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20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA**
22 **SOUTHERN DIVISION**

23 RENO MAY, an individual; ANTHONY
24 MIRANDA, an individual; ERIC HANS,
25 an individual; GARY BRENNAN, an
26 individual; OSCAR A. BARRETTO, JR.,
27 an individual; ISABELLE R.
28 BARRETTO, an individual; BARRY
BAHRAMI, an individual; PETE
STEPHENSON, an individual; ANDREW
HARMS, an individual; JOSE FLORES,
an individual; DR. SHELDON HOUGH,
DDS, an individual; SECOND
AMENDMENT FOUNDATION; GUN
OWNERS OF AMERICA; GUN
OWNERS FOUNDATION; GUN
OWNERS OF CALIFORNIA, INC.; THE
LIBERAL GUN CLUB, INC.; and
CALIFORNIA RIFLE & PISTOL
ASSOCIATION, INCORPORATED,

Plaintiffs,

v.

ROBERT BONTA, in his official capacity
as Attorney General of the State of
California, and DOES 1-10,

Defendants.

Case No.: 8:23-cv-01696 CJC (ADSx)

**EVIDENTIARY OBJECTIONS OF
PLAINTIFFS TO DECLARATION
OF HOLLY BREWER FILED IN
SUPPORT OF DEFENDANT'S
OPPOSITION TO MOTION FOR
PRELIMINARY INJUNCTION**

Hearing Date: December 20, 2023
Hearing Time: 1:30 p.m.
Courtroom: 9 B
Judge: Hon. Cormac J.
Carney

1 **TO THIS HONORABLE COURT:**

2 Plaintiffs Reno May, Anthony Miranda, Eric Hans, Gary Brennan, Oscar A.
3 Barretto, Jr., Isabelle R. Barretto, Barry Bahrami, Pete Stephenson, Andrew Harms,
4 Jose Flores, Dr. Sheldon Hough, DDS, The Second Amendment Foundation, Gun
5 Owners of America, Inc., Gun Owners of California, Inc., The Liberal Gun Club,
6 Inc., and California Rifle & Pistol Association, Incorporated, hereby jointly object,
7 pursuant to Fed. R. Evid. 401, 402, 403, 601, 702, 703, and 704, to the Declaration
8 of Holly Brewer lodged by Defendant in support of his Brief in Opposition to
9 Plaintiffs’ Motion for Preliminary Injunction. These objections are raised on the
10 following grounds and as to the following matters contained within the declaration:

11 **1. Objection to Paragraph 10:**

12 Relevance/Improper Expert Opinion. The declarant makes legal argument
13 and opines on legal questions that are for the trier of fact to decide and not a proper
14 subject of expert opinion.

15 Relevance. Facts and opinions as the existence of and historical operation
16 of “sensitive places,” without any discussion or citation to firearms laws or
17 regulations applicable to such hospitals during the relevant analogical period, are
18 not relevant to the evidence of Founding through Reconstruction historical
19 analogues that governments must produce to show a history and tradition of
20 firearms regulation. *See New York State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. ___,
21 142 S. Ct. 2111, 2137, 2153-54 (2022).

22 **2. Objection to Paragraphs 11-21:**

23 Relevance. Facts and opinions as the existence of and historical operation
24 of museums, libraries, playgrounds, zoos, sporting events and amusement parks,
25 without any discussion or citation to firearms laws or regulations applicable to such
26 hospitals during the relevant analogical period, are not relevant to the evidence of
27 Founding through Reconstruction historical analogues that governments must
28 produce to show a history and tradition of firearms regulation.

3. Objection to Paragraph 22:

Foundation. There is no citation to facts or sources provided to support the opinion expressed by the declarant that “These policies were implemented for the maintenance of public safety.”

Relevance. The declarant’s speculation as to why hospitals did not have rules during the relevant analogical period barring the carry of firearms in them is not relevant to the evidence of Founding through Reconstruction historical analogues that governments must produce to show a history and tradition of firearms regulation.

4. Objection to Paragraph 23:

Foundation. There is no citation to facts or sources provided to support the opinion expressed by the declarant that “firearm regulations often did exist” at public schools.

Relevance. The declarant’s speculative opinion as to the existence of firearm regulations at public schools, lacking any discussion of whether such regulations were numerous enough to not be outliers, or were implemented during the relevant analogical period, do not allow this court to determine whether such an opinion is evidence of Founding through Reconstruction historical analogues that governments must produce to show a history and tradition of firearms regulation.

For the reasons set forth above, the court should strike or disregard the declaration in its entirety in ruling on Plaintiffs’ motion, or, in the alternative, strike and disregard those identified opinions.

Dated: November 20, 2023

MICHEL & ASSOCIATES, P.C.

/s/ C.D. Michel

C.D. Michel

Counsel for Plaintiffs

Dated: November 20, 2023

LAW OFFICES OF DON KILMER

/s/ Don Kilmer

Don Kilmer
Counsel for Plaintiff The Second Amendment
Foundation

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CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *May, et al. v. Bonta*
Case No.: 8:23-cv-01696 CJC (ADSx)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

EVIDENTIARY OBJECTIONS OF PLAINTIFFS TO DECLARATION OF HOLLY BREWER FILED IN SUPPORT OF DEFENDANT’S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Robert L. Meyerhoff, Deputy Attorney General
California Department of Justice
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Email: Robert.Meyerhoff@doj.ca.gov
Attorney for Defendant

I declare under penalty of perjury that the foregoing is true and correct.

Executed November 20, 2023.


Christina Castron