

1 Alan Gura (Calif. Bar No. 178221)
2 Gura & Possessky, PLLC
3 101 N. Columbus St., Suite 405
4 Alexandria, VA 22314
703.835.9085/Fax 703.997.7665

5 Donald E.J. Kilmer, Jr. (Calif. Bar No. 179986)
6 Law Offices of Donald Kilmer, A.P.C.
7 1645 Willow Street, Suite 150
San Jose, CA 95125
408.264.8489/Fax 408.264.8487

8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA
11

12	Deanna Sykes, et al.,	)	Case No. 2:09-cv-01235-MCE-KJM
)	
13	Plaintiffs,	)	NOTICE OF MOTION AND CONSENT
		)	MOTION TO AMEND COMPLAINT
14	v.)	
		)	[Fed. R. Civ. Proc. 15, 21]
15	John McGinness, et al.,)	
		)	Date: Dec. 16, 2010
16	Defendants.	)	Time: 2:00 p.m.
		)	Dept: 7, 14 th Floor
17		)	Judge: Morrison C. England, Jr.
		)	Trial Date: None
18		)	Action Filed: May 5, 2009

19
20 TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

21 PLEASE TAKE NOTICE that on December 16, 2010, at 2:00 p.m. or as soon
22 thereafter as the matter may be heard, in Courtroom 7 of the United State District Court for the
23 Eastern California, 501 I Street, Sacramento, California 95814 Plaintiffs Deanna Sykes,
24 Andrew Witham, Adam Richards, Second Amendment Foundation, Inc. and The Calguns
25 Foundation, Inc., by and through undersigned counsel, will move this Honorable Court to file
26 an amended complaint, pursuant to Fed. R. Civ. Proc. 15 and 21.
27
28

1 Defendants have consented to this motion.

2 This motion is based upon this notice of motion and motion, the attached
3 memorandum of points and authorities, exhibits, declarations, separate statement of
4 undisputed facts, any material in the Court's files, and any other relevant matter to be
5 considered by the Court.
6

7 Dated: October 22, 2010

Respectfully submitted,

8 Donald E.J. Kilmer, Jr. (Calif. Bar No. 179986)
9 Law Offices of Donald Kilmer, A.P.C.
10 1645 Willow Street, Suite 150
11 San Jose, CA 95125
12 408.264.8489/Fax 408.264.8487
13 E-Mail: Don@DKLawOffice.com

Alan Gura (Calif. Bar No. 178221)
Gura & Possessky, PLLC
101 N. Columbus St., Suite 405
Alexandria, VA 22314
703.835.9085/Fax 703.997.7665

14 By: /s/Donald E.J. Kilmer, Jr./
15 Donald E.J. Kilmer, Jr.

By: /s/Alan Gura/
Alan Gura

Attorneys for Plaintiffs