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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
12/9/2024 11:15:04 AM

Clerk of the Superior Court
By N. Lopez, Deputy Clerk

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17 *Admission Pro Hac Vice Pending

18 Attorneys for Plaintiffs

19 **SUPERIOR COURT OF CALIFORNIA**

20 **COUNTY OF SAN DIEGO**

21 **CENTRAL DIVISION**

22 DANIELLE JAYMES, JOSHUAH GERKEN,
23 SECOND AMENDMENT FOUNDATION,
24 FIREARMS POLICY COALITION,
25 CALIFORNIA RIFLE & PISTOL
26 ASSOCIATION, INC., and NATIONAL
27 RIFLE ASSOCIATION OF AMERICA, INC.,

28 Plaintiffs,

v.

NICOLAS MADUROS, in his official capacity
as Director of the California Department of Tax
and Fee Administration,

Defendant.

Case No.: 37-2024-00031147-CU-MC-CTL

Assigned for all purposes to the Hon. Carolyn Caietti, Department C-70

EX PARTE APPLICATION OF DAVID H. THOMPSON TO APPEAR PRO HAC VICE; VERIFIED APPLICATION OF DAVID H. THOMPSON; DECLARATION OF JOSHUA ROBERT DALE IN SUPPORT; DECLARATION OF LAURA FERA (NÉE PALMERIN) IN SUPPORT; [PROPOSED] ORDER

Application Date: December 11, 2024
Application Time: 8:30 AM
Department: C-70
Judge: Hon. Carolyn Caietti

1 **EX PARTE APPLICATION OF DAVID H. THOMPSON TO APPEAR PRO HAC VICE**
2 **FOR PLAINTIFFS**

3 David H. Thompson hereby applies ex parte to be admitted pro hac vice to the appear in
4 the above-entitled matter. This application is supported by this application, the attached verified
5 application of David H. Thompson, the attached declaration of Joshua Robert Dale, the attached
6 Declaration of Laura Fera (née Palmerin), and the [Proposed] Order on this Application.

7 Applicant has, through California counsel, given notice of this application prior to 10:00
8 a.m. the date before the application hearing to Defendant’s counsel in conformance with
9 California Rule of Court 3.1204 as set forth in the attached Dale Declaration. Counsel for
10 Defendant has stated that they do not intend to oppose the application.

11 **GROUND FOR ADMISSION**

12 Rule 9.40 of the California Rules of Court governs applications of counsel to appear pro
13 hac vice. The rule requires counsel desiring to appear pro hac vice to file a verified application
14 with proof of service by mail in accordance with Code of Civil Procedure section 1013a of a copy
15 of the application and of the notice of hearing of the application on all parties who have appeared
16 in the cause and on the State Bar of California. Per the Court’s local practice, where a pro hac
17 vice admission application is unopposed, a party may seek and be admitted pro hac vice upon ex
18 parte application to the Court.

19 The attached verified application of David H. Thompson shows that David H. Thompson
20 satisfies the requirements of Rule 9.40 for admission to appear in this action pro hac vice as
21 counsel for Plaintiffs. David H. Thompson is not a licensee of the State Bar of California or a
22 resident of the State of California; is not regularly employed in the State of California; is not
23 regularly engaged in substantial business, professional, or other activities in the State of
24 California; is an attorney in good standing of and eligible to practice before the bar of the District
25 of Columbia; and has been retained to appear in this action.

26 Counsel for Plaintiffs has notified and provided copies of this application and supporting
27 documents to the State Bar of California and submitted the required fifty-dollar fee for the
28

1 application of David H. Thompson. The State Bar has responded and approved the application.
2 (See **Exhibit A** to the Declaration of Laura Fera (née Palmerin).)

3 Based on these facts and the supporting information provided in the attached verified
4 application of David H. Thompson and declarations of Joshua Robert Dale and Laura Fera,
5 counsel for Plaintiffs hereby requests that David H. Thompson be permitted to appear as counsel
6 pro hac vice for Plaintiffs in this action.

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8 Dated: December 9, 2024

MICHEL & ASSOCIATES, P.C.



