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12 **DISTRICT COURT OF THE UNITED STATES**
13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 B&L PRODUCTIONS, INC., d/b/a
15 CROSSROADS OF THE WEST; GERALD
16 CLARK; ERIC JOHNSON; CHAD
17 LITRELL; JAN STEVEN MERSON;
18 CALIFORNIA RIFLE & PISTOL
19 ASSOCIATION, INCORPORATED;
20 ASIAN PACIFIC AMERICAN GUN
21 OWNERS ASSOCIATION; SECOND
22 AMENDMENT LAW CENTER, INC.; and
23 SECOND AMENDMENT FOUNDATION,

20 Plaintiffs,

21 v.

22 GAVIN NEWSOM, in his official capacity
23 as Governor of the State of California; ROB
24 BONTA, in his official capacity as Attorney
25 General of the State of California; KAREN
26 ROSS, in her official capacity as Secretary
27 of California Department of Food &
28 Agriculture and in his personal capacity;
TODD SPITZER, in his official capacity as
District Attorney of Orange County; 32nd
DISTRICT AGRICULTURAL
ASSOCIATION; DOES 1-10,

Defendants.

Case No.: 8:22-cv-01518-JWH

JOINT STATUS REPORT

Conf. Date: January 9, 2026

Conf. Time: 11:00 AM

Courtroom: 9D

Judge: Hon. John W. Holcomb

Action Filed: August 12, 2022

1 Plaintiffs B&L Productions, Inc., d/b/a Crossroads of the West, Gerald Clark, Eric
2 Johnson, Chad Littrell, Jan Steven Merson, California Rifle & Pistol Association,
3 Incorporated, Second Amendment Law Center, Inc., Asian Pacific American Gun Owners
4 Association, and Second Amendment Foundation, Inc., (“Plaintiffs”) and Defendants
5 Gavin Newsom, Rob Bonta, Karen Ross, and the 32nd District Agricultural Association
6 (“State Defendants”), through their counsel of record, hereby submit this Joint Status
7 Report before the Scheduling Conference set for January 9, 2026.

8 As explained in the status report filed on November 21, 2025 (ECF No. 75), the
9 Parties have continued to meet and confer in good faith regarding (1) the Plaintiffs’
10 proposal to resolve this matter without the need for further litigation; and, in the
11 alternative, (2) a possible stipulation for Plaintiffs to file a Second Amended Complaint.

12 **State Defendants’ Position**

13 The State Defendants have reviewed Plaintiffs’ proposal and draft Second
14 Amended Complaint. After carefully considering both documents, the State Defendants
15 have concluded that they cannot agree to the proposal nor stipulate to the filing of the
16 draft Second Amended Complaint. As was explained to the Plaintiffs, it is the State
17 Defendants’ position that both documents are inconsistent with the Ninth Circuit Court of
18 Appeal’s decision in this case, *B&L Productions, Inc. v. Newsom*, 104 F.4th 108 (9th Cir.
19 2024), review of which was denied by the en banc Ninth Circuit Court of Appeals and by
20 the U.S. Supreme Court, 145 S. Ct. 1958 (2025). The State Defendants understand that
21 Plaintiffs will in turn likely file a motion for leave to file their draft Second Amended
22 Complaint. If Plaintiffs were to do so, then the State Defendants currently intend to
23 oppose such a motion. If the Court were to deny Plaintiffs’ anticipated motion for leave
24 to amend, then the State Defendants currently intend to file a brief motion for judgment
25 on the pleadings regarding the currently operative First Amended Complaint (ECF No.
26 19).

27 The State Defendants do not address the arguments included in Plaintiffs’
28 statement and reserve the right to oppose those arguments at the appropriate time.

1 However, it is worth noting that the California Department of Justice (Department) has
2 made clear that gun shows may occur on state property. An October 31, 2024 information
3 bulletin that was distributed to all California law enforcement agencies and made publicly
4 available on the Department’s website stated that California Penal Code section 27573(a)
5 (italics added):

6 [P]rohibit[s] the sale of firearms, firearm precursor parts, [and] ammunition
7 on state property, [as well as] the contracting of sales or authorization of
8 sales. The law does not, however, prohibit offers for sale or advertising. *Gun*
9 *shows may lawfully occur on state property, as long as no firearms, firearm*
10 *precursor parts, or ammunition are sold.*

11 A full copy of this information bulletin is available at this hyperlink:

12 <https://oag.ca.gov/system/files/media/2024-dle-16.pdf>.

