

1 ROB BONTA  
 Attorney General of California  
 2 ANTHONY R. HAKL  
 Supervising Deputy Attorney General  
 3 GABRIELLE D. BOUTIN  
 Deputy Attorney General  
 4 State Bar No. 267308  
 1300 I Street, Suite 125  
 5 P.O. Box 944255  
 Sacramento, CA 94244-2550  
 6 Telephone: (916) 210-6053  
 Fax: (916) 324-8835  
 7 E-mail: Gabrielle.Boutin@doj.ca.gov  
 Attorneys for Defendants Attorney General  
 8 Rob Bonta and Director Luis Lopez, in their  
 official capacities

9  
 10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA  
 12 CIVIL DIVISION

13  
 14 **LANA RAE RENNA, et al.,**

15 Plaintiffs,

16 v.

17 **ROB BONTA, in his official capacity**  
 18 **as Attorney General of California;**  
 19 **and LUIS LOPEZ, in his official**  
 20 **capacity as Director of the**  
**Department of Justice Bureau of**  
**Firearms,**

21 Defendants.

20-cv-2190

**ANSWER TO FIRST AMENDED  
 COMPLAINT**

Judge: Hon. Dana M. Sabraw  
 Trial Date: None set  
 Action Filed: 11/10/2020

22  
 23  
 24  
 25  
 26  
 27  
 28

1 Defendants Attorney General Rob Bonta,<sup>1</sup> in his official capacity, and Luis  
2 Lopez, in his official capacity as Director of the California Department of Justice  
3 Bureau of Firearms hereby respond to Plaintiffs' First Amended Complaint (FAC)  
4 for Injunctive and Declaratory Relief as follows.

5 **ANSWER TO ALLEGATIONS IN THE INTRODUCTION**

6 1. In response to paragraph 1 of the FAC, Plaintiffs' allegations in the  
7 FAC and the allegations in the *Duncan* and *Miller* cases speak for themselves. To  
8 the extent admission or denial is required, Defendants deny all allegations.

9 2. Paragraph 2 of the FAC consists of a quotation of a legal authority.  
10 That legal authority speaks for itself. To the extent admission or denial is required,  
11 Defendants deny all allegations.

12 3. Paragraph 3 of the FAC consists of legal argument and/or  
13 conclusions that do not require admission or denial. To the extent admission or  
14 denial is required, Defendants deny all allegations.

15 4. In response to the allegations in paragraph 4 of the FAC regarding  
16 Plaintiff's purpose in pursuing this litigation, Defendants lack knowledge or  
17 information sufficient to form a belief as to the truth of the allegations and,  
18 therefore, deny them. The remainder of paragraph 4 consists of legal argument  
19 and/or conclusions that do not require admission or denial. To the extent admission  
20 or denial is required, Defendants deny all allegations.

21 **ANSWER TO ALLEGATIONS REGARDING PARTIES**

22 5. In response to the allegations in paragraph 5 of the FAC, Defendants  
23 lack knowledge or information sufficient to form a belief as to the truth of the  
24 allegations and, therefore, deny them.

25 <sup>1</sup> Since Plaintiffs filed the First Amended Complaint, Rob Bonta has assumed  
26 the office of California Attorney General. He is therefore automatically  
27 substituted into this action for former Attorney General Xavier Becerra. *See* Fed.  
28 R. Civ. P. 25(d). All responses in this answer therefore interpret references in the  
First Amended Complaint to former Attorney General Becerra as referring to  
Attorney General Bonta, including where the FAC refers to former Attorney  
General Becerra by name.

1           6.       In response to the allegations in paragraph 6 of the FAC, Defendants  
2 lack knowledge or information sufficient to form a belief as to the truth of the  
3 allegations and, therefore, deny them.

4           7.       In response to the allegations in paragraph 7 of the FAC, Defendants  
5 lack knowledge or information sufficient to form a belief as to the truth of the  
6 allegations and, therefore, deny them.

7           8.       In response to the allegations in paragraph 8 of the FAC, Defendants  
8 lack knowledge or information sufficient to form a belief as to the truth of the  
9 allegations and, therefore, deny them.

10          9.       In response to the allegations in paragraph 9 of the FAC, Defendants  
11 lack knowledge or information sufficient to form a belief as to the truth of the  
12 allegations and, therefore, deny them.

13          10.      In response to the allegations in paragraph 10 of the FAC,  
14 Defendants lack knowledge or information sufficient to form a belief as to the truth  
15 of the allegations and, therefore, deny them.

16          11.      In response to the allegations in paragraph 11 of the FAC,  
17 Defendants lack knowledge or information sufficient to form a belief as to the truth  
18 of the allegations and, therefore, deny them.

19          12.      In response to the allegations in paragraph 12 of the FAC,  
20 Defendants lack knowledge or information sufficient to form a belief as to the truth  
21 of the allegations and, therefore, deny them.

22          13.      In response to the allegations in paragraph 13 of the FAC,  
23 Defendants lack knowledge or information sufficient to form a belief as to the truth  
24 of the allegations and, therefore, deny them.

25          14.      In response to the allegations in paragraph 14 of the FAC,  
26 Defendants lack knowledge or information sufficient to form a belief as to the truth  
27 of the allegations and, therefore, deny them.

28

1           15. In response to the allegations in paragraph 15 of the FAC,  
2 Defendants lack knowledge or information sufficient to form a belief as to the truth  
3 of the allegations and, therefore, deny them.

4           16. In response to the allegations in paragraph 16 of the FAC,  
5 Defendants lack knowledge or information sufficient to form a belief as to the truth  
6 of the allegations and, therefore, deny them.

7           17. In response to the allegations in paragraph 17 of the FAC,  
8 Defendants lack knowledge or information sufficient to form a belief as to the truth  
9 of the allegations and, therefore, deny them.

10          18. In response to the allegations in paragraph 18 of the FAC,  
11 Defendants lack knowledge or information sufficient to form a belief as to the truth  
12 of the allegations and, therefore, deny them.

13          19. In response to the allegations in paragraph 19 of the FAC,  
14 Defendants lack knowledge or information sufficient to form a belief as to the truth  
15 of the allegations and, therefore, deny them.

16          20. In response to the allegations in paragraph 20 of the FAC,  
17 Defendants lack knowledge or information sufficient to form a belief as to the truth  
18 of the allegations and, therefore, deny them.

19          21. In response to the allegations in paragraph 21 of the FAC,  
20 Defendants lack knowledge or information sufficient to form a belief as to the truth  
21 of the allegations and, therefore, deny them.

22          22. In response to the allegations in paragraph 22 of the FAC,  
23 Defendants lack knowledge or information sufficient to form a belief as to the truth  
24 of the allegations and, therefore, deny them.

25          23. In response to the allegations in paragraph 23 of the FAC,  
26 Defendants lack knowledge or information sufficient to form a belief as to the truth  
27 of the allegations and, therefore, deny them.

28



1           29. Paragraph 29 of the FAC consists of legal argument and/or  
2 conclusions that do not require admission or denial. To the extent admission or  
3 denial is required, Defendants deny all allegations.

