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12 LA VERNE POLICE DEPARTMENT,
13 LA VERNE POLICE CHIEF SAM GONZALEZ

14 UNITED STATES DISTRICT COURT
15
16 CENTRAL DISTRICT OF CALIFORNIA
17

18 CALIFORNIA RIFLE & PISTOL
19 ASSOCIATION, INCORPORATED;
20 THE SECOND AMENDMENT
21 FOUNDATION; GUN OWNERS OF
22 AMERICA, INC.; GUN OWNERS
23 FOUNDATION; GUN OWNERS OF
24 CALIFORNIA INC.; ERICK
25 VELASQUEZ, an individual;
26 CHARLES MESSEL, an individual;
27 BRIAN WEIMER, an individual;
28 CLARENCE RIGALI, an individual;
KEITH REEVES, an individual;
CYNTHIA GABALDON, an individual; and STEPHEN HOOVER, an individual,

Plaintiffs,

v.

LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT;
SHERIFF ROBERT LUNA in his
official capacity; LA VERNE POLICE
DEPARTMENT; LA VERNE CHIEF
OF POLICE COLLEEN FLORES, in

Case No. 2:23-cv-10169-SPG-ADS
*Honorable Sherilyn Peace Garnett
Magistrate Judge Autumn D. Spaeth*

**ANSWER OF THE LA VERNE
POLICE DEPARTMENT AND LA
VERNE POLICE CHIEF SAM
GONZALEZ TO PLAINTIFFS'
FIRST AMENDED AND
SUPPLEMENTAL COMPLAINT**

1 her official capacity; ROBERT
2 BONTA, in his official capacity as
3 Attorney General of the State of
4 California; and DOES 1-10,
5
6 Defendants.

7 **ANSWER TO FIRST AMENDED AND SUPPLEMENTAL COMPLAINT**

8 COME NOW Defendants La Verne Police Department and La Verne Police
9 Chief Sam Gonzalez and for themselves and themselves only, answer Plaintiffs’
10 First Amended and Supplement Complaint for Declaratory and Injunctive Relief
11 (“First Amended Complaint”) for (1) 42 U.S.C. § 1983- U.S. Constitution
12 Amendments II and XIV, Right to Bear Arms; (2) 42 U.S.C. § 1983- U.S.
13 Constitution Amendments II and XIV, Right to Bear Arms; (3) 42 U.S.C. § 1983-
14 U.S. Constitution Amendments II and XIV, Right to Bear Arms; (4) Violations of
15 California Penal Code; (5) Violations of California Penal Code; (6) U.S.
16 Constitution Amendment XIV, Equal Protection; (7) U.S. Constitution Art. IV, § 2,
17 Privileges and Immunities Clause, 42 U.S.C. § 1983; and (8) U.S. Constitution
18 Amendment XIV, Due Process of Law, 42 U.S.C. § 1983, come now the La Verne
19 Police Department and La Verne Police Chief Sam Gonzalez (the “Defendants”),
20 as follows.

21 1. Answering paragraph 1 of the First Amended Complaint, insofar as the
22 allegations of this paragraph only contain legal conclusions, no answer is required.
23 To the extent an answer is required, Defendants deny each and every allegation
24 contained therein.

25 2. Answering paragraph 2 of the First Amended Complaint, insofar as the
26 allegations of this paragraph only contain legal conclusions, no answer is required.
27 To the extent an answer is required, Defendants deny each and every allegation
28 contained in paragraph 2 of the First Amended Complaint.

3. Answering paragraph 3 of the First Amended Complaint, this
paragraph contains no factual allegations that require an answer. To the extent an

1 answer is required, Defendants deny each and every allegation contained in
2 paragraph 3 of the First Amended Complaint.

3 4. Answering paragraph 4 of the First Amended Complaint, insofar as the
4 allegations in this paragraph only contain legal conclusions, no answer is required.
5 To the extent an answer is required, Defendants deny each and every allegation
6 contained in paragraph 4 of the First Amended Complaint.

7 5. Answering paragraph 5 of the First Amended Complaint, this
8 paragraph contains no factual allegations that require an answer. To the extent an
9 answer is required, Defendants deny each and every allegation contained in
10 paragraph 5 of the First Amended Complaint.

11 6. Answering paragraph 6 of the First Amended Complaint, insofar as the
12 allegations in this paragraph only contain legal conclusions, no answer is required.
13 To the extent an answer is required, Defendants deny each and every allegation
14 contained therein.

15 7. Answering paragraph 7 of the First Amended Complaint, Defendants
16 are without sufficient knowledge or information to form a belief as to the truth of
17 these allegations, and on that basis deny each and every allegation contained
18 therein.

19 8. Answering paragraph 8 of the First Amended Complaint, Defendants
20 deny each and every allegation contained therein.

21 9. Answering paragraph 9 of the First Amended Complaint, Defendants
22 are without sufficient knowledge or information to form a belief as to the truth of
23 these allegations, and on that basis deny each and every allegation contained
24 therein.

25 10. Answering paragraph 10 of the First Amended Complaint, Defendants
26 admit that La Verne is not a contract city with the Los Angeles Sheriff's Department
27 for policing services, but Defendants deny each and every remaining allegation
28 contained therein.

11. Answering paragraph 11 of the First Amended Complaint, insofar as

1 the allegations in this paragraph contain legal conclusions, no answer is required.
2 To the extent an answer is required, Defendants deny each and every allegation
3 contained therein.

4 12. Answering paragraph 12 of the First Amended Complaint, the
5 allegations of this paragraph only contain legal conclusions and no answer is
6 required. To the extent an answer is required, Defendants deny each and every
7 allegation contained therein.

8 13. Answering paragraph 13 of the First Amended Complaint, Defendants
9 are without sufficient knowledge or information to form a belief as to the truth of
10 these allegations, and on that basis deny each and every allegation contained
11 therein.

12 14. Answering paragraph 14 of the First Amended Complaint, Defendants
13 are without sufficient knowledge or information to form a belief as to the truth of
14 these allegations, and on that basis deny each and every allegation contained
15 therein.

16 15. Answering paragraph 15 of the First Amended Complaint, insofar as
17 the allegations in this paragraph only contain legal conclusions and no answer is
18 required. However, if an answer is required, Defendants are without sufficient
19 knowledge or information to form a belief as to the truth of these allegations, and
20 on that basis deny each and every allegation contained therein.

21 16. Answering paragraph 16 of the First Amended Complaint, the
22 allegations in this paragraph only contain legal conclusions and no answer is
23 required.

24 17. Answering paragraph 17 of the First Amended Complaint, the
25 allegations in this paragraph only contain legal conclusions and no answer is
26 required.

27 18. Answering paragraph 18 of the First Amended Complaint, the
28 allegations of this paragraph only contain legal conclusions and no answer is
required.

1 19. Answering paragraph 19 of the First Amended Complaint, insofar as
2 the allegations of this paragraph only contain legal conclusions, no answer is
3 required. To the extent an answer is required, Defendants are without sufficient
4 knowledge or information to form a belief as to the truth of these allegations, and
5 on that basis deny each and every allegation contained therein.

