

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ASSOCIATION OF NEW JERSEY  
RIFLE & PISTOL CLUBS, INC.,  
BLAKE ELLMAN, and MARC  
WEINBERG,

Plaintiffs,

v.

MATTHEW PLATKIN, in his official  
capacity as Attorney General of New  
Jersey, PATRICK J. CALLAHAN, in  
his official capacity as Superintendent of  
the New Jersey Division of State Police,  
RYAN MCNAMEE, in his official  
capacity as Chief of Police of the Chester  
Police Department, and JOSEPH  
MADDEN, in his official capacity as  
Chief of Police of the Park Ridge Police  
Department,

Defendants.

MARK CHEESEMAN, TIMOTHY  
CONNOLLY, and FIREARMS POLICY  
COALITION, INC.,

Plaintiffs,

v.

MATTHEW J. PLATKIN, in his official  
capacity as Attorney General of New  
Jersey, PATRICK J. CALLAHAN, in  
his official capacity as Superintendent of  
the New Jersey State Police,  
CHRISTINE A. HOFFMAN, in her  
official capacity as Acting Gloucester  
County Prosecutor, and BRADLEY D.

CIVIL NO. 18-10507-PGS-JBD

CIVIL NO. 22-04360-PGS-JBD

BILLHIMER, in his official capacity as  
Ocean County Prosecutor,

Defendants.

BLAKE ELLMAN, THOMAS R.  
ROGERS, and ASSOCIATION OF  
NEW JERSEY RIFLE & PISTOL  
CLUBS, INC.,

Plaintiffs,

v.

MATTHEW PLATKIN, in his official  
capacity as Attorney General of New  
Jersey, PATRICK J. CALLAHAN, in  
his official capacity as Superintendent of  
the New Jersey Division of State Police,  
LT. RYAN MCNAMEE, in his official  
capacity as Officer in Charge of the  
Chester Police Department, and  
KENNETH J. BROWN, JR., in his  
official capacity as Chief of the Wall  
Township Police Department,

Defendants.

CIVIL NO. 22-cv-04397-PGS-  
JBD

**ORDER AND JUDGMENT**

For the reasons set forth in the Memorandum dated July 30<sup>th</sup>, 2024, **IT IS** on  
this 30<sup>th</sup> day of **July, 2024**:

1. **ORDERED** that the Motion for Summary Judgment by Plaintiffs Mark  
Cheeseman, Timothy Connolly, and the Firearms Policy Coalition, Inc. to the extent  
it seeks summary judgment in their favor declaring N.J. Stat. Ann. § 2C:39-1(w)(1)

(West 2024) unconstitutional as to the inclusion of the “Colt AR-15” (the “AR-15 Provision”) (ECF No. 174)<sup>1</sup> is **GRANTED**;

2. **ORDERED** that the Motion for Summary Judgment by Plaintiffs Blake Ellman, Thomas Rogers, and the Association of New Jersey Rifle & Pistol Clubs, Inc. to the extent it seeks summary judgment in their favor declaring N.J. Stat. Ann. § 2C:39-1(w)(1) (West 2024) unconstitutional as to the inclusion of the “Colt AR-15” (the “AR-15 Provision”) (ECF No. 175) is **GRANTED**;

3. **ORDERED** that the Motion for Summary Judgment by Plaintiffs Association of New Jersey Rifle & Pistol Clubs, Inc, Blake Ellman, and Marc Weinberg to the extent it seeks summary judgment in their favor declaring N.J. Stat. Ann. §§ 2C:39-1(y), 2C:39-3(j) (West 2024); N.J. Stat. Ann. § 2C:39-20(a) (West 2024) (the “LCM Amendment”) to be unconstitutional (ECF No. 175) is **DENIED**;

4. **ORDERED** that State Defendants’ Cross-Motion for Summary Judgment to the extent it seeks summary judgment declaring N.J. Stat. Ann. § 2C:39-1(w)(1) (West 2024) as to the inclusion of the “Colt AR-15” (the “AR-15 Provision”) constitutional (ECF No. 183) is **DENIED**;

5. **ORDERED** that State Defendants’ Cross-Motion for Summary Judgment to the extent it seeks summary judgment declaring N.J. Stat. Ann. §§

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<sup>1</sup> All parenthetical ECF citations are to documents filed under Civil No. 18-10507, unless indicated otherwise.

2C:39-1(y), 2C:39-3(j) (West 2024); N.J. Stat. Ann. § 2C:39-20(a) (West 2024) (the “LCM Amendment”) to be constitutional (ECF No. 183) is **GRANTED**;

6. **ORDERED** that Defendant Kenneth J. Brown, Jr.’s separate motion to dismiss the claims asserted against him (Case No. 22-cv-04397, ECF No. 50) is **DENIED AS MOOT**;

7. **ORDERED** that Plaintiffs’ Motion to Preclude the Expert Testimony of State Defendants’ Experts (ECF No. 176) is **DENIED**;

8. **ORDERED** that State Defendants’ Motion to Preclude the Expert Testimony of Plaintiffs’ Experts Emanuel Kapelsohn and Clayton Cramer (ECF No. 182) is **DENIED**;

9. **ADJUDGED** that judgment is entered declaring N.J. Stat. Ann. § 2C:39-1(w)(1)(West 2024) as to the inclusion of the “Colt AR-15” (the “AR-15 Provision”) to be unconstitutional;

10. **ADJUDGED** that judgment is entered declaring N.J. Stat. Ann. §§ 2C:39-1(y), 2C:39-3(j) (West 2024); N.J. Stat. Ann. § 2C:39-20(a) (West 2024) (the “LCM Amendment”) to be constitutional; and

11. **ORDERED** that the effect of this Order and Judgment is *sua sponte* stayed for thirty days.



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**PETER G. SHERIDAN**  
**UNITED STATES DISTRICT JUDGE**