4                   **ANSWER TO ALLEGATIONS IN STATEMENT OF FACTS**

5           30. Paragraph 30 of the FAC consists of legal argument and/or  
6 conclusions that do not require admission or denial. To the extent admission or  
7 denial is required, Defendants deny all allegations.

8           31. Paragraph 31 of the FAC consists of legal argument and/or  
9 conclusions that do not require admission or denial. To the extent admission or  
10 denial is required, Defendants deny all allegations.

11          32. Paragraph 32 of the FAC consists of a quotation of a legal authority.  
12 That legal authority speaks for itself. To the extent admission or denial is required,  
13 Defendants deny all allegations.

14          33. Paragraph 33 of the FAC consists of a quotation of a legal authority.  
15 That legal authority speaks for itself. To the extent admission or denial is required,  
16 Defendants deny all allegations.

17          34. Paragraph 33 of the FAC consists of a quotation of a legal authority.  
18 That legal authority speaks for itself. To the extent admission or denial is required,  
19 Defendants deny all allegations. Footnote 2 in the FAC consists of legal argument  
20 and/or conclusions that do not require admission or denial. To the extent admission  
21 or denial is required, Defendants deny all allegations.

22          35. In response to the allegations in paragraph 35, Defendants admit  
23 that the California Department of Justice participates in the National Instant  
24 Criminal Background Check System. With respect to any citation of a legal  
25 authority, that authority speaks for itself. Defendants deny all remaining allegations  
26 in paragraph 35.

27  
28

1           36. Paragraph 36 of the FAC consists of a quotation of a legal authority.  
2 That legal authority speaks for itself. To the extent admission or denial is required,  
3 Defendants deny all allegations.

4           37. Defendants admit the allegations in paragraph 37 of the FAC.

5           38. In response to paragraph 38 of the FAC, Defendants admit that a  
6 COE certificate holder is subject to “Rap Back” notifications which alert the  
7 Department when the holder is arrested or otherwise prohibited from purchasing or  
8 possessing firearms. Defendants deny the remaining allegations.

9           39. Defendants admit the allegations in paragraph 39 of the FAC.

10          40. In response to paragraph 40 of the FAC, Defendants admit that  
11 additional information on the Roster of Certified Handguns (“Roster”) can be found  
12 in California Code of Regulations, title 11, section 4070. The remaining allegations  
13 in paragraph 40 consist of legal argument and/or conclusions that do not require  
14 admission or denial. To the extent admission or denial is required, Defendants  
15 deny all allegations.

16          41. Paragraph 41 of the FAC consists of legal argument and/or  
17 conclusions and a quotation of a legal authority that speaks for itself, and therefore,  
18 does not require admission or denial. To the extent admission or denial is required,  
19 Defendants deny all allegations.

20          42. In response to the allegations in paragraph 42 of the FAC,  
21 Defendants admit that the Roster is currently available at the Department’s website  
22 at <https://oag.ca.gov/firearms/certified-handguns/search>. Defendants admit that that  
23 website includes the language quoted in paragraph 42. Defendants admit that the  
24 “Figure 1” graphic in paragraph 42 appears to be an accurate reproduction of a  
25 current portion of the same website. Defendants deny all remaining allegations in  
26 paragraph 42.

1           43.     In response to paragraph 43 of the FAC, Defendants admit that the  
2 website described in paragraph 42 of the FAC also currently includes the text  
3 quoted in paragraph 43.

4           44.     In response to paragraph 44 of the FAC, Defendants admit that the  
5 California Department of Justice has published a document titled “Legal  
6 Requirements for Self-made Firearms,” which is currently available at  
7 <https://oag.ca.gov/system/files/attachments/press-docs/consumer-alert.pdf>. That  
8 document contains the text quoted in paragraph 44 of the FAC. Defendants deny  
9 all remaining allegations.

10          45.     In response to paragraph 45 of the FAC, Defendants admit that the  
11 document entitled “Legal Requirements for Self-made Firearms,” described in  
12 paragraph 44 of the FAC, includes the text quoted in paragraph 45 of the FAC.

13          46.     Paragraph 46 of the FAC consists of a quotation of legal authorities.  
14 Those legal authorities speaks for itself. To the extent admission or denial is  
15 required, Defendants deny all allegations.

16          47.     Paragraph 47 of the FAC consists of legal argument and/or  
17 conclusions that do not require admission or denial. With respect to any quotation  
18 of a legal authority, that authority speaks for itself. To the extent admission or  
19 denial is required, Defendants deny all allegations.

20          48.     In response to paragraph 48 of the FAC, Defendants admit that the  
21 Roster contains less than all of the handgun makes and models commercially  
22 available throughout the United States. Defendants lack knowledge or information  
23 sufficient to form a belief as whether the handgun makes and models on the Roster  
24 constitute a “small fraction” of the handguns available elsewhere in the United  
25 States and therefore denies that allegation. Defendants deny all remaining  
26 allegations.



1           49.     In response to the allegations in paragraph 49 of the FAC,  
2 Defendants lack knowledge or information sufficient to form a belief as to the truth  
3 of the allegations and, therefore, deny them.

4           50.     In response to the allegations in paragraph 50 of the FAC,  
5 Defendants lack knowledge or information sufficient to form a belief as to the truth  
6 of the allegations and, therefore, deny them.

7           51.     In response to the allegations in paragraph 51 of the FAC,  
8 Defendants lack knowledge or information sufficient to form a belief as to the truth  
9 of the allegations and, therefore, deny them.

10          52.     In response to the allegations in paragraph 52 of the FAC,  
11 Defendants lack knowledge or information sufficient to form a belief as to the truth  
12 of the allegations and, therefore, deny them.

13          53.     In response to the allegations in paragraph 53 of the FAC,  
14 Defendants admit that the California Legislature passed Assembly Bill No. 2847.  
15 The remaining allegations consists of legal argument and/or conclusions that do not  
16 require admission or denial. To the extent admission or denial is required,  
17 Defendants deny all allegations. In response to footnote 3, Defendants lack  
18 knowledge or information sufficient to form a belief as to the truth of the  
19 allegations and, therefore, deny them.

20          54.     Paragraph 54 consists of legal argument and/or conclusions that do  
21 not require admission or denial. With respect to any quotation of a legal authority,  
22 that authority speaks for itself. To the extent admission or denial is required,  
23 Defendants deny all allegations.

24          55.     In response to the allegations in paragraph 55 of the FAC,  
25 Defendants admit that AB 2847 became effective on January 1, 2021. As to the  
26 remaining allegations, with respect to any quotation of a legal authority, that  
27 authority speaks for itself. To the extent admission or denial is required,  
28 Defendants deny all allegations.

1           56. Paragraph 56 of the FAC consists of legal argument and/or  
2 conclusions that do not require admission or denial. To the extent admission or  
3 denial is required, Defendants deny all allegations.