Joshua Robert Dale
Attorneys for Plaintiffs

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**VERIFIED APPLICATION OF DAVID H. THOMPSON FOR PRO HAC VICE
ADMISSION TO APPEAR AS COUNSEL FOR PLAINTIFFS**

I, David H. Thompson, hereby petition the above-entitled court to permit me to appear and participate in this case, and in support of petition state:

1. My residence address is 6239 Park Road, McLean, Virginia, 22101.

2. My office address is Cooper & Kirk, PLLC, 1523 New Hampshire Avenue, NW, Washington, DC 20036.

3. I was admitted to the State Bar of the District of Columbia, Bar No. 450503, in 1996 and am admitted to all courts of the District of Columbia.

4. I was admitted to, am a member in good standing of, and am eligible to practice before the following federal courts as of the following dates:

U.S. District Court for the:	
District of Columbia	02/02/1998
District of Colorado	02/17/2015
Northern District of Florida	06/17/2008
Western District of Michigan	08/10/2023
U.S. Court of Appeals for the:	
First Circuit	12/12/2017
Second Circuit	04/14/2014
Third Circuit	02/03/2004
Fourth Circuit	09/25/2002
Fifth Circuit	02/26/2009
Sixth Circuit	08/24/2007
Seventh Circuit	04/06/2012
Eighth Circuit	03/29/2017
Ninth Circuit	02/10/1997

Tenth Circuit	08/07/2014
Eleventh Circuit	08/30/2012
Federal Circuit	11/14/2000
D.C. Circuit	01/17/2006
Other Federal Courts:	
U.S. Court of Federal Claims	12/20/1996
U.S. Supreme Court	11/16/1998

5. I am not currently suspended or disbarred in any court.

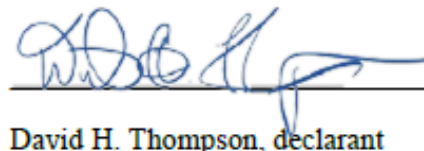
6. I am not regularly engaged in the practice of law or other business in the State of California.

7. I have filed applications to appear pro hac vice in the following matters in the past two years: *Firearms Policy Coalition, Inc., et al. v. City of Sand Diego, et al.*, No. 3:23-cv-00400 (S.D. Cal.) – filed and granted on April 11, 2023; *Miller, et al. v. Bonta, et al.*, No. 3:22-cv-01446 (S.D. Cal.) – filed on Sept. 27, 2022 and granted on Sept. 28, 2022.

8. Local counsel of record with whom I am associated in this matter is Joshua Robert Dale, SBN 209942, Michel & Associates, P.C., 180 E. Ocean Blvd., Suite 200, Long Beach, CA 90802, (562) 216-4444, jdale@michellawyers.com.

I declare under penalty of perjury of the laws of the State of California and the District of Columbia that the foregoing is true and correct. If called to testify, I would testify to the above facts.

Dated this 6th day of December, 2024, at Washington, D.C.



David H. Thompson, declarant

1 **DECLARATION OF JOSHUA ROBERT DALE IN SUPPORT OF APPLICATION OF**
2 **DAVID H. THOMPSON FOR PRO HAC VICE ADMISSION TO APPEAR AS COUNSEL**
3 **FOR PLAINTIFFS**

4 I, Joshua Robert Dale, declare:

5 1. I am an attorney duly licensed to practice law before all courts of the State of
6 California. My firm, Michel & Associates, P.C., represents Plaintiffs Danielle Jaymes, Joshuah
7 Gerken, Firearms Policy Coalition, The Second Amendment Foundation, California Rifle &
8 Pistol Association, Incorporated, and National Rifle Association of America in the matter of
9 *Jaymes, et al. v. Maduros*. I make this declaration in support of the Application of attorney David
10 H. Thompson to appear pro hac vice in this matter. The following facts are within my personal
11 knowledge and if called as a witness, I can and will competently testify hereto.

12 2. David H. Thompson and his firm Cooper & Kirk, PLLC, of Washington, D.C.,
13 have been directing all of the substantive issues in the case, and Plaintiffs seek to have them serve
14 as trial counsel for the matter.

15 3. I have reviewed and executed the application for the admission pro hac vice of
16 David H. Thompson, and am informed and believe that all the information contained therein is
17 true and correct.

18 4. I am informed and believe that David H. Thompson is a member of the State Bar
19 of the District of Columbia to which he was admitted to practice in 1996.

