
No. 22-1478

United States Court of Appeals
For the First Circuit

STEFANO GRANATA; JUDSON THOMAS; COLBY CANNIZZARO;
CAMERON PROSPERI; THE GUNRUNNER, LLC; FIREARMS POLICY
COALITION, INC.,
Plaintiffs-Appellants,

v.

ANDREA JOY CAMPBELL, in her official capacity as Attorney General
of the Commonwealth of Massachusetts; TERRENCE REIDY, in his
official capacity as Secretary of the Executive Office of Public Safety
and Security of the Commonwealth of Massachusetts,
Defendants-Appellees.

APPEAL FROM A JUDGMENT OF THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF MASSACHUSETTS

**MOTION FOR LEAVE TO APPEAR AS COUNSEL FOR
PLAINTIFFS-APPELLANTS (1st Cir. R. 12.0(a))**

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Counsel for Plaintiffs-Appellants

TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

Pursuant to First Circuit Rule 12.0(a), Plaintiffs-Appellants Stefano Granata, et al. hereby move the Court for an order granting Bradley A. Benbrook leave to appear as additional counsel of record in this matter. Mr. Benbrook has been retained by Plaintiffs-Appellants to present oral argument in this matter, which has been scheduled for April 4, 2023.

Good cause exists to grant this motion. The undersigned counsel has a conflict with the date scheduled for oral argument due to a medical procedure, and will be unavailable. Mr. Benbrook is familiar with the legal issues giving rise to this appeal. He represents Plaintiff-Appellant Firearms Policy Coalition, Inc. (among other plaintiffs) in a pending action in the Southern District of California raising a similar legal challenge to California's restrictions on the sale of handguns. *Renna v. Bonta*, S.D. Cal. Case No. 20-cv-2190-DMS-DEB.

Mr. Benbrook's proposed Notice of Appearance is attached as Exhibit 1 to this motion, and the proposed Designation of Attorney Presenting Oral Argument is attached as Exhibit 2.

Respectfully submitted,

Dated: February 28, 2023

By: s/Raymond M. DiGiuseppe
Raymond M. DiGiuseppe

DECLARATION OF RAYMOND M. DIGUISEPPE

I, Raymond M. DiGuiseppe, declare under penalty of perjury of the laws of the United States as follows:

1. I am an attorney at The DiGuiseppe Law Firm, P.C. and represent Plaintiffs-Appellants Stefano Granata, et al., in this appeal.

2. On February 21, 2023, the Court issued a Calendaring Notice scheduling this case for oral argument on Tuesday, April 4, 2023, at 9:30 a.m. in Boston, Massachusetts.

3. I have a conflict with the date scheduled for oral argument and will be unavailable. Specifically, I am scheduled to undergo a medical procedure that will preclude me from being able to travel or appear for argument in Massachusetts on April 4.

4. On February 24, Plaintiffs-Appellants retained Bradley A. Benbrook of Benbrook Law Group, PC to present oral argument in this case. Mr. Benbrook submitted his application to for admission to practice in this Court on February 27 and it was approved the same day.

5. Mr. Benbrook is familiar with the issues giving rise to this appeal. I am co-counsel with Mr. Benbrook in a pending action in the Southern District of California raising a similar legal challenge to California's Unsafe Handgun Act, which imposes similar restrictions

on the sale of handguns to the Massachusetts laws at issue here. *Renna v. Bonta*, S.D. Cal. Case No. 20-cv-2190-DMS-DEB. Among the plaintiffs in *Renna* is Plaintiff-Appellant Firearms Policy Coalition, Inc.

6. For these reasons, good cause exists to grant Mr. Benbrook leave to appear as counsel for Plaintiffs-Appellants, and I respectfully request the Court provide the requested relief so that he may present oral argument in this case.

Dated: February 28, 2023

By: s/Raymond M. DiGuiseppe
Raymond M. DiGuiseppe

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2023, an electronic PDF of the foregoing document was uploaded to the Court's CM/ECF system, which will automatically generate and send by electronic mail a Notice of Docket Activity to all registered attorneys participating in the case. Such notice constitutes service on those registered attorneys. No privacy redactions were necessary.

Dated: February 28, 2023

By: s/Raymond M. DiGiuseppe
Raymond M. DiGiuseppe

United States Court of Appeals For the First Circuit

NOTICE OF APPEARANCE

No. 22-1478

Short Title: Granata v. Healy

The Clerk will enter my appearance as counsel on behalf of *(please list names of all parties represented, using additional sheet(s) if necessary)*:

Stefano Granata; Judson Thomas; Colby Cannizzaro; Cameron Prospero; The Gunrunner, LLC; Firearms Policy Coalition, Inc. as the

appellant(s) appellee(s) amicus curiae
 petitioner(s) respondent(s) intervenor(s)

s/ Bradley A. Benbrook
Signature

02/28/2023
Date

Bradley A. Benbrook
Name

Benbrook Law Group, PC
Firm Name (if applicable)

(916) 447-4900
Telephone Number

701 University Ave., Ste. 106
Address

Fax Number

Sacramento, CA 95825
City, State, Zip Code

brad@benbrooklawgroup.com
Email (required)

Court of Appeals Bar Number: 1207158

Has this case or any related case previously been on appeal?

No Yes Court of Appeals No. 1207158

Attorneys for both appellant and appellee must file a notice of appearance within 14 days of case opening. New or additional counsel may enter an appearance outside the 14 day period; however, a notice of appearance may not be filed after the appellee/respondent brief has been filed without leave of court. 1st Cir. R. 12.0(a).

Counsel must complete and file this notice of appearance in order to file pleadings in this court. Counsel not yet admitted to practice before this court must promptly submit a bar application. 1st Cir. R. 46.0(a)(2).

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United States Court of Appeals For the First Circuit

Designation of Attorney Presenting Oral Argument

Counsel who intend to present oral argument to the court must file this form by the deadline indicated in the Calendaring Notice issued by the court and, in any regard, no later than two weeks prior to oral argument.

Counsel presenting oral argument must be admitted to practice before this court and must have entered an appearance in the case. Counsel who have not entered an appearance must file an appearance and a motion for leave pursuant to Loc. R. 12.0(a) with this designation.

Appeal No.: 22-1478

Case Name: Granata v. Healey

Date of Argument: April 4, 2023

Location of Argument: Boston Puerto Rico Other: _____

Name and appellate designation of the party(ies) you will be arguing on behalf of:
Plaintiffs-Appellants Stefano Granata, et al.

Attorney Name: Bradley A. Benbrook First Circuit Bar No.: 1207158

Phone Number: (916) 447-4900 Fax Number: _____

Email: brad@benbrooklawgroup.com

Check the box that applies:

I have already filed an appearance in this matter.

I am filing my appearance form and a motion in accordance with Loc. R. 12.0(a) contemporaneously with this form.

s/ Bradley A. Benbrook
(Signature)

02/28/2023
(Date)

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