13 **Plaintiffs’ Position**

14 The State Defendants correctly note that, in mid-November, Plaintiffs presented
15 (1) a memorandum outlining a proposed business plan for conducting gun shows on
16 state-owned properties, including the Orange County Fair & Event Center, and (2) a draft
17 Second Amended Complaint. Plaintiffs’ proposal was a good-faith effort to give practical
18 effect to the State Defendants’ repeated representations, accepted by the Ninth Circuit
19 panel, that the Challenged Laws do not prohibit gun shows on state property, but restrict
20 only the “sales” of firearms, ammunition, and firearm parts. Consistent with those
21 representations, Plaintiffs’ proposal was narrowly tailored to allow gun shows to be held
22 on state-owned property without consummating sales in compliance with the Challenged
23 Laws as construed by the State Defendants and the Ninth Circuit. The plan was intended
24 to determine whether, as the State Defendants have insisted throughout this litigation,
25 lawful gun shows could in fact continue on state property in any meaningful form.

26 On December 23, 2025, the State Defendants rejected Plaintiffs’ proposal. They
27 did so without requesting clarification from Plaintiffs about the proposed terms and
28 without proposing any alternative terms under which Plaintiffs could continue conducting

1 business at gun shows on state-owned properties. In effect, the State Defendants’
2 response foreclosed the very possibility they have repeatedly claimed exists—that gun
3 shows may lawfully operate on state property notwithstanding the Challenged Laws.

4 At the same time, the State Defendants declined to stipulate to Plaintiffs’ filing of a
5 Second Amended Complaint that would address, among other things, (1) the changed
6 circumstances stemming from the State Defendants’ rejection of Plaintiffs’ proposed
7 business plan, and (2) newly discovered facts concerning the prohibition of raffles and
8 auctions involving firearms, ammunition, and firearm parts on state property under the
9 Challenged Laws. Instead, the State Defendants contended that the amendment would be
10 improper because, in their view, the proposed pleading is inconsistent with the Ninth
11 Circuit’s decision in the preliminary-injunction appeal—even though the State
12 Defendants would retain all Rule 12 defenses in response to any amended complaint.

13 Plaintiffs note that a decision addressing a preliminary injunction does not resolve
14 the ultimate questions presented by the case. A preliminary injunction ruling, by
15 definition, is preliminary; it does not constitute a final adjudication on the merits. *See*
16 *generally Lackey v. Stinnie*, ___ U.S. ___, 145 S.Ct. 659 (2025). Plaintiffs likewise note that
17 the denial of en banc review merely leaves the panel decision in place and closes the door
18 to further appellate review at the circuit court, but otherwise has no precedential value.
19 Nor is a denial of certiorari by the Supreme Court a “review” on the merits. *Missouri v.*
20 *Jenkins*, 515 U.S. 70, 85 (1995) (quoting *United States v. Carber*, 260 U.S. 482, 490
21 (1923)) (“The denial of a writ of certiorari imports no expression of opinion upon the
22 merits of the case, as the bar has been told many times.”).

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As such, Plaintiffs intend to file a motion for leave to amend under Rule 15.

Dated: December 29, 2025

MICHEL & ASSOCIATES, P.C.

s/ Anna M. Barvir

Anna M. Barvir
Counsel for Plaintiffs B&L Productions, Inc.,
California Rifle & Pistol Association,
Incorporated, Gerald Clark, Eric Johnson, Chad
Littrell, Jan Steven Merson, Asian Pacific
American Gun Owner Association, Second
Amendment Law Center, Inc.

Dated: December 29, 2025

LAW OFFICES OF DONALD KILMER, APC

s/ Donald Kilmer

Donald Kilmer
Counsel for Plaintiff Second Amendment
Foundation

Dated: December 29, 2025

ROB BONTA
Attorney General of California

s/ Charles J. Sarosy

CHARLES J. SAROSY
Deputy Attorney General
Attorneys for Defendants Gavin Newsom, Rob
Bonta, Karen Ross, and the 32nd District
Agricultural Association

ATTESTATION OF E-FILED SIGNATURES

I, Anna M. Barvir, am the ECF User whose ID and password are being used to file this JOINT STATUS REPORT. In compliance with Central District of California L.R. 5-4.3.4, I attest that all signatories are registered CM/ECF filers and have concurred in this filing.

Dated: December 29, 2025

s/ Anna M. Barvir

Anna M. Barvir

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

Case Name: *B&L Productions, et al. v. Gavin Newsom, et al.*
Case No.: 8:22-cv-01518-JWH

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:

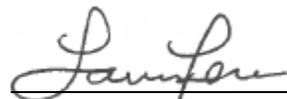
JOINT STATUS REPORT

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

Nicole J. Kau, Deputy Attorney General
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Attorneys for State Defendants

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

Executed December 29, 2025.



Laura Fera