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10 *of the State of California*

11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION
14

15 **STEVEN RUPP; STEVEN**
16 **DEMBER; CHERYL JOHNSON;**
17 **MICHAEL JONES;**
18 **CHRISTOPHER SEIFERT;**
19 **ALFONSO VALENCIA; TROY**
20 **WILLIS; and CALIFORNIA RIFLE**
21 **& PISTOL ASSOCIATION,**
22 **INCORPORATED,**

Plaintiffs,

23 v.

24 **ROB BONTA, in his official capacity**
25 **as Attorney General of the State of**
26 **California; and DOES 1-10,**

27 Defendants.
28

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

**DEFENDANT'S NOTICE OF
MOTION AND MOTION FOR
SUMMARY JUDGMENT**

Date: July 28, 2023
Time: 10:30 a.m.
Courtroom: 8A
Judge: Hon. Josephine L. Staton
Trial Date: None set
Action Filed: April 24, 2017

1 **TO THE COURT, PLAINTIFFS, AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that, on July 28, 2023 at 10:30 a.m., or as soon
3 thereafter as the matter may be heard, in Courtroom 8a of the above-titled court,
4 located at 350 West 1st Street, Los Angeles, California 90012, Defendant Rob
5 Bonta, in his official capacity as the Attorney General of the State of California,
6 shall move, and hereby does move, this Court for summary judgment under Federal
7 Rule of Civil Procedure 56(a). Defendant brings this motion because California's
8 restrictions on civilian access to and possession of certain rifles that qualify as
9 "assault weapons" under California's Assault Weapons Control Act, *see* Cal. Penal
10 Code §§ 30510(a), 30515(a)(1)(A)-(C), 30515(1)(E)-(F), 30515(a)(3), 30520,
11 30600, 30605, 30925, 30945; 11 Cal. Code Regs. § 5499(a), are constitutional
12 under the Second Amendment to the United States Constitution.

13 This motion is based on this Notice of Motion and Motion; the concurrently
14 filed Memorandum of Points and Authorities, Appendix of Relevant Historical
15 Laws, Declaration of John D. Echeverria in Support of Defendant's Motion for
16 Summary Judgment, including exhibits attached thereto, and Statement of
17 Uncontroverted Facts and Conclusions of Law; the Declaration of Peter H. Chang
18 in Support of Defendant's Motion for Summary Judgment, including exhibits
19 attached thereto (Dkt. 76); the Declaration of Peter H. Chang in Support of
20 Defendant's Opposition to Plaintiffs' Motion for Summary Judgment, including the
21 exhibit attached thereto (Dkt. 90); the pleadings and papers on file in this action;
22 and such further evidence, both oral and documentary, as may be offered at the time
23 of the hearing on the motion.

24 This motion is made following the telephonic conference of counsel pursuant
25 to Local Rule 7-3, which took place on May 8, 2023.
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1 Dated: May 26, 2023

Respectfully submitted,

2 ROB BONTA
3 Attorney General of California
4 P. PATTY LI
5 Supervising Deputy Attorney
6 General
7 ANNA FERRARI
8 CHRISTINA R.B. LÓPEZ
9 Deputy Attorneys General

10 /s/ John D. Echeverria

11 JOHN D. ECHEVERRIA
12 Deputy Attorney General
13 *Attorneys for Defendant Rob Bonta,*
14 *in his official capacity as Attorney*
15 *General of the State of California*
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