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16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18	Ivan Peña, et al.,	)	Case No. 2:09-CV-01185-FCD-KJM
19)	
20	Plaintiffs,	)	NOTICE OF MOTION AND MOTION
21		)	FOR SUMMARY JUDGMENT
22	v.	)	[Fed. R. Civ. P. 56]
23)	
24	Wilfredo Cid,	)	Date: Oct. 2, 2009
25		)	Time: 10:00 a.m.
26	Defendants.	)	Dept: 2, 15 th Floor
27		)	Judge: Frank C. Damrell, Jr.
28		)	Trial Date: None
		)	Action Filed: April 30, 2009

29 TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

30 PLEASE TAKE NOTICE that on Friday, October 2, 2009, at 10:00 a.m. or as soon
31 thereafter as the matter may be heard, in Courtroom 2 of the United State District Court for the
32 Eastern California, 501 I Street, Sacramento, California 95814 Plaintiffs Ivan Peña, Roy

1 Vargas, Doña Croston, Brett Thomas, the Second Amendment Foundation, Inc., and the
2 Calguns Foundation, Inc., by and through undersigned counsel, will move this Honorable
3 Court to enter a summary judgment in their favor and against Defendant pursuant to Fed. R.
4 Civ. Proc. 56.
5

6 Plaintiffs move for entry of summary judgment on all claims as the material facts in
7 this case are not in dispute, and Defendant's challenged customs, practices and policies violate
8 Plaintiffs' rights under the Second and Fourteenth Amendments to the United States
9 Constitution. This motion is based upon this notice of motion and motion, the attached
10 memorandum of points and authorities, exhibits, declarations, separate statement of
11 undisputed facts, any material in the Court's files, and any other relevant matter to be
12 considered by the Court.
13

14 Dated: September 1, 2009

Respectfully submitted,

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27 Attorneys for Plaintiffs
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