4           57. Paragraph 57 of the FAC consists of legal argument and/or  
5 conclusions related to California Penal Code section 32015 and the Second  
6 Amendment that do not require admission or denial. To the extent admission or  
7 denial is required, Defendants deny all allegations. To the extent any allegations  
8 are factual rather than legal, Defendants lack knowledge or information sufficient to  
9 form a belief as to the truth of the allegations and, therefore, deny them.

10          58. Paragraph 58 of the FAC consists of legal argument and/or  
11 conclusions that do not require admission or denial. To the extent admission or  
12 denial is required, Defendants deny all allegations.

13          59. Paragraph 59 of the FAC consists of legal argument and/or  
14 conclusions that do not require admission or denial. To the extent admission or  
15 denial is required, Defendants deny all allegations.

16          60. Paragraph 60 of the FAC consists of legal argument and/or  
17 conclusions that do not require admission or denial. To the extent admission or  
18 denial is required, Defendants deny all allegations.

19          61. Paragraph 61 of the FAC consists of legal argument and/or  
20 conclusions that do not require admission or denial. To the extent admission or  
21 denial is required, Defendants deny all allegations.

22          62. Paragraph 62 of the FAC consists of legal argument and/or  
23 conclusions that do not require admission or denial. To the extent admission or  
24 denial is required, Defendants deny all allegations.

25          63. In response to the allegations in paragraph 63 of the FAC, due to the  
26 ambiguity of the allegations Defendants lack knowledge or information sufficient to  
27 form a belief as to the truth of the allegations, they therefore deny them.

28

1           64.     In response to the allegations in paragraph 64 of the FAC,  
2 Defendants admit that the provisions of California’s Unsafe Handgun Act are not,  
3 alone, sufficient to guarantee that all handguns will be used in a safe manner.  
4 Defendants deny all remaining allegations.

5           65.     In response to the allegations in paragraph 65 of the FAC,  
6 Defendants admit that the provisions of California’s Unsafe Handgun Act are not,  
7 alone, sufficient to guarantee that all handguns will be used in a safe manner.  
8 Defendants deny all remaining allegations.

9           66.     Defendants deny the allegations in paragraph 66 of the FAC.

10          67.     Defendants deny the allegations in paragraph 67 of the FAC.

11          68.     In response to the allegations in paragraph 68 of the FAC,  
12 Defendants lack knowledge or information sufficient to form a belief as to the truth  
13 of the allegations and, therefore, deny them.

14          69.     In response to the allegations in paragraph 69 of the FAC,  
15 Defendants lack knowledge or information sufficient to form a belief as to the truth  
16 of the allegations and, therefore, deny them.

17          70.     In response to the allegations in paragraph 70 of the FAC,  
18 Defendants lack knowledge or information sufficient to form a belief as to the truth  
19 of the allegations and, therefore, deny them.

20          71.     In response to the allegations in paragraph 71 of the FAC,  
21 Defendants lack knowledge or information sufficient to form a belief as to the truth  
22 of the allegations and, therefore, deny them.

23          72.     In response to the allegations in 72 of the FAC, Defendants admit  
24 that on Sturm, Ruger & Co., Inc.’s (Sturm) own website, the company states:  
25 “Sturm, Ruger & Co., Inc. is one of the nation’s leading manufacturers of rugged,  
26 reliable firearms for the commercial sporting market. With products made in  
27 America, Ruger offers consumers almost 800 variations of more than 40 product  
28 lines. For more than 70 years, Ruger has been a model of corporate and community

1 responsibility.” Defendants admit that the block quote in paragraph 72 of the FAC  
2 is an accurate quote of text that appears on Sturm’s website at  
3 <https://ruger.com/service/faqs.html> (in the “FAQS” section under the drop-down  
4 menu for “California Residents”). Defendants deny all remaining allegations.

5 73. Paragraph 73 of the FAC consists of legal argument and/or  
6 conclusions that do not require admission or denial. To the extent admission or  
7 denial is required, Defendants deny all allegations.

8 74. Defendants admit the allegations in paragraph 74 of the FAC.

9 75. Defendants admit the allegations in paragraph 75 of the FAC.

10 76. Defendants admit the allegations in paragraph 76 of the FAC.

11 77. In response to the allegations in paragraph 77 of the FAC, due to the  
12 ambiguity of the allegations, Defendants lack knowledge or information sufficient  
13 to form a belief as to the truth of the allegations and, therefore, deny them.

14 78. In response to the allegations in paragraph 78 of the FAC, due to the  
15 ambiguity of the allegations, Defendants lack knowledge or information sufficient  
16 to form a belief as to the truth of the allegations and, therefore, deny them.

17 79. Paragraph 79 of the FAC consists of legal argument and/or  
18 conclusions that do not require admission or denial. To the extent admission or  
19 denial is required, Defendants deny all allegations.

20 80. In response to the allegations in paragraph 80 of the FAC,  
21 Defendants admit that handgun safety can be advanced by producing, providing,  
22 and encouraging education, training, and public outreach on firearm safety, storage,  
23 and use. The remaining allegations in paragraph 80 consist of legal argument  
24 and/or conclusions that do not require admission or denial. To the extent admission  
25 or denial is required, Defendants deny those allegations.

26 81. In response to the allegations in paragraph 81 of the FAC,  
27 Defendants admit that handgun safety can be advanced by firearm locking and/or  
28 storage devices. The remaining allegations in paragraph 81 consist of legal

1 argument and/or conclusions that do not require admission or denial. To the extent  
2 admission or denial is required, Defendants deny those allegations.

3 82. Paragraph 82 of the FAC consists of legal argument and/or  
4 conclusions that do not require admission or denial. To the extent admission or  
5 denial is required, Defendants deny all allegations.

6 83. In response to the allegations in paragraph 83 of the FAC,  
7 Defendants lack knowledge or information sufficient to form a belief as to the truth  
8 of the allegations and, therefore, deny them.

9 84. In response to the allegations in paragraph 84 of the FAC,  
10 Defendants lack knowledge or information sufficient to form a belief as to the truth  
11 of the allegations and, therefore, deny them.

12 85. In response to the allegations in paragraph 85 of the FAC,  
13 Defendants lack knowledge or information sufficient to form a belief as to the truth  
14 of the allegations and, therefore, deny them.

15 86. In response to the allegations in paragraph 86 of the FAC, the  
16 allegations that “[t]he Smith & Wesson M&P® 380 SHIELD™ EZ® that Plaintiff  
17 Renna wishes to purchase is a constitutionally protected handgun that is in  
18 common use for self-defense and other lawful purposes and widely sold and  
19 possessed outside of California” consists of legal argument and/or conclusions that  
20 do not require admission or denial. To the extent admission or denial is required,  
21 Defendants deny those allegations. Defendants admit that the website for the  
22 Smith & Wesson M&P® 380 SHIELD™ EZ®, online at [https://www.smith-  
23 wesson.com/firearms/mp-380-shield-ez-0](https://www.smith-wesson.com/firearms/mp-380-shield-ez-0), statement quoted in paragraph 86. As  
24 to the remaining allegations in paragraph 86, Defendants lack knowledge or  
25 information sufficient to form a belief as to the truth of the allegations and,  
26 therefore, deny them.