6 20. Answering paragraph 20 of the First Amended Complaint, Defendants
7 are without sufficient knowledge or information to form a belief as to the truth of
8 these allegations, and on that basis deny each and every allegation contained
9 therein.

10 21. Answering paragraph 21 of the First Amended Complaint, Defendants
11 are without sufficient knowledge or information to form a belief as to the truth of
12 these allegations, and on that basis deny each and every allegation contained
13 therein.

14 22. Answering paragraph 22 of the First Amended Complaint, Defendants
15 are without sufficient knowledge or information to form a belief as to the truth of
16 these allegations, and on that basis deny each and every allegation contained
17 therein.

18 23. Answering paragraph 23 of the First Amended Complaint, Defendants
19 are without sufficient knowledge or information to form a belief as to the truth of
20 these allegations, and on that basis deny each and every allegation contained
21 therein.

22 24. Answering paragraph 24 of the First Amended Complaint, Defendants
23 are without sufficient knowledge or information to form a belief as to the truth of
24 these allegations, and on that basis deny each and every allegation contained
25 therein.

26 25. Answering paragraph 25 of the First Amended Complaint, Defendants
27 are without sufficient knowledge or information to form a belief as to the truth of
28 these allegations, and on that basis deny each and every allegation contained

1 therein.

2 26. Answering paragraph 26 of the First Amended Complaint, Defendants
3 are without sufficient knowledge or information to form a belief as to the truth of
4 these allegations, and on that basis deny each and every allegation contained
5 therein.

6 27. Answering paragraph 27 of the First Amended Complaint, insofar as
7 the allegations of this paragraph only contain legal conclusions, no answer is
8 required. To the extent an answer is required, Defendants are without sufficient
9 knowledge or information to form a belief as to the truth of these allegations, and
10 on that basis deny each and every allegation contained therein.

11 28. Answering paragraph 28 of the First Amended Complaint, Defendants
12 are without sufficient knowledge or information to form a belief as to the truth of
13 these allegations, and on that basis deny each and every allegation contained
14 therein.

15 29. Answering paragraph 29 of the First Amended Complaint, Defendants
16 are without sufficient knowledge or information to form a belief as to the truth of
17 these allegations, and on that basis deny each and every allegation contained
18 therein.

19 30. Answering paragraph 30 of the First Amended Complaint, insofar as
20 the allegations of this paragraph only contain legal conclusions, no answer is
21 required. To the extent an answer is required, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of these allegations, and
23 on that basis deny each and every allegation contained therein.

24 31. Answering paragraph 31 of the First Amended Complaint, Defendants
25 are without sufficient knowledge or information to form a belief as to the truth of
26 these allegations, and on that basis deny each and every allegation contained
27 therein.

28 32. Answering paragraph 32 of the First Amended Complaint, Defendants

1 are without sufficient knowledge or information to form a belief as to the truth of
2 these allegations, and on that basis deny each and every allegation contained
3 therein.

4 33. Answering paragraph 33 of the First Amended Complaint, insofar as
5 the allegations of this paragraph only contain legal conclusions, no answer is
6 required. To the extent an answer is required, Defendants are without sufficient
7 knowledge or information to form a belief as to the truth of these allegations, and
8 on that basis deny each and every allegation contained therein.

9 34. Answering paragraph 34 of the First Amended Complaint, insofar as
10 the allegations of this paragraph only contain legal conclusions, no answer is
11 required. To the extent that an answer is required, Defendants are without sufficient
12 knowledge or information to form a belief as to the truth of these allegations, and
13 on that basis deny each and every allegation contained therein.

14 35. Answering paragraph 35 of the First Amended Complaint, insofar as
15 the allegations of this paragraph contain legal conclusions, no answer is required.
16 To the extent that an answer is required, Defendants are without sufficient
17 knowledge or information to form a belief as to the truth of these allegations, and
18 on that basis deny each and every allegation contained therein.

19 36. Answering paragraph 36 of the First Amended Complaint, insofar as
20 the allegations of this paragraph only contain legal conclusions, no answer is
21 required. To the extent an answer is required, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of these allegations, and
23 on that basis deny each and every allegation contained therein.

24 37. Answering paragraph 37 of the First Amended Complaint, Defendants
25 are without sufficient knowledge or information to form a belief as to the truth of
26 these allegations, and on that basis deny each and every allegation contained
27 therein.

28 38. Answering paragraph 38 of the First Amended Complaint, Defendants

1 are without sufficient knowledge or information to form a belief as to the truth of
2 these allegations, and on that basis deny each and every allegation contained
3 therein.

4 39. Answering paragraph 39 of the First Amended Complaint, Defendants
5 are without sufficient knowledge or information to form a belief as to the truth of
6 these allegations, and on that basis deny each and every allegation contained
7 therein.

8 40. Answering paragraph 40 of the First Amended Complaint, Defendants
9 are without sufficient knowledge or information to form a belief as to the truth of
10 these allegations, and on that basis deny each and every allegation contained
11 therein.

12 41. Answering paragraph 41 of the First Amended Complaint, insofar as
13 the allegations of this paragraph contain legal conclusions, no answer is required.
14 To the extent an answer is required, Defendants are without sufficient knowledge
15 or information to form a belief as to the truth of these allegations, and on that basis
16 deny each and every allegation contained therein.

17 42. Answering paragraph 42 of the First Amended Complaint, Defendants
18 are without sufficient knowledge or information to form a belief as to the truth of
19 these allegations, and on that basis deny each and every allegation contained
20 therein.

21 43. Answering paragraph 43 of the First Amended Complaint, Defendants
22 are without sufficient knowledge or information to form a belief as to the truth of
23 these allegations, and on that basis deny each and every allegation contained
24 therein.

25 44. Answering paragraph 44 of the First Amended Complaint, insofar as
26 the allegations of this paragraph only contain legal conclusions, no answer is
27 required. To the extent that an answer is required, Defendants are without sufficient
28 knowledge or information to form a belief as to the truth of these allegations, and

1 on that basis deny each and every allegation contained therein.

2 45. Answering paragraph 45 of the First Amended Complaint, Defendants
3 are without sufficient knowledge or information to form a belief as to the truth of
4 these allegations, and on that basis deny each and every allegation contained
5 therein.

6 46. Answering paragraph 46 of the First Amended Complaint, insofar as
7 the allegations of this paragraph only contain legal conclusions, no answer is
8 required. To the extent an answer is required, Defendants are without sufficient
9 knowledge or information to form a belief as to the truth of these allegations, and
10 on that basis deny each and every allegation contained therein.

11 47. Answering paragraph 47 of the First Amended Complaint, insofar as
12 the allegations of this paragraph only contain legal conclusions, no answer is
13 required. To the extent an answer is required, Defendants are without sufficient
14 knowledge or information to form a belief as to the truth of these allegations, and
15 on that basis deny each and every allegation contained therein.

16 48. Answering paragraph 48 of the First Amended Complaint, insofar as
17 the allegations of this paragraph only contain legal conclusions, no answer is
18 required. To the extent an answer is required, Defendants are without sufficient
19 knowledge or information to form a belief as to the truth of these allegations, and
20 on that basis deny each and every allegation contained therein.

