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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 STIPULATION RE: CASE  
MANAGEMENT & PROPOSAL TO  
STAY CASE PENDING EN BANC  
NINTH CIRCUIT OPINIONS IN  
YUKUTAKE V. LOPEZ & RHODE V.  
BONTA**

Courtroom: 9D

Judge: Hon. Judge 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  
4 Owners Association, and Second Amendment Foundation, Inc., (“Plaintiffs”) and  
5 Defendants Gavin Newsom, Rob Bonta, Karen Ross, and the 32nd District Agricultural  
6 Association (“State Defendants”) (collectively, “the Parties”), through their counsel of  
7 record, hereby submit this Joint Stipulation Re: Case Management & Proposal to Stay  
8 Case Pending Ninth Circuit En Banc Opinions in *Yukutake v. Lopez* and *Rhode v. Bonta*.

9 WHEREAS, in the Ninth Circuit opinion that vacated the preliminary injunction in  
10 this case and affirmed the dismissal of the complaint in the related case in the Southern  
11 District of California, the Ninth Circuit rejected the Plaintiffs’ Second Amendment claim  
12 because the “Challenged Statutes do not ‘meaningfully constrain’ any individual’s ability  
13 to keep and bear arms.” *B&L Prods., Inc. v. Newsom*, 104 F.4th 108, 110 (9th Cir. 2024).

14 WHEREAS, in Plaintiffs’ pending Motion for Leave to File Second Amended  
15 Complaint, Plaintiffs noted that the United States government had recently questioned the  
16 “meaningful constraint” test in an amicus brief filed in the Ninth Circuit. Pls.’ Mot. at 9  
17 (discussing En Banc Brief for the United States as Amicus Curiae at 6-7, *Rhode v. Bonta*,  
18 No. 24-542 (9th Cir. Jan. 5, 2026), ECF No. 98.1).

19 WHEREAS, in the State Defendants’ Opposition to Plaintiffs’ Motion for Leave to  
20 File Second Amended Complaint (ECF No. 80), the State Defendants referenced and  
21 relied upon the Ninth Circuit’s reasoning for rejecting Plaintiffs’ Second Amendment  
22 claim, including the application of the “meaningful constraint” analysis to the Challenged  
23 Statutes in this case. State Defs.’ Opp’n at 12-15.

24 WHEREAS, in their Reply to Opposition to Plaintiffs’ Motion for Leave to File  
25 Second Amended Complaint (ECF No. 81), Plaintiffs responded to the State Defendants’  
26 arguments about the “meaningful constraint” test and also explained how, through their  
27 proposed Second Amended Complaint, they are attempting to plead that the Challenged  
28 Statutes impose a “meaningful constraint” on the Second Amendment. Pls.’ Reply at 8-

1 13. Plaintiffs also again noted that the Ninth Circuit’s “meaningful constraint” test was  
2 being challenged in an amicus brief filed by the United States government. *Id.* at 13, n.5.

3 WHEREAS, the three-judge panel opinions in *Yukutake v. Lopez*, 130 F.4th 1077  
4 (9th Cir. 2025) and in *Rhode v. Bonta*, 145 F.4th 1090 (9th Cir. 2025) each applied the  
5 “meaningful constraint” analysis and concluded that the challenged laws were  
6 unconstitutional under the Second Amendment.

7 WHEREAS, petitions for rehearing en banc were subsequently granted in both  
8 cases, thereby vacating the three-judge panel opinions in *Yukutake* and *Rhode*. *See*  
9 *Yukutake v. Lopez*, 144 F.4th 1119 (9th Cir. 2025); *Rhode v. Bonta*, 159 F.4th 1170 (9th  
10 Cir. 2025).

