

1 TONY LOPRESTI, County Counsel (S.B. #289269)
2 ARYN PAIGE HARRIS, Deputy County Counsel (S.B. #208590)
3 OFFICE OF THE COUNTY COUNSEL
4 70 West Hedding Street, East Wing, Ninth Floor
5 San José, California 95110-1770
6 Telephone: (408) 299-5900
7 Facsimile: (408) 292-7240
8 Email: aryn.harris@cco.sccgov.org

6 Attorneys for Defendants
7 COUNTY OF SANTA CLARA, and
8 SHERIFF ROBERT JONSEN

9
10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 (San José Division)

13 ROBERT M. BLANK, an individual, ANTONIO
14 RAMOS RODRIGUEZ, an individual, KYLE
15 HOANG TRUONG, an individual, CHARLES
16 KOON CHIU YOUNG, an individual,
17 JONATHAN YOUNG, an individual,
18 CALIFORNIA RIFLE & PISTOL
19 ASSOCIATION, INCORPORATED; and THE
20 SECOND AMENDMENT FOUNDATION,

21 Plaintiffs,

22 v.

23 SANTA CLARA COUNTY SHERIFF'S
24 DEPARTMENT; SHERIFF ROBERT JONSEN,
25 in his official capacity; and DOES 1-10,

26 Defendants.

No. 25CV08027 EJD

**NOTICE OF CLAIM OF
UNCONSTITUTIONALITY
[Civil L.R. 3-8]**

27 Pursuant to Civil Local Rule of Court 3-8, the County of Santa Clara (erroneously also sued
28 as the Sheriff's Department) and Sheriff Robert Jonsen file this Notice of Claim of
Unconstitutionality on the grounds that Plaintiffs' First Amended Complaint (Dkt. 11) "draws in
question" the constitutionality of (1) California Senate Bill 2 ("SB 2") (Gov. Code, § 26150, et. seq.)
the statutory scheme enacted following the Supreme Court's decision in *New York Rifle and Pistol
Association v. Bruen*, 597 U.S. 1 (2022) and that, in turn, amended California's Concealed Carry

1 Weapons statutory scheme, Penal Code 26150, et seq.; and (2) potentially the Levine Act (Gov.
2 Code § 84308).

3 When the constitutionality of a federal or state statute is drawn in question in a case in which
4 the government is not a party, the party raising the issue must “promptly” file a “Notice of
5 Constitutional Question,” stating the question and identifying the pleading or paper that raises it.
6 (Civ.L.R. 3-8.) Defendants have served a copy of the notice and pleading on the California Attorney
7 General to afford the State the opportunity to exercise its right to intervene pursuant to 28 U.S.C §
8 2403(b).

9 The basis for Defendants’ position that Plaintiffs’ First Amended Complaint calls into
10 question SB 2 and the Levine Act’s constitutionality is more fully addressed in Defendants’ Motion
11 to Dismiss filed concurrently with this Notice.

12
13 Dated: December 31, 2025

Respectfully submitted,

14 TONY LOPRESTI
15 COUNTY COUNSEL

16 By: /s/ Aryn Paige Harris
17 ARYN PAIGE HARRIS
18 Deputy County Counsel

19 Attorneys for Defendants
20 COUNTY OF SANTA CLARA, and
21 SHERIFF ROBERT JONSEN

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