21 49. Answering paragraph 49 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent that an answer is required, Defendants are without sufficient
24 knowledge or information to form a belief as to the truth of these allegations, and
25 on that basis deny each and every allegation contained therein.

26 50. Answering paragraph 50 of the First Amended Complaint, Defendants
27 are without sufficient knowledge or information to form a belief as to the truth of
28 these allegations, and on that basis deny each and every allegation contained

1 therein.

2 51. Answering paragraph 51 of the First Amended Complaint, insofar as
3 the allegations of this paragraph only contain legal conclusions, no answer is
4 required. To the extent that an answer is required, Defendants are without sufficient
5 knowledge or information to form a belief as to the truth of these allegations, and
6 on that basis deny each and every allegation contained therein.

7 52. Answering paragraph 52 of the First Amended Complaint, Defendants
8 are without sufficient knowledge or information to form a belief as to the truth of
9 these allegations, and on that basis deny each and every allegation contained
10 therein.

11 53. Answering paragraph 53 of the First Amended Complaint, insofar as
12 the allegations of this paragraph only contain legal conclusions, no answer is
13 required. To the extent an answer is required, Defendants are without sufficient
14 knowledge or information to form a belief as to the truth of these allegations, and
15 on that basis deny each and every allegation contained therein.

16 54. Answering paragraph 54 of the First Amended Complaint, insofar as
17 the allegations of this paragraph only contain legal conclusions, no answer is
18 required. To the extent that an answer is required, Defendants are without sufficient
19 knowledge or information to form a belief as to the truth of these allegations, and
20 on that basis deny each and every allegation contained therein.

21 55. Answering paragraph 55 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants are without sufficient
24 knowledge or information to form a belief as to the truth of these allegations, and
25 on that basis deny each and every allegation contained therein.

26 56. Answering paragraph 56 of the First Amended Complaint, Defendants
27 are without sufficient knowledge or information to form a belief as to the truth of
28 these allegations, and on that basis deny each and every allegation contained

1 therein.

2 57. Answering paragraph 57 of the First Amended Complaint, Defendants
3 are without sufficient knowledge or information to form a belief as to the truth of
4 these allegations, and on that basis deny each and every allegation contained
5 therein.

6 58. Answering paragraph 58 of the First Amended Complaint, insofar as
7 the allegations of this paragraph only contain legal conclusions, no answer is
8 required. To the extent an answer is required, Defendants are without sufficient
9 knowledge or information to form a belief as to the truth of these allegations, and
10 on that basis deny each and every allegation contained therein.

11 59. Answering paragraph 59 of the First Amended Complaint, insofar as
12 the allegations of this paragraph only contain legal conclusions, no answer is
13 required. To the extent an answer is required, Defendants are without sufficient
14 knowledge or information to form a belief as to the truth of these allegations, and
15 on that basis deny each and every allegation contained therein.

16 60. Answering paragraph 60 of the First Amended Complaint, insofar as
17 the allegations of this paragraph only contain legal conclusions, no answer is
18 required. To the extent an answer is required, Defendants are without sufficient
19 knowledge or information to form a belief as to the truth of these allegations, and
20 on that basis deny each and every allegation contained therein.

21 61. Answering paragraph 61 of the First Amended Complaint insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants are without sufficient
24 knowledge or information to form a belief as to the truth of these allegations, and
25 on that basis deny each and every allegation contained therein.

26 62. Answering paragraph 62 of the First Amended Complaint, insofar as
27 the allegations of this paragraph only contain legal conclusions, no answer is
28 required. To the extent an answer is required, Defendants are without sufficient

1 knowledge or information to form a belief as to the truth of these allegations, and
2 on that basis deny each and every allegation contained therein.

3 63. Answering paragraph 63 of the First Amended Complaint insofar as
4 the allegations of this paragraph only contain legal conclusions, no answer is
5 required. To the extent an answer is required, Defendants are without sufficient
6 knowledge or information to form a belief as to the truth of these allegations, and
7 on that basis deny each and every allegation contained therein.

8 64. Answering paragraph 64 of the First Amended Complaint, insofar as
9 the allegations of this paragraph only contain legal conclusions, no answer is
10 required. To the extent an answer is required, Defendants are without sufficient
11 knowledge or information to form a belief as to the truth of these allegations, and
12 on that basis deny each and every allegation contained therein.

13 65. Answering paragraph 65 of the First Amended Complaint, Defendants
14 are without sufficient knowledge or information to form a belief as to the truth of
15 these allegations, and on that basis deny each and every allegation contained therein

16 66. Answering paragraph 66 of the First Amended Complaint, insofar as
17 the allegations of this paragraph only contain legal conclusions, no answer is
18 required. To the extent an answer is required, Defendants admit that Robert Luna
19 is the elected Sheriff of Los Angeles County. Defendants are without sufficient
20 knowledge or information to form a belief as to the truth of the remaining
21 allegations, and on that basis deny the remaining allegations contained therein.

22 67. Answering paragraph 67 of the First Amended Complaint, Defendants
23 deny that LVPD is a local government entity, as it is a department of the City of La
24 Verne and is not a separate legal entity. Defendants object that the remainder of the
25 paragraph is vague, ambiguous, incomplete and unintelligible in its allegation, and
26 on that basis deny each and every allegation contained therein.

27 68. Answering paragraph 68 of the First Amended Complaint, insofar as
28 the allegations of this paragraph only contain legal conclusions, no answer is

1 required. To the extent an answer is required, Defendants admit that Police Chief
2 Sam Gonzalez succeeded Chief Flores and occupies the position as Chief of the La
3 Verne Police Department. Defendants deny the remainder of the allegations
4 contained therein.

5 69. Answering paragraph 69 of the First Amended Complaint, insofar as
6 the allegations of this paragraph only contain legal conclusions, no answer is
7 required. To the extent an answer is required, Defendants admit that Robert Bonta
8 is the Attorney General of California. Defendants are without sufficient knowledge
9 or information to form a belief as to the truth of the remaining allegations, and on
10 that basis deny the remaining allegations contained therein.

11 70. Answering paragraph 70 of the First Amended Complaint, Defendants
12 are without sufficient knowledge or information to form a belief as to the truth of
13 the remaining allegations, and on that basis deny the remaining allegations
14 contained therein.

15 71. Answering paragraph 71 of the First Amended Complaint, insofar as
16 the allegations of this paragraph only contain legal conclusions, no answer is
17 required. To the extent an answer is required, Defendants acknowledge that this
18 Court has original jurisdiction of this action.

19 72. Answering paragraph 72 of the First Amended Complaint, insofar as
20 the allegations of this paragraph only contain legal conclusions, no answer is
21 required. To the extent an answer is required, Defendants deny each and every
22 allegation contained therein.

23 73. Answering paragraph 73 of the First Amended Complaint, insofar as
24 the allegations of this paragraph only contain legal conclusions, no answer is
25 required. To the extent an answer is required, Defendants acknowledge that venue
26 in this judicial district is proper.

