

1 ROB BONTA  
 Attorney General of California  
 2 R. MATTHEW WISE  
 Supervising Deputy Attorney General  
 3 ANNA FERRARI  
 CHRISTINA R.B. LÓPEZ  
 4 Deputy Attorneys General  
 JOHN D. ECHEVERRIA  
 5 Deputy Attorney General  
 State Bar No. 268843  
 6 455 Golden Gate Avenue, Suite 11000  
 San Francisco, CA 94102-7004  
 7 Telephone: (415) 510-3479  
 Fax: (415) 703-1234  
 8 E-mail: John.Echeverria@doj.ca.gov  
 9 *Attorneys for Defendant Rob Bonta,  
 in his official capacity*

10  
 11 IN THE UNITED STATES DISTRICT COURT  
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 13 WESTERN DIVISION

14  
 15 **STEVEN RUPP, et al.,**  
 16  
 Plaintiffs,  
 17  
 v.  
 18 **ROB BONTA, in his official capacity**  
 19 **as Attorney General of the State of**  
 20 **California, et al.,**  
 Defendants.

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

**STIPULATION AND JOINT  
 REQUEST TO STAY  
 LITIGATION OF COSTS  
 PENDING APPEAL**

Courtroom: 8A  
 Judge: Hon. Josephine L. Staton  
 Trial Date: None set  
 Action Filed: April 24, 2017

21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

1           The parties, Plaintiffs Steven Rupp, Steven Dember, Cheryl Johnson, Michael  
2 Jones, Christopher Seifert, Alfonso Valencia, Troy Willis, Dennis Martin, and the  
3 California Rifle & Pistol Association, Incorporated, (“Plaintiffs”) and Defendant  
4 Rob Bonta, in his official capacity as Attorney General of the State of California  
5 (“Defendant”) (collectively, the “Parties”), through their respective attorneys of  
6 record, hereby stipulate and jointly request an order staying all proceedings  
7 regarding recovery of costs in this action until 30 days after the completion of any  
8 and all appellate proceedings in this case. The Parties’ joint request is based on the  
9 good cause shown below.

10           WHEREAS, on March 15, 2024, this Court granted Defendant’s motion for  
11 summary judgment and denied Plaintiffs’ motion for summary judgment in this  
12 matter, Dkt. 173;

13           WHEREAS, on March 25, 2024, the Court entered final judgment in this  
14 matter, declaring that Defendant is the prevailing party and shall be entitled to  
15 recovery of reasonable costs of suit, Dkt. 175;

16           WHEREAS, the deadline for Defendant to submit a “Bill of Costs” and an  
17 “Application to the Clerk to Tax Costs” is currently April 8, 2024, *see* C.D. Cal. R.  
18 54-2, 54-2.1;

19           WHEREAS, Plaintiffs intend to appeal the judgment;

20           WHEREAS, a district court may defer litigation of attorneys’ fees and costs  
21 until a pending appeal has been decided, *see* Fed. R. Civ. P. 54 cmt. (1993 amend.)  
22 (“If an appeal on the merits of the case is taken, the court may rule on the claim for  
23 fees, may defer its ruling on the motion, or may deny the motion without prejudice,  
24 directing under subdivision (d)(2)(B) a new period for filing after the appeal has  
25 been resolved”); and

26           WHEREAS, granting the requested stay would preserve judicial resources, the  
27 Parties’ resources, and allow the Parties to focus on preparing the merits appeal for  
28 the Ninth Circuit;

1           IT IS HEREBY STIPULATED AND AGREED that good cause exists for an  
2 order staying litigation of costs during the pendency of any appeal of this Court’s  
3 judgment. Based on that good cause, the Parties hereby stipulate to a joint request  
4 that the Court issue an order staying all proceedings regarding costs in this action  
5 until 30 days after a mandate issues from the Ninth Circuit or, if no notice of appeal  
6 is timely filed in this case, until May 24, 2024.

7           **IT IS SO STIPULATED.**

8  
9           Dated: April 4, 2024

Respectfully submitted,

10           ROB BONTA  
11           Attorney General of California  
12           R. MATTHEW WISE  
13           Supervising Deputy Attorney General  
14           ANNA FERRARI  
15           CHRISTINA R.B. LÓPEZ  
16           Deputy Attorneys General

17           */s/ John D. Echeverria*

18           JOHN D. ECHEVERRIA  
19           Deputy Attorney General  
20           Attorneys for Defendant Rob  
21           Bonta, in his official capacity

22           Dated: April 4, 2024

MICHEL & ASSOCIATES, P.C.

23           */s/ Sean A. Brady*

24           SEAN A. BRADY  
25           Attorneys for Plaintiffs  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ATTESTATION OF E-FILED SIGNATURES**

I, John D. Echeverria, am the ECF User whose ID and password are being used to file the foregoing STIPULATION AND JOINT REQUEST TO STAY LITIGATION OF COSTS PENDING APPEAL. Pursuant to Local Rule 5-4.3.4(a)(2), I hereby attest that all signatories concur in the filing’s content and have authorized the filing.

Dated: April 4, 2024

/s/ John D. Echeverria

John D. Echeverria  
Deputy Attorney General