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16 **UNITED STATES DISTRICT COURT**

17 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

18 JAMES MILLER, et al.,
19
20 Plaintiffs,

21 vs.

22 XAVIER BECERRA, in his official
23 capacity as Attorney General of
24 California, et al.,

25 Defendants.

Case No. 3:19-cv-01537-BEN-JLB
Hon. Roger T. Benitez
Magistrate Hon. Jill L. Burkhardt

**NOTICE OF ERRATA RE:
PLAINTIFFS MOTION FOR
PRELIMINARY INJUNCTION**

Complaint filed: August 15, 2019
Amended Complaint filed:
September 27, 2019

Date: Thursday, January 16, 2020
Time: 10:00 a.m.
Department: Courtroom 5A (5th floor)

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF**
2 **RECORD:**

3 Plaintiffs file this Notice of Errata to correct inadvertent errors in Plaintiffs’
4 Notice of Motion and Motion for Preliminary Injunction, the Memorandum of Points
5 and Authorities, and the Declarations of Plaintiffs James Miller, Wendy Hauffen, Ryan
6 Peterson, John Phillips, Neil Rutherford, Adrian Sevilla, and the Declarations of John
7 Lott, and Ashley Hlebinsky, all of which were filed on December 6, 2019.

8
9 In reviewing the motion and supporting papers, Plaintiffs noticed a few
10 typographical errors, as follows:

- 11 1. On the caption page of the notice, the memorandum of points and
12 authorities, and the declaration of Ashley Hlebinsky, the Judges assigned to
13 this case were not properly identified. The caption pages have been
14 corrected and properly identify “Hon. Roger T. Benitez” and “Magistrate
15 Hon. Jill L. Burkhardt.”
- 16 2. On page two of the notice of motion, Plaintiffs’ incorrectly state, “This
17 motion is also based on the *Second* Amended Complaint, pleadings, and
18 records already on file....” This has been corrected to refer to the operative
19 pleading, the “First Amended Complaint.”
- 20 3. In reviewing Plaintiffs’ memorandum of points and authorities, Plaintiffs
21 noted the need to properly align the table of authorities and add four cases
22 inadvertently omitted from the table, but cited in the brief. Plaintiffs have
23 also included the full citation of *Jackson v. City of San Francisco* 746 F.3d
24 953 (9th Cir. 2014) on page 19 of the points and authorities.
- 25 4. In reviewing the Declarations of Plaintiffs James Miller, Wendy Hauffen,
26 Ryan Peterson, John Phillips, Neil Rutherford, and Adrian Sevilla, the relief
27
28

1 requested did not encapsulate the entirety of the relief sought. Therefore,
2 the last paragraph of each Plaintiff declaration was revised, and the
3 declarations were re-signed.

- 4 5. In reviewing the Declaration of expert Dr. John Lott, Dr. Lott realized that
5 his previous residence was inadvertently listed on page one of his
6 declaration. His current residence has been corrected. Also, pin citations in
7 paragraphs 20 and 21 of his declaration were corrected.
8

9 The corrected versions of the Notice of Motion and Motion for Preliminary
10 Injunction, Plaintiffs' Memorandum of Points and Authorities in Support of Motion for
11 Preliminary Injunction, and the Declarations of James Miller, Wendy Hauffen, Ryan
12 Peterson, John Phillips, Neil Rutherford, Adrian Sevilla, Ashley Hlebinsky, and John
13 Lott are filed simultaneously with this Notice of Errata.
14

15 December 13, 2019

SEILER EPSTEIN LLP

GATZKE DILLON & BALLANCE LLP

Attorneys for Plaintiffs

/s/ John W. Dillon

John W. Dillon