27 74. Answering paragraph 74 of the First Amended Complaint, insofar as
28 the allegations of this paragraph only contain legal conclusions, no answer is

1 required. To the extent an answer is required, Defendants deny each and every
2 allegation contained in paragraph 74 of the First Amended Complaint.

3 75. Answering paragraph 75 of the First Amended Complaint, insofar as
4 the allegations of this paragraph only contain legal conclusions, no answer is
5 required. To the extent an answer is required, Defendants deny each and every
6 allegation contained therein.

7 76. Answering paragraph 76 of the First Amended Complaint, insofar as
8 the allegations of this paragraph only contain legal conclusions, no answer is
9 required. To the extent an answer is required, Defendants deny each and every
10 allegation contained therein.

11 77. Answering paragraph 77 of the First Amended Complaint, insofar as
12 the allegations of this paragraph only contain legal conclusions, no answer is
13 required. To the extent an answer is required, Defendants deny each and every
14 allegation contained therein.

15 78. Answering paragraph 78 of the First Amended Complaint, insofar as
16 the allegations of this paragraph only contain legal conclusions, no answer is
17 required. To the extent an answer is required, Defendants deny each and every
18 allegation contained therein.

19 79. Answering paragraph 79 of the First Amended Complaint, insofar as
20 the allegations of this paragraph only contain legal conclusions, no answer is
21 required. To the extent an answer is required, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of the allegations, and on
23 that basis denies those allegations.

24 80. Answering paragraph 80 of the First Amended Complaint, insofar as
25 the allegations of this paragraph only contain legal conclusions, no answer is
26 required. To the extent an answer is required, Defendants deny each and every
27 allegation contained therein.

28 81. Answering paragraph 81 of the First Amended Complaint, insofar as

1 the allegations of this paragraph only contain legal conclusions, no answer is
2 required. To the extent an answer is required, Defendants deny each and every
3 allegation contained therein.

4 82. Answering paragraph 82 of the First Amended Complaint, insofar as
5 the allegations of this paragraph only contain legal conclusions, no answer is
6 required. To the extent an answer is required, Defendants deny each and every
7 allegation contained in paragraph 82 of the First Amended Complaint.

8 83. Answering paragraph 83 of the First Amended Complaint, insofar as
9 the allegations of this paragraph only contain legal conclusions, no answer is
10 required. To the extent an answer is required, Defendants deny each and every
11 allegation contained therein.

12 84. Answering paragraph 84 of the First Amended Complaint, insofar as
13 the allegations of this paragraph only contain legal conclusions, no answer is
14 required. To the extent an answer is required, Defendants deny each and every
15 allegation contained therein.

16 85. Answering paragraph 85 of the First Amended Complaint, insofar as
17 the allegations of this paragraph only contain legal conclusions, no answer is
18 required. To the extent an answer is required, Defendants deny each and every
19 allegation contained therein.

20 86. Answering paragraph 86 of the First Amended Complaint, insofar as
21 the allegations of this paragraph only contain legal conclusions, no answer is
22 required. To the extent an answer is required, Defendants deny each and every
23 allegation contained therein.

24 87. Answering paragraph 87 of the First Amended Complaint, insofar as
25 the allegations of this paragraph only contain legal conclusions, no answer is
26 required. To the extent an answer is required, Defendants deny each and every
27 allegation contained therein.

28 88. Answering paragraph 88 of the First Amended Complaint, insofar as

1 the allegations of this paragraph only contain legal conclusions, no answer is
2 required. To the extent an answer is required, Defendants deny each and every
3 allegation contained therein.

4 89. Answering paragraph 89 of the First Amended Complaint, insofar as
5 the allegations of this paragraph only contain legal conclusions, no answer is
6 required. To the extent an answer is required, Defendants deny each and every
7 allegation contained therein.

8 90. Answering paragraph 90 of the First Amended Complaint, insofar as
9 the allegations of this paragraph only contain legal conclusions, no answer is
10 required. To the extent an answer is required, Defendants deny each and every
11 allegation contained therein.

12 91. Answering paragraph 91 of the First Amended Complaint, insofar as
13 the allegations of this paragraph only contain legal conclusions, no answer is
14 required. To the extent an answer is required, Defendants deny each and every
15 allegation contained therein.

16 92. Answering paragraph 92 of the First Amended Complaint, insofar as
17 the allegations of this paragraph only contain legal conclusions, no answer is
18 required. To the extent an answer is required, Defendants are without sufficient
19 knowledge or information to form a belief as to the truth of the allegations, and on
20 that basis deny those allegations.

21 93. Answering paragraph 93 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants are without sufficient
24 knowledge or information to form a belief as to the truth of the allegations, and on
25 that basis deny those allegations.

26 94. Answering paragraph 94 of the First Amended Complaint, insofar as
27 the allegations of this paragraph only contain legal conclusions, no answer is
28 required. To the extent an answer is required, Defendants are without sufficient

1 knowledge or information to form a belief as to the truth of the allegations, and on
2 that basis deny those allegations.

3 95. Answering paragraph 95 of the First Amended Complaint, insofar as
4 the allegations of this paragraph only contain legal conclusions, no answer is
5 required. To the extent an answer is required, Defendants are without sufficient
6 knowledge or information to form a belief as to the truth of the allegations, and on
7 that basis deny those allegations.

8 96. Answering paragraph 96 of the First Amended Complaint, insofar as
9 the allegations of this paragraph only contain legal conclusions, no answer is
10 required. To the extent an answer is required, Defendants are without sufficient
11 knowledge or information to form a belief as to the truth of the allegations, and on
12 that basis deny those allegations.

13 97. Answering paragraph 97 of the First Amended Complaint, insofar as
14 the allegations of this paragraph only contain legal conclusions, no answer is
15 required. To the extent an answer is required, Defendants are without sufficient
16 knowledge or information to form a belief as to the truth of the allegations, and on
17 that basis deny those allegations.

18 98. Answering paragraph 98 of the First Amended Complaint, insofar as
19 the allegations of this paragraph only contain legal conclusions, no answer is
20 required. To the extent an answer is required, Defendants are without sufficient
21 knowledge or information to form a belief as to the truth of the allegations, and on
22 that basis deny those allegations.

23 99. Answering paragraph 99 of the First Amended Complaint, Defendants
24 are without sufficient knowledge or information to form a belief as to the truth of
25 the allegations, and on that basis deny those allegations.

26 100. Answering paragraph 100 of the First Amended Complaint, insofar as
27 the allegations of this paragraph only contain legal conclusions, no answer is
28 required. To the extent an answer is required, Defendants acknowledge that they

1 have been required to set up a CCW permit program. As to the remaining
2 allegations, Defendants are without sufficient knowledge or information to form a
3 belief as to the truth of the allegations, and on that basis deny those allegations.

4 101. Answering paragraph 101 of the First Amended Complaint, insofar as
5 the allegations of this paragraph only contain legal conclusions, no answer is
6 required. To the extent an answer is required, Defendants are without sufficient
7 knowledge or information to form a belief as to the truth of the allegations, and on
8 that basis deny those allegations.

9 102. Answering paragraph 102 of the First Amended Complaint, insofar as
10 the allegations of this paragraph only contain legal conclusions, no answer is
11 required. To the extent an answer is required, Defendants are without sufficient
12 knowledge or information to form a belief as to the truth of the allegations, and on
13 that basis deny those allegations.

