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7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
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10 KIM RHODE, et al.,

11 Plaintiffs,

12 v.
13 ROB BONTA, in his official capacity as
Attorney General of the State of
California,

14 Defendant.
15

Case No.: 18-cv-802-BEN

ORDER SETTING HEARING

16 A hearing on Plaintiffs' Motion for Preliminary Injunction (Dkt #32, filed
17 7/22/2019) will take place on **Monday, July 17, 2023 at 2:00 p.m. in Courtroom**
18

19 **5A.**

20 Pursuant to F.R.C.P. 65(a)(2), the Court intends to consolidate the hearing on
21 the motion for preliminary injunction with a trial on the merits. At or prior to the
22 hearing, the parties should be prepared to address, among other things:
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24 a. The Plaintiffs' continuing Article III standing;
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26 b. Whether Plaintiffs' conduct is covered by the text of the Second
27 Amendment;
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1 c. Relevant historical analogues;

2 d. Applicability of footnote 9 in *New York State Rifle and Pistol Association*
3 *v. Bruen*, 142 S. Ct. 2111 (2022);
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5 e. The Dormant Commerce Clause (First Claim for Relief);

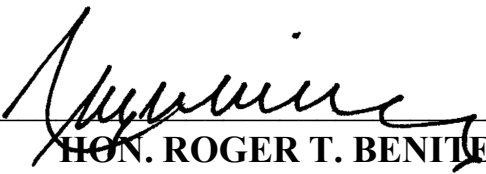
6 f. Preemption by 18 U.S.C. § 926A (Ninth Claim for Relief);

7 g. Whether judicial deference is owed to laws produced by ballot measure
8 Proposition 63;
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10 Whether additional discovery is necessary, and if so, the specific discovery
11 needed.
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13 IT IS SO ORDERED.

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15 DATED: June 30, 2023

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HON. ROGER T. BENITEZ
United States District Judge
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