

ORDER

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1 The court previously lifted the stay in this case after
2 the Supreme Court vacated the judgment in Duncan v. Bonta, No.
3 19-55376, and the Ninth Circuit remanded Duncan for further
4 proceedings consistent with New York State Rifle & Pistol Ass'n,
5 Inc. v Bruen, 142 S. Ct. 2111 (2022). (Docket No. 116.) The
6 court notes that plaintiffs wish to move for summary judgment
7 forthwith without any discovery, while defendants seek expert and
8 fact discovery before the parties file cross motions for summary
9 judgment. (Docket No. 115.)

10 Having considered the parties' positions, the court
11 will allow plaintiffs to file their motion for summary judgment
12 forthwith. The court will then consider request under Federal
13 Rule of Civil Procedure 56(d) after plaintiffs' motion for
14 summary judgment has been filed, should defendants feel discovery
15 is necessary to respond to plaintiffs' motion.

16 The January 17, 2023 status conference is hereby
17 VACATED.

18 IT IS SO ORDERED.

19 Dated: January 13, 2023



20 **WILLIAM B. SHUBB**
21 **UNITED STATES DISTRICT JUDGE**
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