14 103. Answering paragraph 103 of the First Amended Complaint,
15 Defendants are without sufficient knowledge or information to form a belief as to
16 the truth of the allegations, and on that basis deny those allegations.

17 104. Answering paragraph 104 of the First Amended Complaint, insofar as
18 the allegations of this paragraph only contain legal conclusions, no answer is
19 required. To the extent an answer is required, Defendants are without sufficient
20 knowledge or information to form a belief as to the truth of the allegations, and on
21 that basis deny those allegations.

22 105. Answering paragraph 105 of the First Amended Complaint, insofar as
23 the allegations of this paragraph only contain legal conclusions, no answer is
24 required. To the extent an answer is required, Defendants are without sufficient
25 knowledge or information to form a belief as to the truth of the allegations, and on
26 that basis deny those allegations.

27 106. Answering paragraph 106 of the First Amended Complaint,
28 Defendants are without sufficient knowledge or information to form a belief as to

1 the truth of the allegations, and on that basis deny those allegations.

2 107. Answering paragraph 107 of the First Amended Complaint,
3 Defendants are without sufficient knowledge or information to form a belief as to
4 the truth of the allegations, and on that basis deny those allegations.

5 108. Answering paragraph 108 of the First Amended Complaint,
6 Defendants are without sufficient knowledge or information to form a belief as to
7 the truth of the allegations, and on that basis deny those allegations.

8 109. Answering paragraph 109 of the First Amended Complaint,
9 Defendants are without sufficient knowledge or information to form a belief as to
10 the truth of the allegations, and on that basis deny those allegations.

11 110. Answering paragraph 110 of the First Amended Complaint, insofar as
12 the allegations of this paragraph only contain legal conclusions, no answer is
13 required. To the extent an answer is required, Defendants acknowledge that they
14 have been required to set up a CCW permit program. As to the remaining
15 allegations, Defendants are without sufficient knowledge or information to form a
16 belief as to the truth of the allegations, and on that basis deny those allegations.

17 111. Answering paragraph 111 of the First Amended Complaint, insofar as
18 the allegations of this paragraph are simply argumentative, no answer is required.
19 To the extent an answer is required, Defendants acknowledge that they have been
20 required to set up a CCW permit program. As to the remaining allegations,
21 Defendants deny those allegations.

22 112. Answering paragraph 112 of the First Amended Complaint, insofar as
23 the allegations of this paragraph are simply argumentative, no answer is required.
24 To the extent an answer is required, Defendants acknowledge that they have been
25 required to set up a CCW permit program and that there are administrative costs
26 associated with processing CCW permit applications, while the other costs involved
27 in the process cited by Plaintiffs, as “processing,” “licensing,” “card-issuance fee”
28 and “training course” are not charged or received by Defendants. As to the

1 remaining allegations, Defendants deny those allegations as Defendants pay the
2 entire psychological exam fee.

3 113. Answering paragraph 113 of the First Amended Complaint,
4 Defendants are without sufficient knowledge or information to form a belief as to
5 the truth of the allegations, and on that basis deny those allegations.

6 114. Answering paragraph 114 of the First Amended Complaint, insofar as
7 the allegations of this paragraph are simply argumentative, no answer is required.
8 To the extent an answer is required, Defendants acknowledge that they have been
9 required to set up a CCW permit program. As to the remaining allegations,
10 Defendants deny those allegations.

11 115. Answering paragraph 115 of the First Amended Complaint,
12 Defendants are without sufficient knowledge or information to form a belief as to
13 the truth of the allegations, and on that basis deny those allegations.

14 116. Answering paragraph 116 of the First Amended Complaint, insofar as
15 the allegations of this paragraph are simply argumentative, no answer is required.
16 To the extent an answer is required, Defendants are without sufficient knowledge
17 or information to form a belief as to the truth of the allegations, and on that basis
18 deny those allegations.

19 117. Answering paragraph 117 of the First Amended Complaint, insofar as
20 the allegations of this paragraph are simply argumentative, no answer is required.
21 To the extent an answer is required, Defendants deny each and every allegation
22 contained therein.

23 118. Answering paragraph 118 of the First Amended Complaint, insofar as
24 the allegations of this paragraph are simply argumentative or only contain legal
25 conclusions, no answer is required. To the extent an answer is required, Defendants
26 deny each and every allegation contained therein.

27 119. Answering paragraph 119 of the First Amended Complaint, insofar as
28 the allegations of this paragraph are simply argumentative, no answer is required.

1 To the extent an answer is required, Defendants deny each and every allegation
2 contained therein.

3 120. Answering paragraph 120 of the First Amended Complaint, insofar as
4 the allegations of this paragraph are simply argumentative or only contain legal
5 conclusions, no answer is required. To the extent an answer is required, Defendants
6 deny each and every allegation contained therein.

7 121. Answering paragraph 121 of the First Amended Complaint, insofar as
8 the allegations of this paragraph are simply argumentative or only contain legal
9 conclusions, no answer is required. To the extent an answer is required, Defendants
10 deny each and every allegation contained therein.

11 122. Answering paragraph 122 of the First Amended Complaint, insofar as
12 the allegations of this paragraph are simply argumentative or only contain legal
13 conclusions, no answer is required. To the extent an answer is required, Defendants
14 deny each and every allegation contained therein.

15 123. Answering paragraph 123 of the First Amended Complaint, insofar as
16 the allegations of this paragraph are simply argumentative, no answer is required.
17 To the extent an answer is required, Defendants deny each and every allegation
18 contained therein.

19 124. Answering paragraph 124 of the First Amended Complaint, insofar as
20 the allegations of this paragraph are simply argumentative, no answer is required.
21 To the extent an answer is required, Defendants acknowledge that a new contractor
22 has been contracted for the psychological examination and that Defendants cover
23 the entire cost of the examination. Defendants deny each and every remaining
24 allegation contained therein.

25 125. Answering paragraph 125 of the First Amended Complaint, insofar as
26 the allegations of this paragraph are simply argumentative, no answer is required.
27 To the extent an answer is required, Defendants acknowledge that they are informed
28 of the examination results. Defendants deny each and every remaining allegation

1 contained therein.

2 126. Answering paragraph 126 of the First Amended Complaint, insofar as
3 the allegations of this paragraph are simply argumentative, no answer is required.
4 To the extent an answer is required, Defendants deny each and every allegation
5 contained therein.

6 127. Answering paragraph 127 of the First Amended Complaint,
7 Defendants deny each and every allegation contained therein.

8 128. Answering paragraph 128 of the First Amended Complaint, insofar as
9 the allegations of this paragraph only contain legal conclusions, no answer is
10 required. To the extent an answer is required, Defendants are without sufficient
11 knowledge or information to form a belief as to the truth of the allegations, and on
12 that basis deny those allegations.

13 129. Answering paragraph 129 of the First Amended Complaint, insofar as
14 the allegations of this paragraph are simply argumentative or only contain legal
15 conclusions, no answer is required. To the extent an answer is required, Defendants
16 deny each and every allegation contained therein.

