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11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**
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14 EDWARD PERUTA, MICHELLE
15 LAXSON, JAMES DODD, DR.
LESLIE BUNCHER, MARK
16 CLEARY, and CALIFORNIA RIFLE
AND PISTOL ASSOCIATION
17 FOUNDATION

18 Plaintiffs,

19 v.

20 COUNTY OF SAN DIEGO,
WILLIAM D. GORE,
21 INDIVIDUALLY AND IN HIS
CAPACITY AS SHERIFF,
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23 Defendants.
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CASE NO: 09-CV-2371 IEG (BGS)

**JOINT MOTION OF THE PARTIES
TO ADOPT STIPULATED
BRIEFING SCHEDULE**

Pursuant to Fed. R. Civ. P. 16(b)(4)

Honorable Irma E. Gonzalez, presiding

Date Action Filed: October 23, 2009

I.

INTRODUCTION

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3 The parties, Plaintiffs Edward Peruta, Michelle Laxson, James Dodd, Dr.
4 Leslie Buncher, Mark Cleary, and California Rifle & Pistol Association Foundation
5 (collectively “Plaintiffs”) and Defendants County of San Diego and Sheriff William
6 D. Gore (collectively “Defendants”), through their respective attorneys of record,
7 hereby jointly move the Court to adopt the stipulated briefing schedule set forth
8 herein.

II.

RECITALS/GROUNDS FOR RELIEF

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11 WHEREAS, Plaintiffs in this matter filed their Motion for Partial Summary
12 Judgment on September 3, 2010;

13 WHEREAS, Defendants filed their Opposition to Plaintiffs’ Motion, and
14 simultaneously Defendants’ Cross-Motion for Summary Judgement on October 4,
15 2010;

16 WHEREAS, the Brady Campaign has submitted a lengthy and substantial
17 proposed amicus curiae brief in support of Defendant’s Cross-Motion for Summary
18 Judgment and Opposition to Plaintiffs’ Motion for Partial Summary Judgment;

19 WHEREAS, Defendants have included a lengthy declaration by Mr. Franklin
20 Zimring in support of their Cross-Motion and Opposition to Plaintiffs’ Motion for
21 Partial Summary Judgment;

22 WHEREAS, Plaintiffs must file their Reply to Defendants’ Opposition and
23 simultaneously Plaintiffs’ Opposition to Defendants’ Cross-Motion on or before
24 October 11, 2010;

25 WHEREAS, Defendants must file their Reply to Plaintiffs’ Opposition on or
26 before October 18, 2010;

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1 WHEREAS, both Plaintiffs' Motion for Partial Summary Judgment and
2 Defendants' Cross-Motion for Summary Judgment are set to be heard before the
3 Honorable Chief Judge Irma Gonzalez on November 1, 2010 at 10:00 a.m. in
4 Courtroom 1, or as soon thereafter as may be heard by the court;

5 AND WHEREAS, THE PARTIES HAVE STIPULATED AND AGREED
6 TO THE FOLLOWING:

7 1. Plaintiffs shall file their Reply to Defendants' Opposition and
8 simultaneously Plaintiffs' Opposition to Defendants' Cross-Motion on or before
9 October, 18, 2010, the supporting Points and Authorities for which shall not exceed
10 20 pages total.

11 2. Defendants shall file their Reply to Plaintiffs' Opposition on or before
12 November 1, 2010, the supporting Points and Authorities for which shall not
13 exceed 10 pages. The issues addressed in this Reply shall be limited to responding
14 to the issues raised in Plaintiffs' Opposition to Defendants' Cross-Motion. This
15 Reply shall not address issues raised in Plaintiffs' Reply to Defendants'
16 Opposition. In other words, this is not and shall not be written as a sur-reply.

17 3. Plaintiffs' Motion and Defendants' Cross-Motion should be heard in this
18 Court on November 15, 2010.

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1 The parties hereby jointly request that the Court grant the relief sought by
2 this motion and amend the briefing schedule in this case in accordance therewith.

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4 Dated: October 5, 2010

MICHEL & ASSOCIATES, P.C.

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6 /s/ C. D. Michel

C.D. Michel

7 Attorney for Plaintiff Edward Peruta

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9 Dated: October 5, 2010

PAUL NEUHARTH, JR., APC

10 /s/ Paul Neuharth, Jr.(as approved on 10/5/10)

Paul Neuharth, Jr.

11 Attorney for Plaintiff Edward Peruta

12
13 Dated: October 5, 2010

JAMES M. CHAPIN, County Counsel

14 /s/ James M. Chapin (as approved on 10/5/10)

15 Attorney for Defendants County of San
16 Diego and William D. Gore
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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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EDWARD PERUTA,
MICHELLE LAXSON, JAMES
DODD, DR. LESLIE
BUNCHER, MARK CLEARY,
and CALIFORNIA RIFLE
AND PISTOL ASSOCIATION
FOUNDATION

Plaintiffs,

v.

COUNTY OF SAN DIEGO,
WILLIAM D. GORE,
INDIVIDUALLY AND IN HIS
CAPACITY AS SHERIFF,

Defendants.

CASE NO. 09-CV-2371 IEG (BGS)
CERTIFICATE OF SERVICE

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 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of:

**JOINT MOTION OF THE PARTIES TO ADOPT STIPULATED
BRIEFING SCHEDULE**

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

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I declare under penalty of perjury that the foregoing is true and correct.
Executed on October 5, 2010.

/s/ C. D. Michel
C.D. Michel
Attorney for Plaintiff