

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

STATE OF TEXAS,)
GUN OWNERS OF AMERICA, INC.,)
GUN OWNERS FOUNDATION, and)
BRADY BROWN,)

Plaintiffs,)

v.)

BUREAU OF ALCOHOL, TOBACCO,)
FIREARMS AND EXPLOSIVES, UNITED)
STATES DEPARTMENT OF JUSTICE, and)
STEVEN M. DETTELBAACH in his official)
capacity as the Director of ATF,)

Defendants.)

Case No. 6:23-cv-00013

PLAINTIFFS’ NOTICE OF SUPPLEMENTAL AUTHORITY

The Private Plaintiffs (Gun Owners of America, Inc., Gun Owners Foundation, and Brady Brown) respectfully notify this Court of an Order issued by the Fifth Circuit today, clarifying the scope of relief provided to the plaintiffs in *Mock v. Garland*, No. 23-10319 (USDC No. 4:23-cv-95, Northern District of Texas) (attached). While this Order still applies only to the “Plaintiffs in [that] case,” the Fifth Circuit clarified that “plaintiffs” includes “the customers and members whose interests [plaintiffs] have represented since day one of this litigation....” Additionally, the Fifth Circuit stated that its order also “includes the individual plaintiffs’ resident family members.”

Because the Fifth Circuit has now clarified the scope of relief provided in *Mock*, the Private Plaintiffs believe that entry of an injunction on their behalf, on this same basis,

would be appropriate in this case, as this is the same category of persons whose interests the organizational Plaintiffs have represented “from day one of this litigation....” *See* Complaint for Declaratory and Injunctive Relief, ECF #1, at ¶¶ 4-7.

Additionally, because the Fifth Circuit’s clarification appears to address the same issues that Private Plaintiffs were slated to address with supplemental briefing due this coming Tuesday, May 30, 2023, Private Plaintiffs hereby respectfully request that the Court relieve Private Plaintiffs from filing briefing and response on the scope of an injunction. Alternatively, should the Court believe that unresolved questions remain and that it would be helpful for Private Plaintiffs to file additional briefing on the predetermined schedule, Private Plaintiffs will do so. Plaintiff State of Texas will still file supplemental briefing as scheduled on Tuesday, May 30, 2022, in order to address whether relief (if granted by the Court) should be expanded on a statewide basis.

Respectfully submitted,

Dated May 26, 2023.

/s/ Stephen D. Stamboulieh
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CERTIFICATE OF SERVICE

I certify that on May 26, 2023, I filed the foregoing document through the Court's CM/ECF system, which automatically served it upon all counsel of record.

/s/ Stephen D. Stamboulieh