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) Civil Action No. 1:22-cv-00142
) DKW-KJM
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) **STIPULATED JUDGMENT**
) **AND STIPULATED**
) **PERMANENT INJUNCTION**
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**STIPULATED JUDGMENT AND STIPULATED PERMANENT
INJUNCTION**

1) IT IS ORDERED AND ADJUDGED THAT JUDGMENT IS ENTERED AGAINST DEFENDANT THE CITY AND COUNTY OF HONOLULU (“the County”) AND THE ATTORNEY GENERAL OF THE STATE OF HAWAII (“Hawaii”, and together with the County, “Defendants”);

2) The preliminary injunction issued by this Court against the County on November 23, 2022 (ECF No. 48) is, by agreement, now a permanent injunction against the County;

3) The County shall pay Plaintiff \$102,500.00, subject to approval by the Honolulu City Council. Should the Honolulu City Council not approve the Parties’ Stipulation and this Stipulated Judgment and the payment identified herein, the Stipulation shall be null and void as between the County and Plaintiff and this Stipulated Judgment and Stipulated Permanent Injunction shall be set aside as between the County and Plaintiff and litigation shall continue between the County and Plaintiff;

4) Hawaii shall pay Plaintiff \$28,000.00, subject to approval by the Hawaii State Legislature and Governor. Should the Hawaii State Legislature not approve the payment identified herein, the Parties’ Stipulation and this Stipulated Judgment and Stipulated Permanent Injunction shall be null and void as between Hawaii and Plaintiff and this Stipulated Judgment and Stipulated Permanent

Injunction shall be set aside as between Hawaii and Plaintiff and litigation shall continue between Hawaii and Plaintiff;

5) Counsel for the County and Hawaii shall, in good faith, seek approvals from the City Council and the State Legislature;

6) Absent an agreement by the Parties extending the deadline, if all necessary approvals are not obtained and payment by County of \$102,500.00 is not completed by September 15, 2023, the Parties' Stipulation shall be null and void as between County and Plaintiff and this Stipulated Judgment and Stipulated Permanent Injunction shall be set aside. If that should occur, any funds that have been paid by County up to that point shall be returned and the litigation in this case shall resume. The nullification of the Stipulation as between the County and Plaintiff shall not affect the validity of the Stipulation as between Hawaii and Plaintiff;

7) Absent an agreement by the Parties extending the deadline, if all necessary approvals are not obtained and payment by Hawaii of \$28,000.00 is not completed by August 31, 2024, the Stipulation shall be null and void as between Hawaii and Plaintiff and this Stipulated Judgment and Stipulated Permanent Injunction shall be set aside as between Hawaii and Plaintiff. If that should occur, any funds that have been paid by Hawaii up to that point shall be returned and the litigation in this case shall resume. The nullification of the Stipulation as between

Hawaii and Plaintiff shall not affect the validity of the Stipulation as between the County and Plaintiff;

8) In accordance with the Court's November 23, 2022 Order, the County and its agents are enjoined permanently from

(1) requiring any applicant for firearm registration to provide written certification from a licensed psychologist, psychiatrist, or medical doctor, or

(2) otherwise taking no further action on an application to acquire or register firearms,

solely due to an affirmative answer to question eleven, as it was written prior to and up to November 23, 2022, of the firearm application questionnaire.

DATED: Honolulu, Hawaii, May 22, 2023

/s/ Kevin O'Grady

KEVIN O'GRADY

Attorney for Plaintiff MICHAEL SANTUCCI

DATED: San Diego, California, May 22, 2023

/s/ Alan A. Beck

ALAN A. BECK

Attorney for Plaintiff MICHAEL SANTUCCI

DATED: Honolulu, Hawaii, May 22, 2023

/s/ Daniel M. Gluck
DANIEL M. GLUCK
Attorney for Defendant HONOLULU COUNTY
CITY AND COUNTY OF HONOLULU

DATED: Honolulu, Hawaii, May 22, 2023

/s/ Nicholas M. McLean
NICHOLAS M. MCLEAN
Attorney for Defendant ANNE E. LOPEZ,
in her Official Capacity as Attorney General of the
State of Hawaii

IT IS SO ORDERED, ADJUDGED, AND DECREED.

Dated: May 24, 2023 at Honolulu, Hawai'i.



Derrick K. Watson
Derrick K. Watson
Chief United States District Judge

Santucci v. City and County of Honolulu et al.; Civil Action No. 1:22-cv-00142-DKW-KJM; United States District Court for the District of Hawaii; STIPULATED JUDGMENT AND STIPULATED PERMANENT INJUNCTION