17 130. Answering paragraph 130 of the First Amended Complaint, insofar as
18 the allegations of this paragraph only contain legal conclusions, no answer is
19 required. To the extent an answer is required, Defendants deny each and every
20 allegation contained therein.

21 131. Answering paragraph 131 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants deny each and every
24 allegation contained therein.

25 132. Answering paragraph 132 of the First Amended Complaint, insofar as
26 the allegations of this paragraph only contain legal conclusions, no answer is
27 required. To the extent an answer is required, Defendants deny each and every
28 allegation contained therein.

1 133. Answering paragraph 133 of the First Amended Complaint, insofar as
2 the allegations of this paragraph only contain legal conclusions, no answer is
3 required. To the extent an answer is required, Defendants deny each and every
4 allegation contained therein.

5 134. Answering paragraph 134 of the First Amended Complaint, insofar as
6 the allegations of this paragraph only contain legal conclusions, no answer is
7 required. To the extent an answer is required, Defendants deny each and every
8 allegation contained therein.

9 135. Answering paragraph 135 of the First Amended Complaint, insofar as
10 the allegations of this paragraph only contain legal conclusions, no answer is
11 required. To the extent an answer is required, Defendants deny each and every
12 allegation contained therein.

13 136. Answering paragraph 136 of the First Amended Complaint, insofar as
14 the allegations of this paragraph only contain legal conclusions, no answer is
15 required. To the extent an answer is required, Defendants deny each and every
16 allegation contained therein.

17 137. Answering paragraph 137 of the First Amended Complaint, insofar as
18 the allegations of this paragraph only contain legal conclusions, no answer is
19 required. To the extent an answer is required, Defendants deny each and every
20 allegation contained therein.

21 138. Answering paragraph 138 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants are without sufficient
24 knowledge or information to form a belief as to the truth of the allegations, and on
that basis deny those allegations.

25 139. Answering paragraph 139 of the First Amended Complaint, insofar as
26 the allegations of this paragraph only contain legal conclusions, no answer is
27 required. To the extent an answer is required, Defendants deny each and every
28

1 allegation contained therein.

2 140. Answering paragraph 140 of the First Amended Complaint, insofar as
3 the allegations of this paragraph only contain legal conclusions, no answer is
4 required. To the extent an answer is required, Defendants deny each and every
5 allegation contained therein.

6 141. Answering paragraph 141 of the First Amended Complaint, insofar as
7 the allegations of this paragraph only contain legal conclusions, no answer is
8 required. To the extent an answer is required, Defendants deny each and every
9 allegation contained therein.

10 142. Answering paragraph 142 of the First Amended Complaint, insofar as
11 the allegations of this paragraph only contain legal conclusions, no answer is
12 required. To the extent an answer is required, Defendants are without sufficient
13 knowledge or information to form a belief as to the truth of the allegations, and on
14 that basis deny those allegations.

15 143. Answering paragraph 143 of the First Amended Complaint, insofar as
16 the allegations of this paragraph only contain legal conclusions, no answer is
17 required. To the extent an answer is required, Defendants deny each and every
18 allegation contained therein.

19 144. Answering paragraph 144 of the First Amended Complaint, insofar as
20 the allegations of this paragraph only contain legal conclusions, no answer is
21 required. To the extent an answer is required, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of the allegations, and on
23 that basis deny those allegations.

24 145. Answering paragraph 145 of the First Amended Complaint, insofar as
25 the allegations of this paragraph only contain legal conclusions, no answer is
26 required. To the extent an answer is required, Defendants deny each and every
27 allegation contained therein.

28 146. Answering paragraph 146 of the First Amended Complaint, insofar as

1 the allegations of this paragraph only contain legal conclusions, no answer is
2 required. To the extent an answer is required, Defendants are without sufficient
3 knowledge or information to form a belief as to the truth of the allegations, and on
4 that basis deny those allegations.

5 147. Answering paragraph 147 of the First Amended Complaint,
6 Defendants re-assert and incorporate by reference each Answer to each of the
7 foregoing paragraphs as though fully set forth herein.

8 148. Answering paragraph 148 of the First Amended Complaint, insofar as
9 the allegations of this paragraph only contain legal conclusions, no answer is
10 required. To the extent an answer is required, Defendants are without sufficient
11 knowledge or information to form a belief as to the truth of the allegations, and on
12 that basis deny those allegations.

13 149. Answering paragraph 149 of the First Amended Complaint, insofar as
14 the allegations of this paragraph only contain legal conclusions, no answer is
15 required. To the extent an answer is required, Defendants are without sufficient
16 knowledge or information to form a belief as to the truth of the allegations, and on
17 that basis deny those allegations.

18 150. Answering paragraph 150 of the First Amended Complaint, insofar as
19 the allegations of this paragraph only contain legal conclusions, no answer is
20 required. To the extent an answer is required, Defendants deny each and every
21 allegation contained therein.

22 151. Answering paragraph 151 of the First Amended Complaint, insofar as
23 the allegations of this paragraph only contain legal conclusions, no answer is
24 required. To the extent an answer is required, Defendants deny each and every
25 allegation contained therein.

26 152. Answering paragraph 152 of the First Amended Complaint, insofar as
27 the allegations of this paragraph only contain legal conclusions, no answer is
28 required. To the extent an answer is required, Defendants are without sufficient

1 knowledge or information to form a belief as to the truth of the allegations, and on
2 that basis deny those allegations.

3 153. Answering paragraph 153 of the First Amended Complaint, insofar as
4 the allegations of this paragraph only contain legal conclusions, no answer is
5 required. To the extent an answer is required, Defendants deny each and every
6 allegation contained therein.

7 154. Answering paragraph 154 of the First Amended Complaint,
8 Defendants re-assert and incorporate by reference each Answer to each of the
9 foregoing paragraphs as though fully set forth herein.

10 155. Answering paragraph 155 of the First Amended Complaint, insofar as
11 the allegations of this paragraph only contain legal conclusions, no answer is
12 required. To the extent an answer is required, Defendants deny each and every
13 allegation contained therein.

14 156. Answering paragraph 156 of the First Amended Complaint, insofar as
15 the allegations of this paragraph only contain legal conclusions, no answer is
16 required. To the extent an answer is required, Defendants deny each and every
17 allegation contained therein.

18 157. Answering paragraph 157 of the First Amended Complaint, insofar as
19 the allegations of this paragraph only contain legal conclusions, no answer is
20 required. To the extent an answer is required, Defendants deny each and every
21 allegation contained therein.

22 158. Answering paragraph 158 of the First Amended Complaint, insofar as
23 the allegations of this paragraph only contain legal conclusions, no answer is
24 required. To the extent an answer is required, Defendants deny each and every
25 allegation contained therein.

26 159. Answering paragraph 159 of the First Amended Complaint, insofar as
27 the allegations of this paragraph only contain legal conclusions, no answer is
28 required. To the extent an answer is required, Defendants deny each and every

1 allegation contained therein.

2 160. Answering paragraph 160 of the First Amended Complaint, insofar as
3 the allegations of this paragraph only contain legal conclusions, no answer is
4 required. To the extent an answer is required, Defendants deny each and every
5 allegation contained therein.