27 87. In response to the allegations in paragraph 87 of the FAC,  
28 Defendants deny that any particular make or model of handgun is “constitutionally

1 protected,” and therefore deny that any “constitutionally protected handgun” is not  
2 currently on or eligible under the statutes to be added to the Roster. As to the  
3 remaining allegations, Defendants lack knowledge or information sufficient to form  
4 a belief as to the truth of the allegations and, therefore, deny them.

5 88. In response to the allegations in paragraph 88 of the FAC,  
6 Defendants lack knowledge or information sufficient to form a belief as to the truth  
7 of the allegations and, therefore, deny them.

8 89. Defendants admit the allegations in paragraph 89 of the FAC.

9 90. In response to the allegations in paragraph 90 of the FAC,  
10 Defendants lack knowledge or information sufficient to form a belief as to the truth  
11 of the allegations and, therefore, deny them.

12 91. In response to the allegations in paragraph 91 of the FAC,  
13 Defendants deny that any particular make or model of handgun is “constitutionally  
14 protected,” and therefore deny that any “constitutionally protected handgun” is not  
15 currently on or eligible under the statutes to be added to the Roster. As to the  
16 remaining allegations, Defendants lack knowledge or information sufficient to form  
17 a belief as to the truth of the allegations and, therefore, deny them.

18 92. In response to the allegations in paragraph 92 of the FAC,  
19 Defendants deny that Defendants lack knowledge or information sufficient to form  
20 a belief as to the truth of the allegations and, therefore, deny them.

21 93. Defendants admit the allegations in paragraph 93 of the FAC.

22 94. In response to the allegations in paragraph 94 of the FAC,  
23 Defendants deny that any particular make or model of handgun is “constitutionally  
24 protected,” and therefore deny that any “constitutionally protected handgun” is not  
25 currently on or eligible under the statutes to be added to the Roster. As to the  
26 remaining allegations, Defendants lack knowledge or information sufficient to form  
27 a belief as to the truth of the allegations and, therefore, deny them.

28

1           95.     In response to the allegations in paragraph 95 of the FAC,  
2 Defendants deny that any particular make or model of handgun is “constitutionally  
3 protected,” and therefore deny that any “constitutionally protected handgun” is not  
4 currently on or eligible under the statutes to be added to the Roster. As to the  
5 remaining allegations, Defendants lack knowledge or information sufficient to form  
6 a belief as to the truth of the allegations and, therefore, deny them.

7           96.     In response to the allegations in paragraph 96 of the FAC,  
8 Defendants lack knowledge or information sufficient to form a belief as to the truth  
9 of the allegations and, therefore, deny them.

10          97.     In response to the allegations in paragraph 97 of the FAC,  
11 Defendants lack knowledge or information sufficient to form a belief as to the truth  
12 of the allegations and, therefore, deny them.

13          98.     In response to the allegations in paragraph 98 of the FAC,  
14 Defendants lack knowledge or information sufficient to form a belief as to the truth  
15 of the allegations and, therefore, deny them.

16          99.     In response to the allegations in paragraph 99 of the FAC,  
17 Defendants deny that any particular make or model of handgun is “constitutionally  
18 protected,” and therefore deny that any “constitutionally protected handgun” is not  
19 currently on or eligible under the statutes to be added to the Roster. As to the  
20 remaining allegations, Defendants lack knowledge or information sufficient to form  
21 a belief as to the truth of the allegations and, therefore, deny them.

22          100.    In response to the allegations in paragraph 100 of the FAC,  
23 Defendants lack knowledge or information sufficient to form a belief as to the truth  
24 of the allegations and, therefore, deny them.

25          101.    In response to the allegations in paragraph 101 of the FAC,  
26 Defendants lack knowledge or information sufficient to form a belief as to the truth  
27 of the allegations and, therefore, deny them.

28



1           102. In response to the allegations in paragraph 102 of the FAC,  
2 Defendants lack knowledge or information sufficient to form a belief as to the truth  
3 of the allegations and, therefore, deny them.

4           103. In response to the allegations in paragraph 103 of the FAC,  
5 Defendants lack knowledge or information sufficient to form a belief as to the truth  
6 of the allegations and, therefore, deny them.

7           104. In response to the allegations in paragraph 104 of the FAC,  
8 Defendants deny that any particular make or model of handgun is “constitutionally  
9 protected,” and therefore deny that any “constitutionally protected handgun” is not  
10 currently on or eligible under the statutes to be added to the Roster. As to the  
11 remaining allegations, Defendants lack knowledge or information sufficient to form  
12 a belief as to the truth of the allegations and, therefore, deny them.

13           105. In response to the allegations in paragraph 105 of the FAC,  
14 Defendants deny that any particular make or model of handgun is “constitutionally  
15 protected,” and therefore deny that any “constitutionally protected handgun” is not  
16 currently on or eligible under the statutes to be added to the Roster. As to the  
17 remaining allegations, Defendants lack knowledge or information sufficient to form  
18 a belief as to the truth of the allegations and, therefore, deny them.

19           106. In response to the allegations in paragraph 106 of the FAC,  
20 Defendants lack knowledge or information sufficient to form a belief as to the truth  
21 of the allegations and, therefore, deny them.

22           107. In response to the allegations in paragraph 107 of the FAC,  
23 Defendants lack knowledge or information sufficient to form a belief as to the truth  
24 of the allegations and, therefore, deny them.

25           108. In response to the allegations in paragraph 108 of the FAC,  
26 Defendants lack knowledge or information sufficient to form a belief as to the truth  
27 of the allegations and, therefore, deny them.

28



1           109. In response to the allegations in paragraph 109 of the FAC,  
2 Defendants deny that any particular make or model of handgun is “constitutionally  
3 protected,” and therefore deny that any “constitutionally protected handgun” is not  
4 currently on or eligible under the statutes to be added to the Roster. As to the  
5 remaining allegations, Defendants lack knowledge or information sufficient to form  
6 a belief as to the truth of the allegations and, therefore, deny them.

7           110. In response to the allegations in paragraph 110 of the FAC,  
8 Defendants lack knowledge or information sufficient to form a belief as to the truth  
9 of the allegations and, therefore, deny them.

10           111. In response to the allegations in paragraph 111 of the FAC,  
11 Defendants lack knowledge or information sufficient to form a belief as to the truth  
12 of the allegations and, therefore, deny them.

13           112. In response to the allegations in paragraph 112 of the FAC,  
14 Defendants lack knowledge or information sufficient to form a belief as to the truth  
15 of the allegations and, therefore, deny them.

16           113. In response to the allegations in paragraph 113 of the FAC,  
17 Defendants deny that any particular make or model of handgun is “constitutionally  
18 protected,” and therefore deny that any “constitutionally protected handgun” is not  
19 currently on or eligible under the statutes to be added to the Roster. As to the  
20 remaining allegations, Defendants lack knowledge or information sufficient to form  
21 a belief as to the truth of the allegations and, therefore, deny them.