20 5. This declarant requests that this Court allow David H. Thompson to appear as
21 counsel pro hac vice and to be associated as co-counsel in connection with the above-entitled case
22 and to participate in all aspects thereof, including all trial and pre-trial proceedings.

23 6. I have served a copy of this declaration and the application for admission on the
24 San Francisco offices of the State Bar of California with the necessary fee. The State Bar has
25 responded and approved his application.

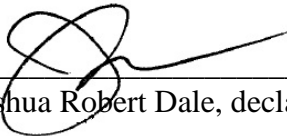
26 7. On November 4, 2024, I exchanged emails with counsel for Defendant, Angela
27 Zugman, Esq., identifying that we intended to present these applications on an ex parte basis. Ms.
28 Zugman responded and stated that Defendant would not oppose the applications for admission.
 Thereafter, following receipt of a date from the court to present this application, on November 12,

1 2024, I informed Defendant's counsel that the hearing on this application would be held on
2 November 14, 2024 at 8:30 a.m. in Department C-70.

3 8. Following the court continuing the hearing on this application, on December 6,
4 2024, at 5:22 PM, I further informed Defendant's counsel via email that a subsequent hearing to
5 address the court's concerns about documentation of the State Bar's approval of this application
6 was required. Therefore, we would be further appearing for a hearing on this application on
7 December 11, 2024, at 8:30 a.m. in Department C-70.

8 I certify and declare under the penalty of perjury under the laws of the State of California
9 that the foregoing is true and correct.

10 Executed this 9th day of December, 2024, at Long Beach, California.

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14 Joshua Robert Dale, declarant

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1 **DECLARATION OF LAURA FERA (NÉE PALMERIN) IN SUPPORT OF**
2 **APPLICATION OF DAVID H. THOMPSON FOR PRO HAC VICE ADMISSION TO**
3 **APPEAR AS COUNSEL FOR PLAINTIFFS**

4 I, Laura Fera (née Palmerin), declare:

5 1. I am an employee of Michel & Associates, P.C. counsel of record for Plaintiffs
6 Danielle Jaymes, Joshuah Gerken, Firearms Policy Coalition, The Second Amendment
7 Foundation, California Rifle & Pistol Association, Incorporated, and National Rifle Association
8 of America in the matter of *Jaymes, et al. v. Maduros*. I make this declaration in support of the
9 Application of attorney David H. Thompson to appear pro hac vice in this matter. The following
10 facts are within my personal knowledge and if called as a witness, I can and will competently
11 testify hereto.

12 2. On August 27, 2024, I submitted on behalf of applicants David H. Thompson,
13 Peter A. Patterson, and Megan M. Wold a Pro Hac Vice application to the State Bar of California
14 along with an application fee of \$50 each.

15 3. On October 24, 2024, I received notice via email from the State Bar stating that
16 Mr. Thompson’s application had been approved. A true and correct copy of the State Bar’s
17 approval email for Mr. Thompson is attached hereto as Exhibit “A.”

18 4. I married and changed my legal surname to Fera in November.

19 I certify and declare under the penalty of perjury under the laws of the State of California
20 that the foregoing is true and correct.

21 Executed this 9th day of December, 2024, at Long Beach, California.

22 
23 _____
24 Laura Fera (née Palmerin), declarant

EXHIBIT A

From: [State Bar of California - Special Admissions](#)
To: [Laura Palmerin](#); dthompson@cooperkirk.com
Subject: Pro Hac Vice Application Approval Notice
Date: Thursday, October 24, 2024 4:14:17 PM

You don't often get email from special.admissions@calbar.ca.gov. [Learn why this is important](#)



Application's Case Number: 01103258

Trial Case Name: Danielle Jaymes, Joshuah Gerken, Second Amendment Foundation, Firearms Policy Coalition, California Rifle & Pistol Association, Inc., and National Rifle Association of America, Inc. v. Nicolas Maduros

Trial Case Number: 37-2024-00031147-CU-MC-CTL

Dear David H. Thompson,

Your Pro Hac Vice application has been successfully filed and approved with the State Bar of California, Office of Admissions.

The successful filing of this application is restricted to the above case only.

Any future documents relating to this particular case must be provided to the State Bar by responding directly to this email, with the document(s) attached. Please do not mail any physical documents to the Admissions office.