6 161. Answering paragraph 161 of the First Amended Complaint,
7 Defendants re-assert and incorporate by reference each Answer to each of the
8 foregoing paragraphs as though fully set forth herein.

9 162. Answering paragraph 162 of the First Amended Complaint, insofar as
10 the allegations of this paragraph only contain legal conclusions, no answer is
11 required. To the extent an answer is required, Defendants deny each and every
12 allegation contained therein.

13 163. Answering paragraph 163 of the First Amended Complaint, insofar as
14 the allegations of this paragraph only contain legal conclusions, no answer is
15 required. To the extent an answer is required, Defendants deny each and every
16 allegation contained therein.

17 164. Answering paragraph 164 of the First Amended Complaint, insofar as
18 the allegations of this paragraph only contain legal conclusions, no answer is
19 required. To the extent an answer is required, Defendants deny each and every
20 allegation contained therein.

21 165. Answering paragraph 165 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants deny each and every
24 allegation contained therein.

25 166. Answering paragraph 166 of the First Amended Complaint, insofar as
26 the allegations of this paragraph only contain legal conclusions, no answer is
27 required. To the extent an answer is required, Defendants deny each and every
28 allegation contained therein.

1 167. Answering paragraph 167 of the First Amended Complaint, insofar as
2 the allegations of this paragraph only contain legal conclusions, no answer is
3 required. To the extent an answer is required, Defendants deny each and every
4 allegation contained therein.

5 168. Answering paragraph 168 of the First Amended Complaint, insofar as
6 the allegations of this paragraph only contain legal conclusions, no answer is
7 required. To the extent an answer is required, Defendants deny each and every
8 allegation contained therein.

9 169. Answering paragraph 169 of the First Amended Complaint,
10 Defendants re-assert and incorporate by reference each Answer to each of the
11 foregoing paragraphs as though fully set forth herein.

12 170. Answering paragraph 170 of the First Amended Complaint, insofar as
13 the allegations of this paragraph only contain legal conclusions, no answer is
14 required. To the extent an answer is required, Defendants are without sufficient
15 knowledge or information to form a belief as to the truth of the allegations, and on
16 that basis deny those allegations.

17 171. Answering paragraph 171 of the First Amended Complaint, insofar as
18 the allegations of this paragraph only contain legal conclusions, no answer is
19 required. To the extent an answer is required, Defendants deny each and every
20 allegation contained therein.

21 172. Answering paragraph 172 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants are without sufficient
24 knowledge or information to form a belief as to the truth of the allegations, and on
25 that basis deny those allegations.

26 173. Answering paragraph 173 of the First Amended Complaint, insofar as
27 the allegations of this paragraph only contain legal conclusions, no answer is
28 required. To the extent an answer is required, Defendants deny each and every

1 allegation contained therein.

2 174. Answering paragraph 174 of the First Amended Complaint,
3 Defendants re-assert and incorporate by reference each Answer to each of the
4 foregoing paragraphs as though fully set forth herein.

5 175. Answering paragraph 175 of the First Amended Complaint, insofar as
6 the allegations of this paragraph only contain legal conclusions, no answer is
7 required. To the extent an answer is required, Defendants deny each and every
8 allegation contained therein.

9 176. Answering paragraph 176 of the First Amended Complaint, insofar as
10 the allegations of this paragraph only contain legal conclusions, no answer is
11 required. To the extent an answer is required, Defendants deny each and every
12 allegation contained therein.

13 177. Answering paragraph 177 of the First Amended Complaint, insofar as
14 the allegations of this paragraph only contain legal conclusions, no answer is
15 required. To the extent an answer is required, Defendants deny each and every
16 allegation contained therein.

17 178. Answering paragraph 178 of the First Amended Complaint, insofar as
18 the allegations of this paragraph only contain legal conclusions, no answer is
19 required. To the extent an answer is required, Defendants deny each and every
20 allegation contained therein.

21 179. Answering paragraph 179 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants deny each and every
24 allegation contained therein.

25 180. Answering paragraph 180 of the First Amended Complaint, insofar as
26 the allegations of this paragraph only contain legal conclusions, no answer is
27 required. To the extent an answer is required, Defendants deny each and every
28 allegation contained therein.

1 181. Answering paragraph 181 of the First Amended Complaint,
2 Defendants re-assert and incorporate by reference each Answer to each of the
3 foregoing paragraphs as though fully set forth herein.

4 182. Answering paragraph 182 of the First Amended Complaint,
5 Defendants are without sufficient knowledge or information to form a belief as to
6 the truth of the allegations, and on that basis deny those allegations.

7 183. Answering paragraph 183 of the First Amended Complaint,
8 Defendants are without sufficient knowledge or information to form a belief as to
9 the truth of the allegations, and on that basis deny those allegations.

10 184. Answering paragraph 184 of the First Amended Complaint,
11 Defendants are without sufficient knowledge or information to form a belief as to
12 the truth of the allegations, and on that basis deny those allegations.

13 185. Answering paragraph 185 of the First Amended Complaint, insofar as
14 the allegations of this paragraph only contain legal conclusions, no answer is
15 required. To the extent an answer is required, Defendants deny each and every
16 allegation contained therein.

17 186. Answering paragraph 186 of the First Amended Complaint, insofar as
18 the allegations of this paragraph only contain legal conclusions, no answer is
19 required. To the extent an answer is required, Defendants deny each and every
20 allegation contained therein.

21 187. Answering paragraph 187 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants deny each and every
24 allegation contained therein.

25 188. Answering paragraph 188 of the First Amended Complaint,
26 Defendants re-assert and incorporate by reference each Answer to each of the
27 foregoing paragraphs as though fully set forth herein.

28 189. Answering paragraph 189 of the First Amended Complaint, insofar as

1 the allegations of this paragraph only contain legal conclusions, no answer is
2 required. To the extent an answer is required, Defendants deny each and every
3 allegation contained therein.

4 190. Answering paragraph 190 of the First Amended Complaint,
5 Defendants are without sufficient knowledge or information to form a belief as to
6 the truth of the allegations, and on that basis deny those allegations.

7 191. Answering paragraph 191 of the First Amended Complaint,
8 Defendants are without sufficient knowledge or information to form a belief as to
9 the truth of the allegations, and on that basis deny those allegations.

10 192. Answering paragraph 192 of the First Amended Complaint,
11 Defendants are without sufficient knowledge or information to form a belief as to
12 the truth of the allegations, and on that basis deny those allegations.

13 193. Answering paragraph 193 of the First Amended Complaint, insofar as
14 the allegations of this paragraph only contain legal conclusions, no answer is
15 required. To the extent an answer is required, Defendants deny each and every
16 allegation contained therein.

17 194. Answering paragraph 194 of the First Amended Complaint, insofar as
18 the allegations of this paragraph only contain legal conclusions, no answer is
19 required. To the extent an answer is required, Defendants deny each and every
20 allegation contained therein.

21 195. Answering paragraph 195 of the First Amended Complaint, insofar as
22 the allegations of this paragraph only contain legal conclusions, no answer is
23 required. To the extent an answer is required, Defendants deny each and every
24 allegation contained therein.

