

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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DELAWARE STATE SPORTSMEN’S  
ASSOCIATION, INC; BRIDGEVILLE RIFLE  
& PISTOL CLUB, LTD.; DELAWARE RIFLE  
AND PISTOL CLUB; DELAWARE  
ASSOCIATION OF FEDERAL FIREARMS  
LICENSEES; MADONNA M. NEDZA;  
CECIL CURTIS CLEMENTS; JAMES E.  
HOSFELT, JR; BRUCE C. SMITH; VICKIE  
LYNN PRICKETT; and FRANK M. NEDZA,

Plaintiffs,

v.

DELAWARE DEPARTMENT OF SAFETY  
AND HOMELAND SECURITY;  
NATHANIAL MCQUEEN JR. in his official  
capacity as Cabinet Secretary, Delaware  
Department of Safety and Homeland Security;  
and COL. MELISSA ZEBLEY in her official  
capacity as superintendent of the Delaware  
State Police,

Defendants.

C.A. No. 1:22-cv-00951-RGA  
(Consolidated)

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GABRIEL GRAY; WILLIAM TAYLOR;  
DJJAMS LLC; FIREARMS POLICY  
COALITION, INC. and SECOND  
AMENDMENT FOUNDATION,

Plaintiffs,

v.

KATHY JENNINGS, Attorney General of  
Delaware,

Defendant.

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CHRISTOPHER GRAHAM, OWEN  
STEVENS; FIREARMS POLICY  
COALITION, INC., and SECOND  
AMENDMENT FOUNDATION,

Plaintiffs,

v.

KATHY JENNINGS, Attorney General of the  
State of Delaware,

Defendant

**JOINT STIPULATION AND [PROPOSED] ORDER  
STAYING ACTION PENDING APPEAL**

WHEREAS on July 20, 2022, the plaintiffs in *Delaware State Sportsmen’s Association, Inc. et al v. Delaware Department of Safety and Homeland Security et al.*, C.A. No. 1:22-cv-00951-RGA filed a complaint.

WHEREAS on November 16, 2022, the plaintiffs in *Gabriel Gray et al. v. Kathy Jennings*, C.A. No. 1:22-cv-01500-RGA filed a complaint.

WHEREAS on November 15 and November 22, 2022, plaintiffs in both actions filed motions seeking preliminary injunctive relief (D.I. 10, C.A. No. 1:22-cv-00951-RGA, and D.I. 4, C.A. No. 1:22-cv-01500-RGA).

WHEREAS on December 20, 2022, the Court consolidated C.A. No. 1:22-cv-01500-RGA with C.A. No. 1:22-cv-00951-RGA. D.I. 24.

WHEREAS on January 12, 2023, the plaintiffs in *Christopher Graham et al. v. Kathy Jennings*, C.A. No. 1:23-cv-00033-RGA filed a complaint.

WHEREAS on March 6, 2023, the Court consolidated C.A. No. 1:23-cv-00033-RGA with the actions consolidated on December 20, 2022 (collectively, the “Consolidated Actions”). D.I. 52.

WHEREAS on March 27, 2023, the Court denied plaintiffs' motion for preliminary injunction (the "March 27 Order"). D.I. 59.

WHEREAS on April 5 and April 6, 2023, plaintiffs filed notices of appeal to the United States Court of Appeals for the Third Circuit, appealing the March 27 Order (the "Appeal"). D.I. 60-62.

WHEREAS the parties have conferred and agree that the interests of efficiency would be best served by staying this action pending resolution of the Appeal.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties, by and through their undersigned counsel, and subject to the approval of the Court that:

- (i) All proceedings in the Consolidated Actions are hereby STAYED pending the final resolution of the Appeal through a final unappealed and unappealable decision and conclusion of any certiorari proceedings or expiration of the time for seeking certiorari;
- (ii) The 5-day bench trial scheduled to begin on November 13, 2023 in the Consolidated Actions is hereby removed from the Court's calendar; and
- (iii) Within fourteen (14) days of issuance of the mandate from the United States Court of Appeals for the Third Circuit, the parties shall provide a joint status report to this Court advising the Court of the outcome of the Appeal and the parties' positions with respect to further proceedings.

GELLERT SCALI BUSENKELL  
& BROWN, LLC

/s/ Bradley Paul Lehman

Bradley Paul Lehman (#5921)  
1201 N. Orange Street, Suite 300  
Wilmington, Delaware 19801  
(302) 425-5800  
blehman@gsbblaw.com

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Francis G.X. Pileggi

Francis G.X. Pileggi (#2624)  
Sean M. Brennecke (#4686)  
500 Delaware Avenue, Suite 700  
Wilmington, Delaware 19801  
(302) 985-6000  
Francis.Pileggi@LewisBrisbois.com  
Sean.Brennecke@LewisBrisbois.com

*Attorneys for Plaintiffs*

ROSS ARONSTAM & MORITZ LLP

/s/ David E. Ross

David E. Ross (#5228)  
Bradley R. Aronstam (#5129)  
Garrett B. Moritz (#5646)  
S. Reiko Rogozen (#6695)  
Roger S. Stronach (#6208)  
Holly Newell (#6687)  
Elizabeth M. Taylor (#6468)  
Thomas C. Mandracchia (#6858)  
1313 North Market Street, Suite 1001  
Wilmington, DE 19801  
(302) 576-1600  
dross@ramllp.com  
baronstam@ramllp.com  
gmoritz@ramllp.com  
rrogozen@ramllp.com  
rstronach@ramllp.com  
hnewell@ramllp.com  
etaylor@ramllp.com  
tmandracchia@ramllp.com

STATE OF DELAWARE DEPARTMENT  
OF JUSTICE

/s/ Caneel Radinson-Blasucci

Kenneth L. Wan (#5667)  
Caneel Radinson-Blasucci (#6574)  
Deputy Attorneys General  
Carvel State Office Building  
820 N. French Street, 6th Floor  
Wilmington, Delaware 19801  
(302) 577-8400  
kenneth.wan@delaware.gov  
caneel.radinson-blasucci@delaware.gov

*Attorneys for Defendants*

Dated: April 11, 2023

**IT IS SO ORDERED** this 12 day of April, 2023.

/s/ Richard G. Andrews

JUDGE RICHARD G. ANDREWS