

1 BRUCE A. KILDAY, ESQ., SBN 066415
Email: bkilday@akk-law.com
2 PETER D. HALLORAN, ESQ., SBN 184025
Email: phalloran@akk-law.com
3 SERENA M. SANDERS, ESQ., SBN 264799
Email: ssanders@akk-law.com

4 **ANGELO, KILDAY & KILDUFF, LLP**

5 Attorneys at Law
6 601 University Avenue, Suite 150
Sacramento, CA 95825
7 Telephone: (916) 564-6100
Telecopier: (916) 564-6263

8
9 Attorneys for Defendants
YOLO COUNTY and SHERIFF ED PRIETO

10
11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

13
14 ADAM RICHARDS, BRETT STEWART,) Case No.:2:09-CV-01235-MCE-DAD (Temp)
SECOND AMENDMENT FOUNDATION,)
15 INC., and THE CALGUNS FOUNDATION,) **NOTICE OF MOTION AND MOTION**
INC.,) **FOR SUMMARY JUDGMENT OR**
16) **ALTERNATIVELY FOR SUMMARY**
Plaintiffs,) **ADJUDICATION**
17)
18 vs.) **Date: March 10, 2011**
) **Time: 2:00 p.m.**
19 ED PRIETO and COUNTY OF YOLO) **Courtroom: 7, 14th Floor**
) **Judge: Morrison C. England, Jr.**
20 Defendants.)
21) Trial Date: None
22)

23 Please take notice that on March 10, 2011 at 2:00 p.m., or as soon thereafter as the matter
24 may be heard, in Courtroom 7 of the above entitled Court, Defendants YOLO COUNTY and
25 SHERIFF ED PRIETO will, and hereby do, move for entry of summary judgment in its favor
26 against Plaintiffs ADAM RICHARDS, BRETT STEWART, SECOND AMENDMENT
27 FOUNDATION, INC., and THE CALGUNS FOUNDATION, INC. In the alternative,
28 Defendants seek to have summary adjudication entered in their favor as to each of the claims for

1 relief asserted by Plaintiffs in their Second Amended Complaint.

2 This motion is made on the grounds that the undisputed facts demonstrate that
3 Defendants did not violate any applicable provision of federal or state law.

4 The motion will be based upon this Notice of Motion and Motion, the accompanying
5 Memorandum of Points and authorities filed herewith, the accompanying Request for Judicial
6 Notice, the accompanying Declaration of Undersheriff Thomas Lopez, the complete file and
7 record of this action, as well as upon such further oral and documentary evidence as may be
8 presented at or before the time of hearing.

9

10 Dated: February 10, 2011

ANGELO, KILDAY & KILDUFF, LLP

11

/s/ Serena M. Sanders

12

By: _____

13

SERENA M. SANDERS
Attorneys for Defendants YOLO
COUNTY and SHERIFF ED PRIETO

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28