25 196. Answering paragraph 196 of the First Amended Complaint, insofar as
26 the allegations of this paragraph only contain legal conclusions, no answer is
27 required. To the extent an answer is required, Defendants deny each and every
28 allegation contained therein.

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AFFIRMATIVE DEFENSES

In addition to each of the responses set forth above, Defendants assert the following affirmative defenses to the Plaintiffs’ First Amended Complaint and their lawsuit. The assertion of an affirmative defense shall not negate, by any means, Plaintiffs’ burden of proof on any element of their claims.

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Claim for Relief)

1. The Defendants allege that neither the First Amended Complaint, nor any claim for relief asserted therein, asserts facts upon which relief may be granted against the Defendants.

SECOND AFFIRMATIVE DEFENSE

(Equitable Estoppel)

2. Plaintiffs’ claims for damages are barred, either in whole or in part, by Plaintiffs’ conduct which equitably estoppels them from making their claims in the First Amended Complaint against the Defendants.

THIRD AFFIRMATIVE DEFENSE

(Waiver)

3. The Defendants allege that Plaintiffs engaged in conduct and activities sufficient to constitute a waiver of any alleged duty, act or omission of any nature by the Defendants, which waiver serves to preclude any relief here sought by Plaintiffs.

FOURTH AFFIRMATIVE DEFENSE

(Laches)

4. The Defendants allege that each and every claim for relief contained in Plaintiffs’ First Amended Complaint is barred by the equitable doctrine of laches.

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FIFTH AFFIRMATIVE DEFENSE

(Failure to Mitigate Damages)

5. The Defendants allege that though under a duty to do so, Plaintiffs have failed and neglected to mitigate their alleged damages, and therefore cannot recover against the Defendants whether as alleged in the First Amended Complaint, or otherwise.

SIXTH AFFIRMATIVE DEFENSE

(Impermissible Mandatory Injunction)

6. The Defendants allege that each and every claim for relief contained in Plaintiffs' First Amended Complaint is barred for seeking an impermissible mandatory injunction against the Defendants.

SEVENTH AFFIRMATIVE DEFENSE

(Adequate Remedy at Law)

7. The Defendants allege that each and every claim for relief contained in Plaintiffs' First Amended Complaint is barred as Plaintiffs have an adequate remedy at law.

EIGHTH AFFIRMATIVE DEFENSE

(Uncertainty)

8. Each and all of the purported claims set forth in the First Amended Complaint are uncertain, ambiguous and unintelligible.

NINTH AFFIRMATIVE DEFENSE

(Lawful Conduct)

9. Defendants' conduct was at all times reasonable and lawful under the circumstances.

TENTH AFFIRMATIVE DEFENSE

(Lack of Standing)

10. The association Plaintiffs lack standing to bring the First Amended Complaint on behalf of other third parties who are not present in the lawsuit.

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ELEVENTH AFFIRMATIVE DEFENSE

(Failure to Exhaust Administrative Remedies)

11. The Plaintiffs’ First Amended Complaint and each and every claim contained therein is barred by Plaintiffs’ failure to exhaust their administrative remedies.

TWELFTH AFFIRMATIVE DEFENSE

(Justification)

12. All of Defendants conduct that is the subject of Plaintiffs’ First Amended Complaint was at all times justified under the facts, law and circumstances.

THIRTEENTH AFFIRMATIVE DEFENSE

(Necessity)

13. Any and all actions or alleged failures to act on the part of Defendants were necessary in light of the requirement that Defendants undertake to issue concealed carry or weapons (“CCW”) permits or licenses in compliance with State law.

FOURTEENTH AFFIRMATIVE DEFENSE

(Execution of Public Duty)

14. As a matter of law and fact, any and all actions or alleged failures to act on the part of Defendants were necessary in light of the requirement that Defendants execute a public duty and undertake to issue CCW permits or licenses in compliance with State law.

FIFTEENTH AFFIRMATIVE DEFENSE

(Statute of Limitations)

15. Plaintiffs’ claims of the First Amended Complaint are barred by applicable statutes of limitations.

SIXTEENTH AFFIRMATIVE DEFENSE

(Good Faith)

16. Defendants have acted at all times in good faith and any and all of

1 Plaintiffs' claims for relief in the First Amended Complaint are barred as a result.

2 **SEVENTEENTH AFFIRMATIVE DEFENSE**

3 **(Mootness)**

4 17. Each and every claim for relief contained in the First Amended
5 Complaint is barred because the relief sought is moot.

6 **EIGHTEENTH AFFIRMATIVE DEFENSE**

7 **(No Damages)**

8 18. Plaintiffs are not entitled to relief on the ground that Plaintiffs have no
9 legal damages and judgment in favor of Plaintiffs and against the Defendants would
10 violate public policy and amount to unjust enrichment of the Plaintiffs.

11 **NINETEENTH AFFIRMATIVE DEFENSE**

12 **(Ripeness)**

13 19. Plaintiffs' claims are subject to adjudication as they are premature and
14 are, therefore, not ripe for resolution by this Court.

15 **TWENTIETH AFFIRMATIVE DEFENSE**

16 **(Speculation)**

17 20. Plaintiffs' claims of harm are based on speculation and improper
18 surmise and do not give rise to the relief sought by Plaintiffs.

19 **TWENTY-FIRST AFFIRMATIVE DEFENSE**

20 **(Lack of Success on Merits)**

21 21. Plaintiffs are not entitled to the preliminary injunctive relief they seek
22 as there is no plausible success on the merits of their claims against Defendants.

23 **TWENTY-SECOND AFFIRMATIVE DEFENSE**

24 **(Money Damages Unrecoverable)**

25 22. The prayer for money damages by Plaintiffs is barred by the sovereign
26 immunity of the Defendants for failure of the Plaintiffs to comply with required
27 claims procedures.
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TWENTY-THIRD AFFIRMATIVE DEFENSE
(Reservation of Additional Affirmative Defenses)

23. The Defendants allege that they are without sufficient information as to the full and complete nature and scope of Plaintiffs’ claims for relief so as to be able to fully assess and set forth all potentially applicable affirmative defenses in this matter. Accordingly, the Defendants hereby reserve the right to allege additional affirmative defenses as further information becomes known during the course of the instant lawsuit.

PRAYER FOR RELIEF

WHEREFORE, the Defendants pray as follows:

1. That Plaintiffs take nothing by reason of their First Amended Complaint, and that judgment be entered in favor of the Defendants.
2. That Plaintiffs not be accorded the relief they seek in their First Amended Complaint against the Defendants.
3. That the Defendants be awarded costs of suit and attorney’s fees incurred in defense of this action pursuant to 42 U.S.C. § 1988 and other legal grounds; and
4. For such other and further relief as the Court deems just and proper.

Dated: October 15, 2024

Respectfully submitted,
JONES MAYER

By: /s/Bruce A. Lindsay
Bruce A. Lindsay
Monica Choi Arredondo
Attorneys for Defendants, LA VERNE
POLICE DEPARTMENT, LA VERNE
CHIEF OF POLICE SAM GONZALEZ