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 8 *Attorneys for Defendants Rob Bonta in his official
 capacity as Attorney General of the State of California
 9 and Allison Mendoza in her Official Capacity as
 Director of the Bureau of Firearms*

10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA
 12 SACRAMENTO DIVISION
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14
 15 **WILLIAM WIESE, et al.,**

16 Plaintiffs,

17 v.

18 **ROB BONTA, et al.,**

19 Defendants.
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Case No. 2:17-cv-00903-WBS-KJN

**DEFENDANTS' AMENDED NOTICE OF
 COUNTER-MOTION FOR SUMMARY
 JUDGMENT**

Date: October 30, 2023
 Time: 1:30 p.m.
 Courtroom: 5, 14th Floor
 Judge: Hon. William B. Shubb

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

PLEASE TAKE NOTICE that on October 30, 2023, at 1:30 p.m., or as soon thereafter as the matter may be heard before the Honorable William B. Shubb in Courtroom 5 of the United States District Court for the Eastern District of California, located at 501 I Street, Sacramento, California 95814, Defendants Rob Bonta in his official capacity as Attorney General of the State of California and Allison Mendoza in her Official Capacity as Director of the Bureau of Firearms shall move, and hereby do move, this Court for summary judgment pursuant to Federal Rule of Civil Procedure 56(a). Defendants bring this motion because California’s restrictions on large-capacity magazines, *see* California Penal Code section 32310, are constitutional under the Second, Fifth, and Fourteenth Amendments to the United States Constitution.

This motion is based on this notice of motion and motion, the accompanying memorandum of points and authorities (which also serves as Defendants’ opposition to Plaintiffs’ motion for summary judgment), the concurrently filed Supplemental Declarations of Lucy P. Allen and John J. Donohue, the concurrently filed Declarations of Dennis Baron, Ryan Busse, Saul Cornell, Brian DeLay, Louis Klarevas, Robert L. Meyerhoff, Brennan Rivas, Randolph Roth, Robert Spitzer, Kevin Sweeney, Col. (Ret.) Craig Tucker, and Michael Vorenberg, including the exhibits thereto, the concurrently filed Statement of Undisputed Facts, the pleadings and papers on file, and upon such further evidence, both oral and documentary, as may be offered at the time of the hearing on the motion.

1 Dated: August 18, 2023

Respectfully submitted,

2 ROB BONTA
Attorney General of California
3 MARK R. BECKINGTON
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4 JOHN D. ECHEVERRIA
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5

6
7 /s/ Robert L. Meyerhoff
8 ROBERT L. MEYERHOFF
Deputy Attorney General
9 *Attorneys for Defendants Rob Bonta in his*
official capacity as Attorney General of the
10 *State of California and Allison Mendoza in*
her Official Capacity as Director of the
11 *Bureau of Firearms*
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