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11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN JOSE DIVISION**

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

19 Plaintiffs,

20 v.

21 SANTA CLARA COUNTY; SANTA CLARA  
22 COUNTY SHERIFF’S DEPARTMENT;  
SHERIFF ROBERT JONSEN, in his official  
23 capacity; and DOES 1-10,

24 Defendants.

Case No.: 5:25-cv-08027-EJD

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT**

Initial CMC Date: January 15, 2026  
Initial CMC Time: 10:00 AM  
Courtroom: 4  
Judge: Hon. Edward J. Davila

Action Filed: September 22, 2025

25  
26 Counsel for Plaintiffs Robert M. Blank, Antonio Ramos Rodriguez, Kyle Hoang Truong,  
27 Charles Koon Chiu Young, Jonathan Young, and California Rifle & Pistol Association,  
28 Incorporated, and The Second Amendment Foundation (collectively, “Plaintiffs”) and Defendants

1 Santa Clara County, Santa Clara Sheriff's Department<sup>1</sup>, and Sheriff Robert Jonsen (collectively,  
 2 "Defendants") have met and conferred as required by Federal Rule of Civil Procedure 26(f) and  
 3 this Court's Order Setting Initial Case Management Conference. Pursuant to Rule 26(f), Civil  
 4 Local Rule 16-9, and the Standing Order for All Judges of the Northern District of California, the  
 5 Parties hereby submit the following Joint Case Management Conference Statement in advance of  
 6 the Case Management Conference set for January 15, 2026.

7 **1. JURISDICTION AND SERVICE**

8 This Court has subject matter jurisdiction over Plaintiffs' claims under 28 U.S.C. § 1331  
 9 because the action arises under the Constitution and laws of the United States, thus raising federal  
 10 questions. The Court also has jurisdiction under 28 U.S.C. § 1343(a)(3) and 42 U.S.C. § 1983  
 11 since this action seeks to redress the alleged deprivation, under color of the laws, statutes,  
 12 ordinances, regulations, customs and usages of the state of California and political subdivisions  
 13 thereof, of rights, privileges or immunities secured by the United States Constitution and by Acts  
 14 of Congress. Plaintiffs' claims for declaratory and injunctive relief are authorized by 28 U.S.C. §§  
 15 2201-2202, and their claim for attorneys' fees is authorized by 42 U.S.C. §1988. There are no  
 16 issues regarding personal jurisdiction or venue.

17 Plaintiffs served Defendant Santa Clara County on December 9, 2025. Defendant Sheriff  
 18 Robert Jonsen first appeared in this matter on November 20, 2025. The Santa Clara County  
 19 Sheriff's Department has not yet been served, and the Defendants have filed a Motion to Dismiss  
 20 (Dkt. 27) on the grounds that the "Sheriff's Department" is not a separate legal entity.

21 **2. FACTS**

22 Plaintiffs' Statement: Defendants are Santa Clara County, the Santa Clara County Sheriff's  
 23 Department, and Sheriff Robert Jonson. Through the elected Sheriff of Santa Clara County,  
 24 Defendants are responsible for issuing concealed handgun licenses ("CCW Permits") under state  
 25 law. To that end, Defendants are responsible for promulgating, enforcing, and continuing policies  
 26 \_\_\_\_\_

27 <sup>1</sup> Defendant County and Sheriff Jonsen have filed a Motion to Dismiss (Dkt. 27) seeking to  
 28 dismiss the "Sheriff's Department."

1 with regard to the process of applying for and obtaining a CCW Permit in Santa Clara County that  
2 include: (1) application and permitting fees nearing \$2,000 for an initial application to exercise the  
3 fundamental right to carry and about \$850 to renew every two years; (2) a mandate that all  
4 applicants submit to psychological examination to determine whether the applicant is “mentally  
5 fit” to exercise the right; and (3) the posting of a notice on the CCW Permit application website  
6 suggesting that CCW applicants must comply with campaign contribution disclosure requirements  
7 under the Levine Act (Cal. Gov’t Code § 84308) while their applications are pending.