If you have any questions regarding this matter, please contact the Special Admissions department at the number below.

Sincerely,

Office of Admissions
State Bar of California | 845 S. Figueroa Street | Los Angeles, CA 90017
(415) 538-2300 | www.calbar.ca.gov/Admissions

Working to protect the public in support of the mission of the State Bar of California.

Please consider the environment before printing this email.

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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF SAN DIEGO

4 I, Laura Fera, am employed in the City of Long Beach, Los Angeles County, California. I
5 am over the age eighteen (18) years and am not a party to the within action. My business address
6 is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On December 9, 2024, I served the foregoing document(s) described as:

8 **EX PARTE APPLICATION OF DAVID H. THOMPSON TO APPEAR PRO HAC
9 VICE; VERIFIED APPLICATION OF DAVID H. THOMPSON; DECLARATION
10 OF JOSHUA ROBERT DALE IN SUPPORT; DECLARATION OF LAURA FERA
11 (NÉE PALMERIN) IN SUPPORT**

12 **[PROPOSED] ORDER ON APPLICATION OF DAVID H. THOMPSON TO
13 APPEAR PRO HAC VICE**

14 on the interested parties in this action by placing

- 15 the original
16 a true and correct copy

17 thereof by the following means, addressed as follows:

18 Kara Siegel
19 Kara.Siegel@doj.ca.gov
20 Angela K. Zugman
21 Angela.Zugman@doj.ca.gov
22 Office of the Attorney General
23 600 West Broadway, Suite 1800
24 San Diego, CA 92101
25 *Attorneys for Defendant*

- 26 (**BY MAIL**) As follows: I am “readily familiar” with the firm’s practice of collection and
27 processing correspondence for mailing. Under the practice it would be deposited with the
28 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
California, in the ordinary course of business. I am aware that on motion of the party
served, service is presumed invalid if postal cancellation date is more than one day after
date of deposit for mailing an affidavit.
- (**BY ELECTRONIC MAIL**) As follows: I served a true and correct copy by electronic
transmission. Said transmission was reported and completed without error.

29 I declare under penalty of perjury under the laws of the State of California that the
30 foregoing is true and correct.

31 Executed on December 9, 2024, at Long Beach, California.

32 
33 _____
34 Laura Fera

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF SAN DIEGO

4 I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County, California.
5 I am over the age eighteen (18) years and am not a party to the within action. My business address
6 is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On August 27, 2024, I served the foregoing document(s) described as:

8 **NOTICE OF HEARING AND APPLICATION OF DAVID H. THOMPSON TO
9 APPEAR PRO HAC VICE; MEMORANDUM IN SUPPORT; VERIFIED
10 APPLICATION OF DAVID H. THOMPSON; DECLARATION OF JOSHUA
11 ROBERT DALE IN SUPPORT**

12 **[PROPOSED] ORDER ON APPLICATION OF DAVID H. THOMPSON TO
13 APPEAR PRO HAC VICE**

14 on the interested parties in this action by placing

- 15 the original
16 a true and correct copy

17 thereof by the following means, addressed as follows:

18 Nicolas Maduros (**BY PERSONAL SERVICE**)
19 Director of the California Department of Tax and Fee Administration
20 651 Bannon Street, Suite 100
21 Sacramento, CA 95811-0299
22 *Defendant*

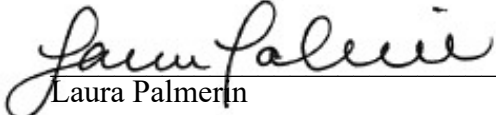
23 Office of Admissions (**BY ELECTRONIC SUBMISSION**)
24 The State Bar of California
25 180 Howard Street
26 San Francisco, CA 94105

27 (**BY MAIL**) As follows: I am “readily familiar” with the firm’s practice of collection and
28 processing correspondence for mailing. Under the practice it would be deposited with the
U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
California, in the ordinary course of business. I am aware that on motion of the party
served, service is presumed invalid if postal cancellation date is more than one day after
date of deposit for mailing an affidavit.

(**PERSONAL SERVICE**) I caused said document(s) to be personally delivered by a
courier to each addressee.

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

Executed on August 27, 2024, at Long Beach, California.


Laura Palmerin