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10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**  
12

13 **MICHELLE NGUYEN, et al,**

14 Plaintiffs,

15 v.

16 **ROB BONTA, in his official capacity as**  
17 **Attorney General of California, et al,**

18 Defendants.  
19

Case No. 3:20-cv-02470-WQH-MMP

**JOINT MOTION AND  
STIPULATION TO AMEND  
THIRD AMENDED  
SCHEDULING ORDER  
REGULATING DISCOVERY  
AND OTHER PRE-TRIAL  
PROCEEDINGS**

Judge: Hon. William Q.  
Hayes

Action Filed: December 18, 2020

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22  
23 All parties to this case apply to the Court and agree as follows in support of this  
24 motion and stipulation to amend the Third Amended Scheduling Order Regulating  
25 Discovery and Other Pre-Trial Proceedings:

26 This Court's initial order setting the schedule for post-*Bruen* discovery and  
27 renewed motions for summary judgment was entered on February 21, 2023 (Dkt. No.  
28

53), pursuant to which the cut-off for discovery was July 28, 2023, and the parties' pretrial motions are due September 1, 2023. Throughout this period, the parties have worked diligently in preparing their cross-motions for summary judgment. Defendants' counsel has produced multiple expert reports and voluminous documents underlying the same, which Plaintiffs' counsel has reviewed, and both counsel have made substantial progress in preparing their respective cases. To date, neither has requested an extension of time for the filing of their pretrial motions.

Given the implications of *Bruen*, both counsel are simultaneously managing time-sensitive obligations in multiple other cases involving Second Amendment challenges to firearms regulations, including extensive ongoing discovery and briefing responsibilities over the next several weeks. Additionally, counsel for Defendants is scheduled to be on vacation for the week of September 4th, and counsel for Plaintiffs has a deadline of September 9 for another summary judgment brief. Accordingly, they propose extending the filing deadline for the pretrial motions in this case by two weeks, such that the motions are due September 15, 2023.

For the opposition and reply briefs, in the previous rounds of briefing, the parties had three weeks to file their oppositions and then two weeks to file their replies. Reserving at least that much time makes sense at this stage as well, given that it represents the final stage of multiple stages of briefing and involves new evidence. Three weeks from September 15 would be October 6. However, that same day, counsel for Plaintiff has an opening summary judgment brief in another Second Amendment case, which also involves a lengthy record and complex issues. Therefore, the parties propose setting the due dates for the oppositions just one week later, on October 13, with the reply briefs being due two weeks later, on October 27.

Preparing the renewed summary judgment motions and related evidence that fully address the multi-faceted, inherently complex issues in this case will require a substantial amount of time. To ensure that the parties have sufficient time to do so while properly managing their time-sensitive obligations over the same period, they

1 hereby stipulate, agree, and respectfully request that the Third Amended Scheduling  
2 Order be amended to provide that the parties' pretrial motions are due September 15,  
3 the opposition briefs are due October 13, and the reply briefs are due October 27.

4 Any hearing on the motions will be scheduled in the discretion of the Court.

5 IT IS SO STIPULATED.

6 Dated: August 24, 2023

Respectfully submitted,

7 The DiGuiseppe Law Firm, P.C.

8 /s/ Raymond M. DiGuiseppe  
9 RAYMOND M. DIGUISEPPE  
Attorney for Plaintiffs

10  
11 Dated: August 24, 2023

12 ROB BONTA  
Attorney General of California  
13 ANTHONY R. HAKL  
Supervising Deputy Attorney General

14 /s/ Jerry T. Yen  
15 JERRY T. YEN  
Deputy Attorney General  
16 Attorneys for Defendants Rob Bonta, in  
his official capacity as California  
17 Attorney General, and Luis Lopez, in  
his official capacity as Director of the  
18 Department of Justice Bureau of  
Firearms

**SIGNATURE CERTIFICATION**

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Jerry T. Yen, counsel for Defendants, and that I have obtained his authorization to affix his electronic signature to this document.

Dated: August 24, 2023

/s/ Raymond M. DiGuiseppe  
Raymond M. DiGuiseppe  
The DiGuiseppe Law Firm, P.C.  
*Attorneys for Plaintiffs*