22           114. In response to the allegations in paragraph 114 of the FAC,  
23 Defendants lack knowledge or information sufficient to form a belief as to the truth  
24 of the allegations and, therefore, deny them.

25           115. In response to the allegations in paragraph 115 of the FAC,  
26 Defendants lack knowledge or information sufficient to form a belief as to the truth  
27 of the allegations and, therefore, deny them.

28

1           116. In response to the allegations in paragraph 116 of the FAC,  
2 Defendants lack knowledge or information sufficient to form a belief as to the truth  
3 of the allegations and, therefore, deny them.

4           117. In response to the allegations in paragraph 117 of the FAC,  
5 Defendants deny that any particular make or model of handgun is “constitutionally  
6 protected,” and therefore deny that any “constitutionally protected handgun” is not  
7 currently on or eligible under the statutes to be added to the Roster. As to the  
8 remaining allegations, Defendants lack knowledge or information sufficient to form  
9 a belief as to the truth of the allegations and, therefore, deny them.

10           118. In response to the allegations in paragraph 118 of the FAC,  
11 Defendants lack knowledge or information sufficient to form a belief as to the truth  
12 of the allegations and, therefore, deny them.

13           119. In response to the allegations in paragraph 119 of the FAC,  
14 Defendants lack knowledge or information sufficient to form a belief as to the truth  
15 of the allegations and, therefore, deny them.

16           120. In response to the allegations in paragraph 120 and footnote 4 of the  
17 FAC, Defendants lack knowledge or information sufficient to form a belief as to the  
18 truth of the allegations and, therefore, deny them.

19           121. In response to the allegations in paragraph 121 of the FAC,  
20 Defendants lack knowledge or information sufficient to form a belief as to the truth  
21 of the allegations and, therefore, deny them.

22           122. In response to the allegations in paragraph 122 of the FAC,  
23 Defendants deny that any particular make or model of handgun is “constitutionally  
24 protected,” and therefore deny that any “constitutionally protected handgun” is not  
25 currently on or eligible under the statutes to be added to the Roster. As to the  
26 remaining allegations, Defendants lack knowledge or information sufficient to form  
27 a belief as to the truth of the allegations and, therefore, deny them.

28

1           123. In response to the allegations in paragraph 123 of the FAC,  
2 Defendants deny that any particular make or model of handgun is “constitutionally  
3 protected,” and therefore deny that any “constitutionally protected handgun” is not  
4 currently on or eligible under the statutes to be added to the Roster. As to the  
5 remaining allegations, Defendants lack knowledge or information sufficient to form  
6 a belief as to the truth of the allegations and, therefore, deny them.

7           124. In response to the allegations in paragraph 124 of the FAC,  
8 Defendants lack knowledge or information sufficient to form a belief as to the truth  
9 of the allegations and, therefore, deny them.

10           125. In response to the allegations in paragraph 125 of the FAC,  
11 Defendants lack knowledge or information sufficient to form a belief as to the truth  
12 of the allegations and, therefore, deny them.

13           126. In response to the allegations in paragraph 126 of the FAC,  
14 Defendants deny that any particular make or model of handgun is “constitutionally  
15 protected,” and therefore deny that any “constitutionally protected handgun” is not  
16 currently on or eligible under the statutes to be added to the Roster. As to the  
17 remaining allegations, Defendants lack knowledge or information sufficient to form  
18 a belief as to the truth of the allegations and, therefore, deny them.

19           127. In response to the allegations in paragraph 127 of the FAC,  
20 Defendants deny that any particular make or model of handgun is “constitutionally  
21 protected,” and therefore deny that any “constitutionally protected handgun” is not  
22 currently on or eligible under the statutes to be added to the Roster. As to the  
23 remaining allegations, Defendants lack knowledge or information sufficient to form  
24 a belief as to the truth of the allegations and, therefore, deny them.

25           128. In response to the allegations in paragraph 128 of the FAC,  
26 Defendants lack knowledge or information sufficient to form a belief as to the truth  
27 of the allegations and, therefore, deny them.

28           129. Defendants admit the allegations in paragraph 129 of the FAC.

1           130. In response to the allegations in paragraph 130 of the FAC,  
2 Defendants lack knowledge or information sufficient to form a belief as to the truth  
3 of the allegations and, therefore, deny them.

4           131. In response to the allegations in paragraph 131 of the FAC,  
5 Defendants admit that Plaintiff Philips passed a Live Scan-based background check  
6 and was placed into the State’s system for monitoring law enforcement contact,  
7 arrests, and criminal convictions (“Rap Back”). As to all remaining allegations,  
8 Defendants lack knowledge or information sufficient to form a belief as to the truth  
9 of the allegations and, therefore, deny them.

10           132. In response to the allegations in paragraph 132 of the FAC,  
11 Defendants lack knowledge or information sufficient to form a belief as to the truth  
12 of the allegations and, therefore, deny them.

13           133. In response to the allegations in paragraph 133 of the FAC,  
14 Defendants lack knowledge or information sufficient to form a belief as to the truth  
15 of the allegations and, therefore, deny them.

16           134. In response to the allegations in paragraph 134 of the FAC,  
17 Defendants deny that any particular make or model of handgun is “constitutionally  
18 protected,” and therefore deny that any “constitutionally protected handgun” is not  
19 currently on or eligible under the statutes to be added to the Roster. As to the  
20 remaining allegations, Defendants lack knowledge or information sufficient to form  
21 a belief as to the truth of the allegations and, therefore, deny them.

22           135. In response to the allegations in paragraph 135 of the FAC,  
23 Defendants lack knowledge or information sufficient to form a belief as to the truth  
24 of the allegations and, therefore, deny them.

25           136. In response to the allegations in paragraph 136 of the FAC,  
26 Defendants admit that Plaintiff Philips and PWG are a firearms dealer in the  
27 California Department of Justice’s Centralized List of Firearms Dealers. As to all  
28

1 remaining allegations, Defendants lack knowledge or information sufficient to form  
2 a belief as to the truth of the allegations and, therefore, deny them.

3 137. In response to the allegations in paragraph 137 of the FAC,  
4 Defendants deny that any particular make or model of handgun is “constitutionally  
5 protected,” and therefore deny that any “constitutionally protected handgun” is not  
6 currently on or eligible under the statutes to be added to the Roster. As to the  
7 remaining allegations, Defendants lack knowledge or information sufficient to form  
8 a belief as to the truth of the allegations and, therefore, deny them.

9 138. In response to the allegations in paragraph 138 of the FAC,  
10 Defendants deny that any particular make or model of handgun is “constitutionally  
11 protected,” and therefore deny that any “constitutionally protected handgun” is not  
12 currently on or eligible under the statutes to be added to the Roster. As to the  
13 remaining allegations, Defendants lack knowledge or information sufficient to form  
14 a belief as to the truth of the allegations and, therefore, deny them.

15 139. In response to the allegations in paragraph 139 of the FAC,  
16 Defendants lack knowledge or information sufficient to form a belief as to the truth  
17 of the allegations and, therefore, deny them.