8 Plaintiffs are (1) individuals who reside in Santa Clara County and have applied or wish to  
9 apply for a CCW Permit from Defendants, and (2) nonprofit associations whose members and  
10 supporters wish to do so. They contend that Defendants’ CCW policies are unconstitutional under  
11 the First, Second, and Fourteenth Amendments.

12 Defendants’ Statement: Defendants do not anticipate that the Parties will have many  
13 factual disputes in this case. Defendants engage in cost recovery for processing CCW applications  
14 consistent with the authorization in California Senate Bill 2 (“SB 2”). Defendants also require  
15 psychological testing as part of the process, which is also consistent with SB 2. Lastly, the  
16 Sheriff’s Office website landing page includes a notice to CCW applicants—that applicants for  
17 CCWs may be required to disclose any campaign contributions they make to Sheriff Jonsen under  
18 the Levine Act (Cal. Gov’t Code § 84308), a disclosure law designed to improve transparency.

### 19 **3. Legal Issues**

20 Plaintiffs’ Statement: Plaintiffs contend that (1) Defendants’ fees to process CCW Permit  
21 applications and satisfy various permitting requirements—nearing \$2,000 for an initial application  
22 to exercise the fundamental right to carry a firearm and about \$850 to renew every two years  
23 thereafter—are grossly excessive in violation of the Second Amendment; (2) Defendants’ mandate  
24 that all applicants submit to a psychological examination without individualized good case violates  
25 both the Second Amendment and the right to due process; and (3) Defendants’ Levine Act notice  
26 violates the First and Second Amendments. Plaintiffs contend that this case is straightforward as to  
27 its core questions because the Court’s main task will be to apply the Supreme Court’s recent  
28 Second Amendment decisions in *New York State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1 (2022),

1 and *United States v. Rahimi*, 602 U.S. 680 (2024). That is, this Court must determine whether  
2 Defendants can establish sufficient historical support for their laws, policies, and practices.

3 As for the remaining constitutional questions, they too are straightforward. Plaintiffs’  
4 challenge to Defendants’ Levine Act notice asks the Court to determine whether the notice, made  
5 in connection with one’s application for a CCW, tends to chill the First Amendment activities of  
6 CCW applicants. And

7 Defendants’ Statement: Defendants contend that the First Amended Complaint challenges  
8 the constitutionality of California Senate Bill 2 (“SB 2”). Following the Supreme Court’s decision  
9 in *New York Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1 (2022) (“*Bruen*”), California passed SB 2,  
10 which amended its Concealed Carry Weapons statutory scheme under Penal Code § 26150, et seq.  
11 SB 2, which became effective January 1, 2024, removed the unconstitutional “good cause”  
12 requirement and replaced it with the requirement that licensing authorities determine whether a  
13 CCW applicant is a “disqualified person” before issuing a CCW license. Penal Code § 26202 sets  
14 forth considerations for determining whether an applicant is deemed a “disqualified person” based  
15 on factors such as criminal history, mental health, substance abuse, and restraining orders. As part  
16 of conducting this analysis, public entities can seek cost recovery and require applicants to  
17 undergo a psychological test: the features of the statute at issue in this matter.

18 Plaintiffs claim Defendants’ implementation of SB 2 violates the Second and Fourteenth  
19 Amendments because Defendants’ cost recovery is too high—albeit authorized—and that the  
20 psychological test is unconstitutional. Because both cost recovery and psychological testing are  
21 permitted under SB 2, a challenge to Defendants’ use of the discretion authorized by SB 2 is  
22 merely a claim that the State authorizes unconstitutional conduct misdirected at Defendants. For  
23 this reason, it is Defendants’ position that the Court should certify the case for the California  
24 Attorney General and/or wait for 60 days to allow the Attorney General to intervene so as not to  
25 prematurely decide the constitutional questions presented by this lawsuit. Even if the Attorney  
26 General were not to intervene to defend its laws, it is Defendants’ position that it merely engages  
27 in cost recovery authorized by the statutory scheme that calls for extensive procedural steps prior  
28 to issuing a CCW license. Further, Defendants contend that psychological tests are constitutional.

1 Defendants are electing to wait for a decision on the Attorney General’s involvement before  
2 briefing these legal issues.

