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 9 General of the State of California; Brent E. Orick,
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 10 Firearms; Joe Dominic, Chief of the Department of
 Justice California Justice Information Services
 11 Division and the California Department of Justice*

12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE EASTERN DISTRICT OF CALIFORNIA
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16 **HARRY SHARP, an individual; DAVID
 17 AJIROGI, an individual; RYAN
 18 GILARDY, an individual; THE CALGUNS
 FOUNDATION; FIREARMS POLICY
 19 COALITION; FIREARMS POLICY
 FOUNDATION, and SECOND
 20 AMENDMENT FOUNDATION,**

Petitioners,

v.

23 **XAVIER BECERRA, in his official capacity
 as Attorney General of California; BRENT
 24 E. ORICK, in his official capacity as Acting
 Chief of the Department of Justice Bureau
 25 of Firearms; CALIFORNIA
 DEPARTMENT OF JUSTICE and DOES 1
 26 through 20, inclusive,**

Respondents.

CASE NO.

**NOTICE OF REMOVAL OF ACTION,
 UNDER 28 U.S.C. § 1441(a)
 (FEDERAL QUESTION)**

1 TO THE CLERK OF THE ABOVE ENTITLED COURT:

2 PLEASE TAKE NOTICE that Respondents Xavier Becerra, in his official capacity as the
3 Attorney General of the State of California; Brent E. Orick, in his official capacity as Acting
4 Chief of the Department of Justice Bureau of Firearms; Joe Dominic, in his official capacity as
5 Chief of the Department of Justice California Justice Information Services Division; and the
6 California Department of Justice remove to this Court the state court action described below.

7 1. Jurisdictional Statement: This action is a civil action of which this Court has
8 original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by
9 defendants and respondents pursuant to the provisions of 28 U.S.C. § 1441(a) in that it arises
10 under the Fourteenth Amendment of the United States Constitution. Verified First Am. Compl.
11 ¶ 67, Exhibit "B".

12 2. On July 11, 2018, an action was filed in the Superior Court of the State of
13 California in and for the County of Shasta, entitled Harry Sharp, an individual; David Ajrogi, an
14 individual; Ryan Gilardy, an individual; the CalGuns Foundation; Firearms Policy Coalition;
15 Firearms Policy Foundation; and Second Amendment Foundation, Petitioners, vs. Xavier
16 Becerra, in his official capacity as the Attorney General of the State of California; Brent E. Orick,
17 in his official capacity as Acting Chief of the Department of Justice Bureau of Firearms;
18 California Department of Justice; and Does 1 through 20, inclusive, Respondents (*Sharp vs.*
19 *Becerra*). The state court action was then assigned case number 190350, but petitioners did not
20 serve process. *See* Verified Petition for Writ of Mandate and Complaint for Declaratory and
21 Injunctive Relief filed July 11, 2018, attached hereto as Exhibit "A".

22 3. A Verified First Amended Petition for Writ of Mandate and Complaint for
23 Declaratory and Injunctive Relief (First Amended Petition and Complaint) was filed in state court
24 on August 6, 2018, adding individual petitioners Darin Prince, Todd Feltman, David Kuehl, and
25 Terry Jahraus to the previously identified petitioners, and adding Joe Dominic, in his official
26 capacity as Chief of the Department of Justice California Justice Information Services Division to
27 the previously identified respondents. *See* First Amended Petition and Complaint filed Aug. 6,
28 2018, attached hereto as Exhibit "B".

1 4. The first date upon which respondents received a copy of the First Amended
2 Petition and Complaint was August 13, 2018, when the respondents were served with copies of
3 the petition and complaint along with an Amended Summons from the state court. Copies of the
4 Amended Summons, one copy for each served respondent, are attached hereto as Exhibit "C".
5 Thus, service of process in the state court action having been completed on August 13, 2018, this
6 notice of removal is timely.

7 5. Attached hereto as Exhibit "D" are a Notice of Motion and Motion of Plaintiffs'
8 for Issuance of a Preliminary Injunction (and supporting papers, including proofs of service),
9 which were filed in state court and served on respondents on August 13, 2018.

10 6. Attached as Exhibit "E" is an order of assignment filed in the state court action and
11 served on respondents on August 13, 2018.

12 7. All respondents who have been served with the Amended Summons and First
13 Amended Petition and Complaint are represented by the same counsel and join in this Notice of
14 Removal.

15 Dated: August 24, 2018

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ANTHONY R. HAKL
Supervising Deputy Attorney General

/s/ Nancy J. Doig
NANCY J. DOIG
Deputy Attorney General
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Brent E. Orick, Acting Chief of the
Department of Justice Bureau of Firearms;
Joe Dominic, Chief of the Department of
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Department of Justice*

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