18 140. In response to the allegations in paragraph 140 of the FAC,  
19 Defendants lack knowledge or information sufficient to form a belief as to the truth  
20 of the allegations and, therefore, deny them.

21 141. In response to the allegations in paragraph 141 of the FAC,  
22 Defendants lack knowledge or information sufficient to form a belief as to the truth  
23 of the allegations and, therefore, deny them.

24 142. In response to the allegations in paragraph 142 of the FAC,  
25 Defendants deny that any particular make or model of handgun is “constitutionally  
26 protected,” and therefore deny that any “constitutionally protected handgun” is not  
27 currently on or eligible under the statutes to be added to the Roster. As to the  
28

1 remaining allegations, Defendants lack knowledge or information sufficient to form  
2 a belief as to the truth of the allegations and, therefore, deny them.

3 143. In response to the allegations in paragraph 143 of the FAC,  
4 Defendants lack knowledge or information sufficient to form a belief as to the truth  
5 of the allegations and, therefore, deny them.

6 144. Defendants admit the allegations in paragraph 144 of the FAC.

7 145. In response to the allegations in paragraph 145 of the FAC,  
8 Defendants lack knowledge or information sufficient to form a belief as to the truth  
9 of the allegations and, therefore, deny them.

10 146. In response to the allegations in paragraph 146 of the FAC,  
11 Defendants admit that Plaintiff D. Prince passed a Live Scan-based background  
12 check and was placed into the Rap Back system for monitoring law enforcement  
13 contact, arrests, and criminal convictions. As to all remaining allegations,  
14 Defendants lack knowledge or information sufficient to form a belief as to the truth  
15 of the allegations and, therefore, deny them.

16 147. In response to the allegations in paragraph 147 of the FAC,  
17 Defendants lack knowledge or information sufficient to form a belief as to the truth  
18 of the allegations and, therefore, deny them.

19 148. In response to the allegations in paragraph 148 of the FAC,  
20 Defendants deny that any particular make or model of handgun is “constitutionally  
21 protected,” and therefore deny that any “constitutionally protected handgun” is not  
22 currently on or eligible under the statutes to be added to the Roster. As to the  
23 remaining allegations, Defendants lack knowledge or information sufficient to form  
24 a belief as to the truth of the allegations and, therefore, deny them.

25 149. In response to the allegations in paragraph 149 of the FAC,  
26 Defendants lack knowledge or information sufficient to form a belief as to the truth  
27 of the allegations and, therefore, deny them.

28

1           150. In response to the allegations in paragraph 150 of the FAC,  
2 Defendants lack knowledge or information sufficient to form a belief as to the truth  
3 of the allegations and, therefore, deny them.

4           151. In response to the allegations in paragraph 151 of the FAC,  
5 Defendants admit that Plaintiff D. Prince and NCSC are a firearms dealer in the  
6 California Department of Justice’s Centralized List of Firearms Dealers. As to all  
7 remaining allegations, Defendants lack knowledge or information sufficient to form  
8 a belief as to the truth of the allegations and, therefore, deny them.

9           152. In response to the allegations in paragraph 152 of the FAC,  
10 Defendants deny that any particular make or model of handgun is “constitutionally  
11 protected,” and therefore deny that any “constitutionally protected handgun” is not  
12 currently on or eligible under the statutes to be added to the Roster. As to the  
13 remaining allegations, Defendants lack knowledge or information sufficient to form  
14 a belief as to the truth of the allegations and, therefore, deny them.

15           153. In response to the allegations in paragraph 153 of the FAC,  
16 Defendants deny that any particular make or model of handgun is “constitutionally  
17 protected,” and therefore deny that any “constitutionally protected handgun” is not  
18 currently on or eligible under the statutes to be added to the Roster. As to the  
19 remaining allegations, Defendants lack knowledge or information sufficient to form  
20 a belief as to the truth of the allegations and, therefore, deny them.

21           154. In response to the allegations in paragraph 154 of the FAC,  
22 Defendants lack knowledge or information sufficient to form a belief as to the truth  
23 of the allegations and, therefore, deny them.

24           155. Defendants admit the allegations in paragraph 155 of the FAC.

25           156. In response to the allegations in paragraph 156 of the FAC,  
26 Defendants lack knowledge or information sufficient to form a belief as to the truth  
27 of the allegations and, therefore, deny them.

28           157. Defendants admit the allegations in paragraph 157 of the FAC.



1           158. In response to the allegations in paragraph 158 of the FAC,  
2 Defendants lack knowledge or information sufficient to form a belief as to the truth  
3 of the allegations and, therefore, deny them.

4           159. In response to the allegations in paragraph 159 of the FAC, the  
5 allegations regarding whether Plaintiff Peterson can lawfully sell or transfer a  
6 Fabrique Tactical handgun to himself or others constitutes legal argument and/or  
7 conclusions that do not require admission or denial. To the extent admission or  
8 denial is required, Defendants deny those allegations. Defendants lack knowledge  
9 or information sufficient to form a belief as to the truth of the remaining allegations  
10 and, therefore, deny them.

11           160. In response to the allegations in paragraph 160 of the FAC,  
12 Defendants deny that any particular make or model of handgun is “constitutionally  
13 protected,” and therefore deny that any “constitutionally protected handgun” is not  
14 currently on or eligible under the statutes to be added to the Roster. As to the  
15 remaining allegations, Defendants lack knowledge or information sufficient to form  
16 a belief as to the truth of the allegations and, therefore, deny them.

17           161. In response to the allegations in paragraph 161 of the FAC,  
18 Defendants deny that any particular make or model of handgun is “constitutionally  
19 protected,” and therefore deny that any “constitutionally protected handgun” is not  
20 currently on or eligible under the statutes to be added to the Roster. As to the  
21 remaining allegations, Defendants lack knowledge or information sufficient to form  
22 a belief as to the truth of the allegations and, therefore, deny them.

23           162. In response to the allegations in paragraph 162 of the FAC,  
24 Defendants lack knowledge or information sufficient to form a belief as to the truth  
25 of the allegations and, therefore, deny them.

26           163. In response to the allegations in paragraph 163 of the FAC,  
27 Defendants admit that Plaintiff Peterson and Gunfighter Tactical are a firearms  
28 dealer in the California Department of Justice’s Centralized List of Firearms



1 Dealers. As to all remaining allegations, Defendants lack knowledge or  
2 information sufficient to form a belief as to the truth of the allegations and,  
3 therefore, deny them.

4 164. In response to the allegations in paragraph 164 of the FAC,  
5 Defendants deny that any particular make or model of handgun is “constitutionally  
6 protected,” and therefore deny that any “constitutionally protected handgun” is not  
7 currently on or eligible under the statutes to be added to the Roster. As to the  
8 remaining allegations, Defendants lack knowledge or information sufficient to form  
9 a belief as to the truth of the allegations and, therefore, deny them.

10 165. In response to the allegations in paragraph 165 of the FAC,  
11 Defendants deny that any particular make or model of handgun is “constitutionally  
12 protected,” and therefore deny that any “constitutionally protected handgun” is not  
13 currently on or eligible under the statutes to be added to the Roster. As to the  
14 remaining allegations, Defendants lack knowledge or information sufficient to form  
15 a belief as to the truth of the allegations and, therefore, deny them.

