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8 **IN THE UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11 MICHELLE FLANAGAN, et al.,
12 Plaintiffs,
13 v.
14 CALIFORNIA ATTORNEY
GENERAL XAVIER BECERRA, in
15 his official capacity as Attorney
General of the State of California, et
16 al.,
17 Defendants.

Case No.: 2:16-cv-06164-JAK-AS
**PLAINTIFFS’ NOTICE OF MOTION
AND MOTION FOR SUMMARY
JUDGMENT**
Judge: John A. Kronstadt
Hearing Date: November 6, 2017
Hearing Time: 8:30 AM
Courtroom: 10B
Action Filed: August 17, 2016
Trial Date: February 6, 2018

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1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Please take notice that on November 6, 2017, at 8:30 a.m. or as soon
3 thereafter as counsel may be heard in Courtroom 10B of the above-entitled court,
4 located at 350 W. First Street, Los Angeles, California, 90012, Plaintiffs Michelle
5 Flanagan, Samuel Golden, Dominic Nardone, Jacob Perkio, and the California Rifle
6 & Pistol Association (“Plaintiffs”), will and hereby do move the Court for summary
7 judgment under Rule 56 of the Federal Rules of Civil Procedure against all
8 defendants as to each claim asserted in Plaintiffs’ Complaint for Declaratory and
9 Injunctive Relief.

10 Plaintiffs bring this motion because there is no genuine issue as to any
11 material fact and because Plaintiffs are entitled to judgment as a matter of law.
12 Specifically, Defendant is tasked with the duty to enforce California law, which
13 precludes Plaintiffs from carrying firearms for self-defense outside of the home in
14 violation of their Second Amendment rights.

15 This motion is based on this Notice of Motion and Motion, as well as the
16 memorandum of points and authorities, request for judicial notice, and declarations
17 filed simultaneously herewith. This motion is also based on the pleadings and papers
18 already on file in this matter and upon other such matters as may be presented to the
19 Court at the time of hearing.

20 This motion is made following the conference of counsel pursuant to Local
21 Rule 7-3, which took place on September 1, 2017.

23 Dated: September 11, 2017

MICHEL & ASSOCIATES, P.C.

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25 /s/ Sean A. Brady
Sean A. Brady
26 Attorneys for Plaintiffs
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CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

Case Name: *Flanagan, et al. v. California Attorney General Xavier Becerra, et al.*
Case No.: 2:16-cv-06164-JAK-AS

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 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

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

**PLAINTIFFS’ NOTICE OF MOTION AND MOTION
FOR SUMMARY JUDGMENT**

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

Xavier Becerra, Attorney General of California *Attorneys for Attorney*
P. Patty Li, Deputy Attorney General *General of the State of*
E-mail: Patty.Li@doj.ca.gov *California*
Jonathan M. Eisenberg, Deputy Attorney General
E-mail: Jonathan.Eisenberg@doj.ca.gov
300 South Spring Street, Suite 1702
Los Angeles, CA 90013

I declare under penalty of perjury that the foregoing is true and correct.

Executed September 11, 2017

/s/ Laura Palmerin

Laura Palmerin