

Case No. 25-693

In the United States Court of Appeals
for the Ninth Circuit

ADAM RICHARDS, et al.,
Plaintiffs-Appellants,

V.

GAVIN NEWSOM,
in his official capacity as Governor of the State of California,
Defendant-Appellee.

On Appeal from the United States District Court
for the Central District of California
Case No. 8:23-cv-02413 JVS (KESx)

**APPELLEE-DEFENDANTS' POSITION ON APPELLANTS' MOTION
FOR EXTENSION OF TIME TO FILE A PETITION FOR PANEL
REHEARING OR REHEARING EN BANC**

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Attorneys for Plaintiffs-Appellants

September 6, 2026

**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR
PANEL REHEARING OR REHEARING EN BANC**

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DEFENDANT-APPELLEES' POSITION

On September 4, 2026, Plaintiff-Appellants filed a request for extension of time to file petition for en banc rehearing. We notified the court that we had contacted the Defendant-Appellees for their position on the request for extension on that date.

Today, September 6, 2022 the Appellee-Defendants notified Plaintiff-Appellants that they take no position on the request for extension.

Respectfully submitted,

Dated: September 6, 2026

MICHEL & ASSOCIATES, P.C.

s/ Anna M. Barvir

Anna M. Barvir

*Attorneys for Plaintiffs-Appellants Adam Richards,
Jeffrey Vandermeulen, Gerald Clark, Jesse Harris,
On Target Indoor Shooting Range, LLC,
Gaalswyk Enterprises, Inc. (D/B/A/ Smokin'
Barrel Firearms), Gun Owners of California, Inc.,
Gun Owners of America, Inc., Gun Owners
Foundation, and California Rifle & Pistol
Association, Incorporated*

Dated: September 6, 2026

LAW OFFICES OF DONALD KILMER, APC

s/ Donald Kilmer

Donald Kilmer

*Attorney for Plaintiff-Appellant Second Amendment
Foundation*

DECLARATION OF DONALD KILMER

I, Donald Kilmer, declare:

1. I am an attorney licensed to practice law in the State of California and before this Court.

2. On September 6, 2026 at approximately 2:51 p.m. Mountain Time I received an email from Anne Bellows (Anne.Bellows@doj.ca.gov) informing me that her clients take no position on the request for an extension.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed in Caldwell, Idaho, on September 6, 2026.

s/ Donald Kilmer

Donald Kilmer

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2026, an electronic PDF of

**APPELLEE-DEFENDANT'S POSITION ON APPELLANTS' MOTION
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was uploaded to the Court's CM/ECF system, which will automatically generate and send by electronic mail a Notice of Docket Activity to all registered attorneys participating in the case. Such notice constitutes service on those registered attorneys.

Dated: September 4, 2026

Respectfully submitted,

LAW OFFICES OF DONALD KILMER, APC

s/ Donald Kilmer

Donald Kilmer

Attorneys for Plaintiffs-Appellants