3 Plaintiffs also claim that Defendants’ inclusion of a notice on its website landing page to  
4 CCW applicants—that applicants for CCWs may be required to disclose any campaign  
5 contributions they make to Sheriff Jonsen under the Levine Act (Cal. Gov’t Code § 84308), a  
6 disclosure law designed to improve transparency—is an impermissible regulation of political  
7 speech under the First Amendment. Plaintiffs claim that Defendants misinterpret the Levine Act’s  
8 applicability to CCW licenses, which is an argument that does not draw into question the  
9 constitutionality of the Levine Act. Defendants’ position is that the Levine Act disclosure  
10 requirements are constitutionally permissible under the First Amendment. Thus, a motion to  
11 dismiss for failure to state a claim is warranted.

#### 12 **4. MOTIONS**

13 Defendants Santa Clara County and Sheriff Jonson moved to dismiss on December 30,  
14 2025. The motion is scheduled to be heard on February 26, 2026. Plaintiffs intend to oppose. The  
15 motion is not dispositive. The Parties agree that the issues of this case described in Section 3,  
16 *supra*, can likely be resolved by motion or cross-motions for summary judgment because they turn  
17 heavily on questions of constitutional law. The Parties agree to discuss and propose a mutually  
18 agreeable briefing and hearing schedule for summary judgment. Although the Parties dispute  
19 whether the First Amended Complaint challenges the constitutionality of SB 2, Defendants are  
20 waiting to see if the California Attorney General will be involved in the case before setting a  
21 briefing schedule.

#### 22 **5. AMENDMENT OF PLEADINGS**

23 On November 14, 2025, before the complaint was served on Defendants, Plaintiffs filed a  
24 First Amended Complaint to add the County of Santa Clara as a defendant. The Parties do not  
25 anticipate further amendments to the pleadings to add or dismiss parties, claims, or defenses at this  
26 time, but they reserve the right to do so. The Parties propose a deadline to amend the pleadings of  
27 May 1, 2026.  
28

1     **6.     EVIDENCE PRESERVATION**

2             Counsel for the Parties certify that they have reviewed the Guidelines Relating to the  
3     Discovery of Electronically Stored Information (“ESI Guidelines”) and have met and conferred  
4     under Rule 26(f) regarding discovery of ESI. The Parties agree that this case is unlikely to be  
5     discovery-intensive and that, similarly, it is unlikely to involve significant ESI discovery. That  
6     said, the Parties agree to take all reasonable and proportionate steps to preserve evidence,  
7     including ESI, relevant to the issues here. As guiding principles, the Parties agree to meet and  
8     confer in good faith as needed concerning issues that arise with respect to the disclosure or  
9     discovery of ESI, and to use their best efforts to produce electronically stored information in the  
10    format preferred by the requesting party, including reasonable requests for production of such  
11    information with metadata intact.

12    **7.     DISCLOSURES**

13            Initial Disclosures are due to be exchanged on or before January 7, 2026. The Parties agree  
14    that no changes to the form or requirement to exchange initial disclosures are necessary.

15    **8.     DISCOVERY**

16            The Parties have not taken any discovery to date.

17            As described in section 6, *supra*, the Parties agree that this case is unlikely to be discovery-  
18    intensive or to involve substantial ESI discovery, and the Parties do not anticipate the need to enter  
19    into a stipulated e-discovery order. Should a need arise for an e-discovery order, the Parties agree  
20    to use the Court’s Model Stipulated Order Re: Discovery of Electronically Stored Information For  
21    Standard Litigation.

22            Pursuant to the Federal Rules of Civil Procedure and this Court’s Standing Order, the  
23    Parties met and conferred to discuss and propose the following discovery plan:

24            **a.     Anticipated Scope of Discovery (FRCP 26(f)(3)(B))**

25            Pursuant to Rule 26(f)(3)(B), the Parties agree that discovery will be conducted on the  
26    allegations and claims contained within Plaintiff’s First Amended Complaint and the denials and  
27    defenses raised in the Defendants’ Answer. The Parties intend to propound written discovery in  
28    the form of interrogatories, requests for production, and requests for admission as authorized by

1 the Federal Rules. The parties may also conduct the depositions of the parties and various third  
2 parties, including expert and lay witnesses.