16 166. Paragraph 166 of the FAC consists of a quotation of a legal  
17 authority. That legal authority speaks for itself. To the extent admission or denial  
18 is required, Defendants deny all allegations.

19 167. Paragraph 167 of the FAC consists of a quotation of a legal  
20 authority. That legal authority speaks for itself. To the extent admission or denial  
21 is required, Defendants deny all allegations.

22 168. Paragraph 168 of the FAC consists of legal argument and/or  
23 conclusions that do not require admission or denial. To the extent admission or  
24 denial is required, Defendants deny all allegations.

25 169. Paragraph 169 of the FAC consists of legal argument and/or  
26 conclusions that do not require admission or denial. To the extent admission or  
27 denial is required, Defendants deny all allegations.

28

1           170. Paragraph 170 of the FAC consists of legal argument and/or  
2 conclusions that do not require admission or denial. To the extent admission or  
3 denial is required, Defendants deny all allegations.

4           171. Paragraph 171 of the FAC consists of legal argument and/or  
5 conclusions that do not require admission or denial. To the extent admission or  
6 denial is required, Defendants deny all allegations.

7           172. Paragraph 172 of the FAC consists of legal argument and/or  
8 conclusions that do not require admission or denial. To the extent admission or  
9 denial is required, Defendants deny all allegations.

10          173. Paragraph 173 of the FAC consists of legal argument and/or  
11 conclusions that do not require admission or denial. To the extent admission or  
12 denial is required, Defendants deny all allegations.

13          174. Paragraph 174 of the FAC consists of a quotation of a legal  
14 authority. That legal authority speaks for itself. To the extent admission or denial  
15 is required, Defendants deny all allegations.

16          175. Paragraph 175 of the FAC consists of a quotation of a legal  
17 authority. That legal authority speaks for itself. To the extent admission or denial  
18 is required, Defendants deny all allegations.

19          176. Paragraph 176 of the FAC consists of legal argument and/or  
20 conclusions that do not require admission or denial. To the extent admission or  
21 denial is required, Defendants deny all allegations.

22          177. Paragraph 177 of the FAC consists of a quotation of a legal  
23 authority. That legal authority speaks for itself. To the extent admission or denial  
24 is required, Defendants deny all allegations.

25          178. Paragraph 178 of the FAC consists of legal argument and/or  
26 conclusions that do not require admission or denial. To the extent admission or  
27 denial is required, Defendants deny all allegations.

28

1 179. Paragraph 179 of the FAC consists of legal argument and/or  
2 conclusions that do not require admission or denial. To the extent admission or  
3 denial is required, Defendants deny all allegations.

4 180. Paragraph 180 of the FAC consists of legal argument and/or  
5 conclusions that do not require admission or denial. To the extent admission or  
6 denial is required, Defendants deny all allegations.

7 **ANSWER TO COUNT ONE**

8 181. Paragraph 181 of the FAC does not contain any factual allegations.  
9 To the extent Defendants are required to admit or deny any allegations, Defendants  
10 reassert and incorporate their responses to paragraphs 1 through 180 of the FAC.

11 182. Paragraph 182 of the FAC consists of legal argument and/or  
12 conclusions that do not require admission or denial. To the extent admission or  
13 denial is required, Defendants deny all allegations.

14 183. Paragraph 183 of the FAC consists of legal argument and/or  
15 conclusions and a quotation of legal authority that speaks for itself, and therefore  
16 does not require admission or denial. To the extent admission or denial is required,  
17 Defendants deny all allegations.

18 184. Paragraph 184 of the FAC consists of legal argument and/or  
19 conclusions and a quotation of legal authority that speaks for itself, and therefore  
20 does not require admission or denial. To the extent admission or denial is required,  
21 Defendants deny all allegations.

22 185. Paragraph 185 of the FAC consists of a quotation of a legal  
23 authority. That legal authority speaks for itself. To the extent admission or denial  
24 is required, Defendants deny all allegations.

25 186. Paragraph 186 of the FAC consists of legal argument and/or  
26 conclusions and a quotation of legal authority that speaks for itself, and therefore  
27 does not require admission or denial. To the extent admission or denial is required,  
28 Defendants deny all allegations.

1           187. Paragraph 187 of the FAC consists of legal argument and/or  
2 conclusions and a quotation of legal authority that speaks for itself, and therefore  
3 does not require admission or denial. To the extent admission or denial is required,  
4 Defendants deny all allegations.

5           188. Paragraph 188 of the FAC consists of legal argument and/or  
6 conclusions that do not require admission or denial. To the extent admission or  
7 denial is required, Defendants deny all allegations.

8           189. Paragraph 189 of the FAC consists of legal argument and/or  
9 conclusions that do not require admission or denial. To the extent admission or  
10 denial is required, Defendants deny all allegations.

11           190. Paragraph 190 of the FAC consists of legal argument and/or  
12 conclusions that do not require admission or denial. To the extent admission or  
13 denial is required, Defendants deny all allegations.

14           191. In response to the allegations in paragraph 191 of the FAC,  
15 Defendants admit that they enforce and will continue to enforce the laws of the  
16 State of California, including the Unsafe Handgun Act and related regulations. As  
17 to the remaining allegations, Defendants lack knowledge or information sufficient  
18 to form a belief as to the truth of the allegations and, therefore, deny them.

19           192. In response to the allegations in paragraph 192 of the FAC,  
20 Defendants admit that they enforce the laws of the State of California, including the  
21 Unsafe Handgun Act and related regulations. The remaining allegations in  
22 Paragraph 190 of the FAC consist of legal argument and/or conclusions that do not  
23 require admission or denial. To the extent admission or denial is required,  
24 Defendants deny those allegations.

25           193. In response to the allegations in paragraph 193 of the FAC,  
26 Defendants admit that they enforce the laws of the State of California, including the  
27 Unsafe Handgun Act and related regulations. The remaining allegations in  
28 Paragraph 190 of the FAC consist of legal argument and/or conclusions that do not

1 require admission or denial. To the extent admission or denial is required,  
2 Defendants deny those allegations.

3 194. In response to the allegations in paragraph 194 of the FAC,  
4 Defendants admit that they enforce the laws of the State of California, including the  
5 Unsafe Handgun Act and related regulations. The remaining allegations in  
6 Paragraph 190 of the FAC consist of legal argument and/or conclusions that do not  
7 require admission or denial. To the extent admission or denial is required,  
8 Defendants deny those allegations.

9 195. In response to the allegations in paragraph 195 of the FAC,  
10 Defendants lack knowledge or information sufficient to form a belief as to the truth  
11 of the allegations and, therefore, deny them.

12 196. Paragraph 196 of the FAC consists of legal argument and/or  
13 conclusions and a quotation of legal authority that speaks for itself, and therefore  
14 does not require admission or denial. To the extent admission or denial is required,  
15 Defendants deny all allegations.

