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

11	Adam Richards, et al.,	)	Case No. 2:09-cv-01235-MCE-KJM
)	
12	Plaintiffs,	)	NOTICE OF MOTION AND MOTION
		)	FOR SUMMARY JUDGMENT
13	v.)	
		)	[Fed. R. Civ. Proc. 56]
14	Ed Prieto, et al.,)	
)	
15	Defendants.	)	Date: February 10, 2011
		)	Time: 2:00 p.m.
16		)	Dept: 7, 14 th Floor
		)	Judge: Morrison C. England, Jr.
17		)	Trial Date: None
		)	Action Filed: May 5, 2009

19 TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

20 PLEASE TAKE NOTICE that on Thursday, February 10, 2011, at 2:00 p.m. or as soon
21 thereafter as the matter may be heard, in Courtroom 7 of the United States District Court for
22 the Eastern District of California, 501 I Street, Sacramento, California 95814 Plaintiffs Adam
23 Richards, Brett Stewart, Second Amendment Foundation, Inc. and The Calguns Foundation,
24 Inc., by and through undersigned counsel, will move this Honorable Court to enter a summary
25 judgment in their favor and against Defendants pursuant to Fed. R. Civ. Proc. 56.
26
27

1 Plaintiffs move for entry of summary judgment on all claims as the material facts in
2 this case are not in dispute, and Defendants' challenged policies violate Plaintiffs' rights under
3 the Second and Fourteenth Amendments to the United States Constitution.
4

5 This motion is based upon this notice of motion and motion, the attached
6 memorandum of points and authorities, exhibits, declarations, separate statement of
7 undisputed facts, any material in the Court's files, and any other relevant matter to be
8 considered by the Court.
9

10 Dated: January 13, 2011

Respectfully submitted,

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

By: /s/Alan Gura/
Alan Gura

Attorneys for Plaintiffs

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CERTIFICATE OF SERVICE

On this, the 13th day of January, 2011, I caused to be served a copy of the foregoing Notice of Motion and Motion for Summary Judgment, and attached Exhibits and Declarations, by PERSONAL DELIVERY on the following:

Bruce A. Kilday
Serena M. Sanders
Angelo, Kilday & Kilduff
601 University Avenue, Suite 150
Sacramento, CA 95825

I further certify that on this, the 13th day of January, 2011, the foregoing was filed using the Court's CM/ECF system, which would automatically generate electronic service on all counsel in this case.

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

Executed this the 13th day of January, 2011

/s/ Alan Gura
Alan Gura