3 The Parties agree that the central issues turn on legal determinations rather than factual  
4 findings and, thus, this case is not likely to be fact-discovery intensive. Still, some claims may  
5 require factual development about the actual expense of processing CCW Permits, information  
6 about the required psychological testing, and damages. The Parties intend to propound written  
7 discovery in the form of interrogatories, requests for admission, and requests for production of  
8 documents, if necessary, and conduct party and third-party witness depositions about these issues.  
9 Additionally, if the Parties intend to rely on expert witnesses, there will need to be time for expert  
10 discovery. It is premature to determine how extensive expert discovery may be, but the Parties  
11 agree that this case does not require phases of discovery, nor are any other special procedures  
12 necessary.

13 **b. Electronically Stored Information (FRCP 26(f)(3)(C))**

14 In accordance with Rule 26(f)(3)(C) and this Court's ESI Guidelines, the Parties have  
15 discussed electronically stored information. *See* Section 6, *supra*, re: Evidence Preservation.

16 **c. Privilege Issues (FRCP 26(f)(3)(D))**

17 In accordance with Rule 26(f)(3)(D), the Parties have discussed privilege and protection  
18 issues, including potential third-party privacy concerns that may arise in this case dealing with  
19 Defendants' CCW Permit records. The Parties also discussed the potential need for a protective  
20 order. Should a need arise for a protective order, the Parties agree to use the Court's model  
21 protective order. To the extent that the Parties believe amendments to the Court's model order are  
22 necessary, they will meet and confer in good faith to discuss such changes and will present those  
23 proposed changes in a redline document to the Court for approval.

24 **d. Changes to Discovery Limitations (FRCP 26(f)(3)(E))**

25 The Parties do not anticipate the need to change the rules on discovery limitations, and they  
26 adopt the default limitations imposed by the Federal Rules of Civil Procedure, local rules, and  
27 applicable case law. The Parties reserve the right to seek leave to exceed these discovery  
28 limitations if necessary.

1           **e. Other Discovery & Scheduling Orders (FRCP 26(f)(3)(F))**

2           In accordance with Rule 26(f)(3)(F), the Parties have discussed the need for other  
3           discovery or scheduling orders under Rules 26(c), 16(b), and 16(c). They do not anticipate the  
4           need for other orders at this time.

5           **9. CLASS ACTIONS**

6           This case is not a class action.

7           **10. RELATED CASES**

8           The Parties are not aware of any related cases pending before this Court or another court or  
9           administrative body. A similar case challenging the amount of fees charged for Carry Licenses in  
10          the city of La Verne was filed in the Central District of California; that case settled in June 2025.

11          Although it is not entirely clear at this stage whether the Defendants are aware of numerous  
12          cases throughout the state involving the constitutionality of SB 2.

13          **11. RELIEF**

14          Plaintiffs seek equitable relief, including a declaration that Defendants' CCW Permit  
15          policies violate the First, Second, and/or Fourteenth Amendments of the U.S. Constitution and an  
16          injunction permanently enjoining Defendants from enforcing those policies. Also, Plaintiffs who  
17          have paid CCW Permit fees to Defendants and/or have undergone psychological testing as part of  
18          their application process seek compensatory damages in the amount of fees paid.

19          **12. SETTLEMENT AND ADR**

20          The Parties have not engaged in any ADR efforts to date. Because Plaintiffs challenge the  
21          constitutionality of Defendants' Carry Permit policies, and because Defendants maintain that their  
22          policies are consistent with both the federal constitution and state law and have no intention to  
23          reverse the challenged policies, the Parties agree that settlement and ADR are extremely unlikely  
24          to be successful in this case. That said, the Parties remain open to ADR, and all Parties have filed  
25          the ADR Certification by Parties and Counsel required by Civil L.R. 16-8 and ADR L.R. 3-5.

26          **13. OTHER REFERENCES**

27          The Parties agree that this case is not suitable for reference to binding arbitration, a special  
28          master, or the Judicial Panel on Multidistrict Litigation.

