

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**Form 7. Mediation Questionnaire**

*Instructions for this form: <https://www.ca9.uscourts.gov/forms/form07instructions.pdf>*

**9th Cir. Case Number(s)**

**Case Name**

**Counsel submitting this form**

**Represented party/parties**

*Briefly describe the dispute that gave rise to this lawsuit.*

Represented parties: United States Sportsmen's Alliance Foundation,  
Congressional Sportsmen's Foundation

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The underlying action concerns the constitutionality of California Business and Professions Code section 22949.80, added by California Assembly Bill 2571, and amended by Assembly Bill 160. This statute broadly prohibits "firearm industry members," including Plaintiff-Appellants, from advertising, or arranging for the placement of an "advertising or marketing communication offering or promoting any firearm-related product in a manner that is designed, intended, or reasonably appears to be attractive to minors." Cal. Bus. & Prof. Code § 22949.80(a)(1).

Plaintiff-Appellants challenged this law on various constitutional grounds, including that it violates their rights under the First, Fifth, and Fourteenth Amendments to the United States Constitution.

In view of the fundamental rights and constitutional questions at issue, Plaintiff-Appellants do not believe this case is a good candidate for mediation.

*Briefly describe the result below and the main issues on appeal.*

Result below:

Plaintiff-Appellants' filed a motion for preliminary injunction, seeking to enjoin implementation and enforcement of California Business and Professions Code section 22949.80. The district court denied that motion.

Main issues on appeal:

Whether the district court erred when it denied Plaintiff-Appellants' motion for preliminary injunction.

*Describe any proceedings remaining below or any related proceedings in other tribunals.*

Status of Proceedings Below:

The district court retains jurisdiction over the underlying proceedings while this interlocutory appeal is pending. There currently are no pending matters in the underlying proceeding. Plaintiff-Appellants may seek a stipulation with Defendant-Appellee to stay the district court proceedings pending disposition of this appeal.

Related Proceedings in Other Tribunals:

None.

**Signature**

**Date**

*(use "s/[typed name]" to sign electronically-filed documents)*