

1 C. D. Michel – SBN 144258
cmichel@michellawyers.com
2 Sean A. Brady – SBN 262007
sbrady@michellawyers.com
3 Matthew D. Cubeiro – SBN 291519
mcubeiro@michellawyers.com
4 MICHEL & ASSOCIATES, P.C.
5 180 East Ocean Boulevard, Suite 200
Long Beach, CA 90802
6 Telephone: 562-216-4444
7 Facsimile: 562-216-4445

8 Attorneys for Plaintiffs

9
10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12

13 STEVEN RUPP, et al.,

14 Plaintiffs,

15 vs.

16 ROB BONTA, in his official capacity as
17 Attorney General of the State of
18 California,

19 Defendant.
20
21
22
23
24
25
26
27
28

Case No.: 8:17-cv-00746-JLS-JDE

**JOINT STIPULATION AND
PROPOSED ORDER TO
MODIFY PRETRIAL
DEADLINES**

1 Pursuant to Federal Rule of Civil Procedure 16(b)(4), Plaintiffs Steven Rupp,
2 Steven Dember, Cheryl Johnson, Michael Jones, Christopher Seifert, Alfonso
3 Valencia, Troy Willis, Dennis Martin, and the California Rifle & Pistol Association,
4 Incorporated, (collectively “Plaintiffs”), and Defendant Rob Bonta, in his official
5 capacity as Attorney General of the State of California (“Defendant”) (collectively,
6 the “Parties”), through their respective attorneys of record, hereby stipulate and
7 request that the Court modify the pretrial schedule (Dkt. 131 and Dkt. 134) in
8 accordance with the stipulated schedule set forth herein.

9 WHEREAS, after this case was remanded by the Court of Appeals for the
10 Ninth Circuit for further proceedings consistent with *New York State Rifle & Pistol*
11 *Ass’n, Inc. v. Bruen*, 597 U.S. ___, 142 S. Ct. 2111 (2022), this Court entered a
12 scheduling order on October 19, 2022 (Dkt. 131);

13 WHEREAS, on February 17, 2023, the Parties entered into a stipulation and
14 requested that the Court modify the scheduling order by extending the expert
15 discovery cut-off and deadline to file *Daubert* motions (Dkt. 133);

16 WHEREAS, the Court granted the Parties’ stipulation and also set a deadline
17 to file dispositive motions (Dkt. 134);

18 WHEREAS, pursuant to the current schedule, the deadline to file dispositive
19 motions is set for May 26, 2023, which is after the deadline to file motions in limine
20 (April 7, 2023) and the date for the Final Pretrial Conference (April 28, 2023);

21 WHEREAS, the Parties have completed all expert discovery in compliance
22 with the Court’s deadline;

23 WHEREAS, Plaintiffs filed five *Daubert* motions on March 24, 2023 and set
24 the hearing date as the date of the Final Pretrial Conference (April 28, 2023), in
25 accordance with the Court’s Civil Trial Order (Dkt. 132);

26 WHEREAS, the Parties expect to file dispositive motions, which could
27 potentially negate the need for a trial;

28 WHEREAS, if the Court grants this stipulated request to modify the pretrial

deadlines, both the Parties and the Court would save time and resources;

THEREFORE, the Parties stipulate and request as follows:

1. The deadline to file dispositive motions shall remain as May 26, 2023;

2. The deadline to file motions in limine currently set for April 7, 2023 shall be vacated until after a ruling on any dispositive motion;

3. The Final Pretrial Conference currently set for April 28, 2023, shall be vacated until after a ruling on any dispositive motion;

4. In the absence of the filing of any dispositive motions, the Parties shall file a stipulation and request to set a deadline for motions in limine and a date for the Final Pretrial Conference; and

5. The hearing on Plaintiffs' *Daubert* motions shall remain set for April 28, 2023 at 10:30 a.m.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: April 3, 2023

MICHEL & ASSOCIATES, P.C.

/s/ Sean A. Brady

Sean A. Brady
Attorneys for Plaintiffs

Dated: April 3, 2023

ROB BONTA
Attorney General of California
P. PATTY LI
Supervising Deputy Attorney General
ANNA FERRARI
Deputy Attorney General
CHRISTINA R.B. LÓPEZ
Deputy Attorney General

/s/ John D. Echeverria

JOHN D. ECHEVERRIA
Deputy Attorney General
Attorneys for Defendant

ATTESTATION OF E-FILED SIGNATURES

I, Sean A. Brady, am the ECF User whose ID and password are being used to file this JOINT STIPULATION AND PROPOSED ORDER TO MODIFY PRETRIAL DEADLINES. In compliance with Central District of California L.R. 5-4.3.4, I attest that all signatories are registered CM/ECF filers and have concurred in this filing.

Dated: April 3, 2023

/s/ Sean A. Brady

Sean A. Brady

CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *Rupp, et al. v. Bonta*
Case No.: 8:17-cv-00746-JLS-JDE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

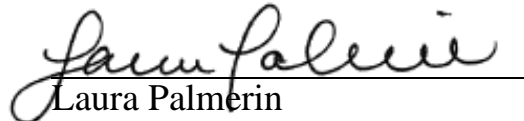
**JOINT STIPULATION AND PROPOSED ORDER
TO MODIFY PRETRIAL DEADLINES**

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

Xavier Becerra
Attorney General of California
Anna Ferrari
Deputy Attorney General
Email: anna.ferrari@doj.ca.gov
Christina R.B. Lopez
Email: christina.lopez@doj.ca.gov
John D. Echeverria
Email: john.echeverria@doj.ca.gov
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102

I declare under penalty of perjury that the foregoing is true and correct.

Executed April 3, 2023.


Laura Palmerin