1 **14. NARROWING OF ISSUES**

2 As discussed above, the Parties believe that a motion or cross motions for summary  
 3 judgment is the best way to expedite resolution of the matter and identify the following issues as  
 4 the most consequential to the case:

- 5 1. Is Defendants’ cost recovery for CCW license applications constitutional?
- 6 2. Is Defendants’ psychological testing practices for CCW license applications  
 7 constitutional?
- 8 3. Is Defendants’ posting of a Levine Act Notice on the CCW application landing page  
 9 constitutional?

10 **15. SCHEDULING**

11 It is the Parties’ position that the Parties should wait for a decision on whether the  
 12 California Attorney General will appear in this case to determine the case management schedule.  
 13 Nevertheless, the Parties propose the following case schedule:

<b>Event</b>	<b>Proposed Date</b>
14 Designation of Experts	September 16, 2026
15 Fact Discovery Cutoff (excluding hearing on discovery 16 motions)	September 16, 2026
17 Expert Discovery Cutoff (excluding hearing on discovery 18 motions)	October 28, 2026
19 Last Day to Hear Dispositive Motions	January 14, 2027
20 Pretrial Conference	February 25, 2026
21 Trial	March 16, 2027

22 **16. TRIAL**

23 Plaintiffs have made a demand for a jury trial. The Parties expect trial to take 30 hours.

24 **17. DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR PERSONS**

25 Plaintiffs filed the Certification of Conflicts and Interested Entities or Persons as required  
 26 by Civil Local Rule 3-15 on September 25, 2025. Other than the named parties, there is no such  
 27 interest to report with respect to Plaintiffs. Defendants Santa Clara County and Santa Clara  
 28

1 Sheriff's Office are public entities, so Local Rule 3-15 does not apply to them.

2 **18. PROFESSIONAL CONDUCT**

3 Counsel for the Parties certify that they have reviewed the Guidelines for Professional  
4 Conduct for the Northern District of California.

5 **19. OTHER MATTERS**

6 Counsel are not aware of other matters that may facilitate the just, speedy, and inexpensive  
7 disposition of this matter.

8 Respectfully submitted,

9 Dated: January 2, 2026

**MICHEL & ASSOCIATES, P.C.**

10 /s/ Anna M. Barvir

11 Anna M. Barvir

12 Counsel for Plaintiffs Robert M. Blank, Antonio Ramos  
13 Rodriguez, Kyle Hoang Truong, Charles Koon Chiu  
14 Young, Jonathan Young, and California Rifle & Pistol  
15 Association, Incorporated

14 Dated: January 2, 2026

**LAW OFFICES OF DONALD KILMER, APC**

15 /s/ Donald Kilmer

16 Donald Kilmer

17 Counsel for Plaintiff The Second Amendment Foundation

16 Dated: January 2, 2026

**TONY LOPRESTI**  
**County Counsel**

18 /s/ Aryn Paige Harris

19 ARYN PAIGE HARRIS

20 Deputy County Counsel

21 Counsel for Defendants Santa Clara County and Sheriff  
22 Robert Jonsen

21 **ATTESTATION OF E-FILED SIGNATURES**

22 I, Anna M. Barvir, am the ECF User whose ID and password are being used to file this  
23 JOINT CASE MANAGEMENT CONFERENCE STATEMENT. In compliance with Northern  
24 District of California L.R. 5-1(i)(3), I attest that all signatories are registered CM/ECF filers and  
25 have concurred in this filing.

26 Dated: January 2, 2026

/s/ Anna M. Barvir

27 Anna M. Barvir

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**CERTIFICATE OF SERVICE**  
IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case Name: *Blank v. Santa Clara County Sheriff's Department*  
Case No.: 5:25-cv-08027-EJD

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 CASE MANAGEMENT CONFERENCE STATEMENT**

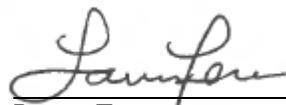
on the following parties, as follows:

Tony Lopresti  
Aryn Paige Harris  
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*Attorneys for Defendant Santa Clara County  
and Sheriff Robert Jonsen*

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

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 2, 2026, in Long Beach, California.

  
\_\_\_\_\_  
Laura Fera