	Case 2:17-cv-00903-WBS-KJN Document 1	25 Filed 05/01/23 Page 1 of 3				
1 2 3 4 5 6 7 8	Case 2:17-cv-00903-WBS-KJN Document 1 RoB BONTA Attorney General of California MARK R. BECKINGTON Supervising Deputy Attorney Gener JOHN D. ECHEVERRIA Deputy Attorney General ROBERT L. MEYERHOFF Deputy Attorney General State Bar No. 298196 300 South Spring Street, Suite 1 Los Angeles, CA 90013-1230 Telephone: (213) 269-6177 Fax: (916) 731-2144 E-mail: Robert.Meyerhoff@doj.ca. Attorneys for Defendants Rob Bond	ral 1702				
9	his official capacity as Attorney					
10	and Allison Mendoza in her Official Capacity as Director of the Bureau of					
11						
12	IN THE UNITED STATES DISTRICT COURT					
13	FOR THE EASTERN DISTRICT OF CALIFORNIA					
14	SACRAMENTO DIVISION					
15						
16	WILLIAM WIESE, et al.,	Case No. 2:17-cv-00903-WBS-KJN				
17	Plaintiffs,					
18	ν.	DEFENDANTS' NOTICE OF COUNTER- MOTION FOR SUMMARY JUDGMENT				
19 20	ROB BONTA, et al.,	Date: July 10, 2023 Time: 1:30 p.m. Courtroom:5, 14 <sup>th</sup> Floor				
20	Defendants.	Judge: Hon. William B. Shubb				
22						
23						
24						
25						
26						
27						
28		1				
I		1				

## Case 2:17-cv-00903-WBS-KJN Document 125 Filed 05/01/23 Page 2 of 3

1 TO THE COURT, PLAINTIFFS, AND THEIR COUNSEL OF RECORD: 2 PLEASE TAKE NOTICE that on July 10, 2023, at 1:30 p.m., or as 3 soon thereafter as the matter may be heard before the Honorable 4 William B. Shubb in Courtroom 5 of the United States District 5 Court for the Eastern District of California, located at 501 I 6 Street, Sacramento, California 95814, Defendants Rob Bonta in his 7 official capacity as Attorney General of the State of California 8 and Allison Mendoza in her Official Capacity as Director of the 9 Bureau of Firearms shall move, and hereby do move, this Court for 10 summary judgment pursuant to Federal Rule of Civil Procedure 11 56(a). Defendants bring this motion because California's 12 restrictions on large-capacity magazines, see California Penal 13 Code section 32310, are constitutional under the Second, Fifth, 14 and Fourteenth Amendments to the United States Constitution. 15 This motion is based on this notice of motion and motion, the 16 accompanying memorandum of points and authorities (which also 17 serves as Defendants' opposition to Plaintiffs' motion for 18 summary judgment), the concurrently filed Supplemental 19 Declarations of Lucy P. Allen and John J. Donohue, the 20 concurrently filed Declarations of Dennis Baron, Ryan Busse, Saul

20 concurrently filed Declarations of Dennis Baron, Ryan Busse, Saul 21 Cornell, Brian DeLay, Louis Klarevas, Brennan Rivas, Randolph 22 Roth, Robert Spitzer, Kevin Sweeney, Col. (Ret.) Craig Tucker, 23 and Michael Vorenberg, including the exhibits thereto, the 24 concurrently filed Statement of Undisputed Facts, the pleadings 25 and papers on file, and upon such further evidence, both oral and 26 documentary, as may be offered at the time of the hearing on the 27 motion.

28

1

	Case 2:17	-cv-00903-\	WBS-KJN	Document 125	Filed 05/01/23 Page 3 of 3
1	Dated:	May 1, 2	2023		Respectfully submitted,
2					ROB BONTA Attorney General of California
3					Mark R. BECKINGTON Supervising Deputy Attorney
4					General JOHN D. ECHEVERRIA
5					Deputy Attorney General
6					
7					/s/ Robert L. Meyerhoff
8					ROBERT L. MEYERHOFF Deputy Attorney General
9 10					Attorneys for Defendants Rob Bonta in his official capacity as Attorney General of the
10					State of California and Allison Mendoza in her
12					Official Capacity as Director of the Bureau of Firearms
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28				2	otion for Summary Judgment