11 WHEREAS, each of these cases were assigned to different en banc panels, with the  
12 en banc oral argument for *Yukutake v. Lopez* (Case No. 21-16756) occurring on March 24,  
13 2026, and the en banc oral argument for *Rhode v. Bonta* (Case No. 24-542) occurring on  
14 March 25, 2026. During both oral arguments, members of the separate en banc panels  
15 asked the parties to address the status of the “meaningful constraint” test, implying that  
16 both panels are considering whether to address this test in their respective decisions.<sup>1</sup>

17 WHEREAS, the en banc panels in *Yukutake* and *Rhode* could choose not to  
18 address the “meaningful constraint” test, modify it, affirm it, or abrogate it. Regardless of  
19 the outcome, the decisions in either or both cases could impact the analysis of Plaintiffs’  
20 Second Amendment claim in this case.

21 WHEREAS, in order to conserve the resources of both the parties and this Court,  
22 the Parties agree that good cause exists to stay this matter and to postpone the hearing on  
23 Plaintiffs’ motion to for leave to amend, currently set for April 3, 2026, at 9:00 AM.

24 NOW THEREFORE, the Parties notify the Court of this situation and jointly  
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26 <sup>1</sup> No transcripts of the oral arguments are available yet, but video recordings of the  
27 arguments are available on the official YouTube channel for the US Court of Appeals for  
28 the Ninth Circuit. *Yukutake v. Honolulu* En Banc Oral Argument, YouTube.com (March  
24, 2026), [https://www.youtube.com/live/l8j2pz6H\\_Fc](https://www.youtube.com/live/l8j2pz6H_Fc); *Rhode v. Bonta* En Banc Oral  
Argument, YouTube.com (March 25, 2026), <https://www.youtube.com/live/2bjcA-zFr4E>.

1 propose the following actions by this Court:

2 a. Take the hearing on Plaintiffs’ Motion for Leave to File Second  
3 Amended Complaint off calendar, to be reset (if necessary) at a later date.

4 b. Stay this action until the latter of the two en banc panels in *Yukutake v.*  
5 *Lopez*, Case No. 21-1675, and *Rhode v. Bonta*, Case No. 24-542, issues its opinion.

6 c. Order that the Parties file a status report with the Court within 21 days  
7 after the latter of the two en banc panels in *Yukutake v. Lopez*, Case No. 21-1675,  
8 and *Rhode v. Bonta*, Case No. 24-542, issues its opinion, so that the Parties can  
9 inform the Court about potential next steps.

10 Respectfully submitted,

11 Dated: March 27, 2026

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

*s/ Anna M. Barvir*

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

17 Dated: March 27, 2026

**LAW OFFICES OF DONALD KILMER, APC**

*s/ Donald Kilmer*

18 Donald Kilmer  
19 Counsel for Plaintiff Second Amendment  
Foundation

20 Dated: March 27, 2026

**ROB BONTA**  
**Attorney General of California**

*s/ Charles J. Sarosy*

21 CHARLES J. SAROSY  
22 Supervising Deputy Attorney General  
23 Attorneys for Defendants Gavin Newsom, Rob  
24 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 STIPULATION RE: CASE MANAGEMENT & PROPOSAL TO STAY CASE PENDING NINTH CIRCUIT EN BANC OPINIONS IN *YUKUTAKE V. LOPEZ* & *RHODE V. BONTA*. 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: March 27, 2026

*s/ Anna M. Barvir*

Anna M. Barvir

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**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 STIPULATION RE: CASE MANAGEMENT & PROPOSAL TO STAY  
CASE PENDING EN BANC NINTH CIRCUIT OPINIONS IN *YUKUTAKE V.  
LOPEZ & RHODE V. BONTA***

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

[nicole.kau@doj.ca.gov](mailto:nicole.kau@doj.ca.gov)

Charles J. Sarosy, Supervising Deputy Attorney General

[charles.sarosy@doj.ca.gov](mailto:charles.sarosy@doj.ca.gov)

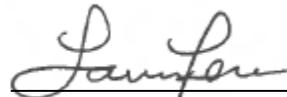
300 South Spring Street, Suite 1702

Los Angeles, CA 90013-1230

*Attorneys for State Defendants*

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

Executed March 27, 2026.

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