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19 Attorneys for Plaintiffs

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 DR. MARY FISSELL 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 Dr. Mary Fissell 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 Paragraphs 5-13:**

12 Relevance. Facts and opinions as the historical operation of hospitals and  
13 who utilized them, without any discussion or citation to firearms laws or  
14 regulations applicable to such hospitals during the relevant analogical period, are  
15 not relevant to the evidence of Founding through Reconstruction historical  
16 analogues that governments must produce to show a history and tradition of  
17 firearms regulation. *See New York State Rifle & Pistol Ass'n v. Bruen*, 597 U.S. \_\_\_,  
18 142 S. Ct. 2111, 2137, 2153-54 (2022).

19 **2. Objection to Paragraph 14:**

20 Foundation. There is no citation to facts or sources provided to support the  
21 opinion expressed by the declarant hospitals did not have rules during the relevant  
22 analogical period barring the carry of firearms in them because of the lack of  
23 necessity for them, and by the declarant's admission she is speculating as to why  
24 such rules did not exist or she was unable to identify and cite such rules.

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

1 firearms regulation.

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

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Dated: November 20, 2023

**MICHEL & ASSOCIATES, P.C.**

/s/ C.D. Michel  
C.D. Michel  
Counsel for Plaintiffs

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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  
DR. MARY FISSELL 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](mailto: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