16 197. Paragraph 197 of the FAC consists of legal argument and/or  
17 conclusions and a quotation of legal authority that speaks for itself, and therefore  
18 does not require admission or denial. To the extent admission or denial is required,  
19 Defendants deny all allegations.

20 198. Paragraph 198 of the FAC consists of legal argument and/or  
21 conclusions and a quotation of legal authority that speaks for itself, and therefore  
22 does not require admission or denial. To the extent admission or denial is required,  
23 Defendants deny all allegations.

24 **ANSWER TO COUNT TWO**

25 199. Paragraph 199 of the FAC does not contain any factual allegations.  
26 To the extent Defendants are required to admit or deny any allegations, Defendants  
27 reassert and incorporate their responses to paragraphs 1 through 198 of the FAC.  
28

1           200. Paragraph 200 of the FAC consists of legal argument and/or  
2 conclusions that do not require admission or denial. To the extent admission or  
3 denial is required, Defendants deny all allegations.

4           201. Paragraph 201 of the FAC describes a legal authority that speaks for  
5 itself and consists of legal argument and/or conclusions that do not require  
6 admission or denial. To the extent admission or denial is required, Defendants  
7 deny all allegations.

8           202. Paragraph 202 of the FAC describes a legal authority that speaks for  
9 itself and consists of legal argument and/or conclusions that do not require  
10 admission or denial. To the extent admission or denial is required, Defendants  
11 deny all allegations.

12           203. Paragraph 203 of the FAC consists of legal argument and/or  
13 conclusions and a quotation of legal authority that speaks for itself, and therefore do  
14 not require admission or denial. To the extent admission or denial is required,  
15 Defendants deny all allegations.

16           204. Paragraph 204 of the FAC consists of legal argument and/or  
17 conclusions and describes legal authorities that speak for themselves, and therefore  
18 does not require admission or denial. To the extent admission or denial is required,  
19 Defendants deny all allegations.

20           205. Paragraph 205 of the FAC consists of legal argument and/or  
21 conclusions and describes legal authorities that speak for themselves, and therefore  
22 does not require admission or denial. To the extent admission or denial is required,  
23 Defendants deny all allegations.

24           206. Paragraph 206 of the FAC consists of legal argument and/or  
25 conclusions that do not require admission or denial. To the extent admission or  
26 denial is required, Defendants deny all allegations.

27  
28

1           207. Paragraph 207 of the FAC consists of legal argument and/or  
2 conclusions that do not require admission or denial. To the extent admission or  
3 denial is required, Defendants deny all allegations.

4           208. Paragraph 208 of the FAC consists of legal argument and/or  
5 conclusions that do not require admission or denial. To the extent admission or  
6 denial is required, Defendants deny all allegations.

7           209. Paragraph 209 of the FAC consists of legal argument and/or  
8 conclusions that do not require admission or denial. To the extent admission or  
9 denial is required, Defendants deny all allegations.

10          210. Paragraph 210 of the FAC consists of legal argument and/or  
11 conclusions that do not require admission or denial. To the extent admission or  
12 denial is required, Defendants deny all allegations.

13          211. Paragraph 211 of the FAC consists of legal argument and/or  
14 conclusions that do not require admission or denial. To the extent admission or  
15 denial is required, Defendants deny all allegations.

16   **ANSWER TO PRAYER FOR RELIEF**

17           1. In response to paragraph 1 in the prayer for relief in the FAC, no  
18 response is required to Plaintiff’s prayer for relief. To the extent Defendants are  
19 required to respond, they deny that Plaintiff is entitled to the requested relief.

20           2. In response to paragraph 2 in the prayer for relief in the FAC, no  
21 response is required to Plaintiff’s prayer for relief. To the extent Defendants are  
22 required to respond, they deny that Plaintiff is entitled to the requested relief.

23           3. In response to paragraph 3 in the prayer for relief in the FAC, no  
24 response is required to Plaintiff’s prayer for relief. To the extent Defendants are  
25 required to respond, they deny that Plaintiff is entitled to the requested relief.

26           4. In response to paragraph 4 in the prayer for relief in the FAC, no  
27 response is required to Plaintiff’s prayer for relief. To the extent Defendants are  
28 required to respond, they deny that Plaintiff is entitled to the requested relief.

1           5. In response to paragraph 5 in the prayer for relief in the FAC, no  
2 response is required to Plaintiff’s prayer for relief. To the extent Defendants are  
3 required to respond, they deny that Plaintiff is entitled to the requested relief.

4           6. In response to paragraph 6 in the prayer for relief in the FAC, no  
5 response is required to Plaintiff’s prayer for relief. To the extent Defendants are  
6 required to respond, they deny that Plaintiff is entitled to the requested relief.

7           7. In response to paragraph 7 in the prayer for relief in the FAC, no  
8 response is required to Plaintiff’s prayer for relief. To the extent Defendants are  
9 required to respond, they deny that Plaintiff is entitled to the requested relief.

10          8. In response to paragraph 8 in the prayer for relief in the FAC, no  
11 response is required to Plaintiff’s prayer for relief. To the extent Defendants are  
12 required to respond, they deny that Plaintiff is entitled to the requested relief.

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DEFENSES**

**FIRST DEFENSE**

The FAC, and each count therein, fails to state a claim upon which relief can be granted.

**SECOND DEFENSE**

This Court lacks subject matter jurisdiction because Plaintiffs lack standing to pursue the counts in the FAC.

**THIRD DEFENSE**

This Court lacks subject matter jurisdiction because Plaintiffs’ claims in the FAC are unripe.

**FOURTH DEFENSE**

The Court should dismiss Plaintiffs’ FAC because Plaintiffs have an adequate remedy at law.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RESERVATION OF DEFENSES**

The foregoing defenses are raised without waiver of any other defenses that might become known during this litigation. Defendants hereby reserves their right to amend or supplement their answer to assert any other related defenses.

**PRAYER OF DEFENDANTS**

WHEREFORE, Defendants prays that:

1. The FAC, and all claims and prayers for relief therein, be denied in their entirety;
2. Plaintiffs take nothing from Defendants by this action;
3. Defendants be awarded its costs incurred in defending this action;
4. Defendants be awarded such further relief that the Court may deem just and proper.

Dated: May 14, 2021

Respectfully submitted,

ROB BONTA  
Attorney General of California  
ANTHONY R. HAKL  
Supervising Deputy Attorney General

*/s/ Gabrielle D. Boutin*  
GABRIELLE D. BOUTIN  
Deputy Attorney General  
*Attorneys for Defendants Attorney General Rob Bonta and Director Luis Lopez, in their official capacities*

SA2020304764  
35043735.docx

### CERTIFICATE OF SERVICE

Case Name: **Renna, Lana Rae, et al. v.  
Xavier Becerra, et al.**

No. **20-cv-2190**

I hereby certify that on May 14, 2021, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

#### **ANSWER TO FIRST AMENDED COMPLAINT**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on May 14, 2021, at Sacramento, California.

Eileen A. Ennis  
Declarant



Signature

SA2020304764  
35106831.docx