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 County Counsel  
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 Board of Supervisors, Wilma Chan,  
 8 Nate Miley and Keith Carson

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 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DIVISION OF CALIFORNIA  
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14 JOHN TEIXEIRA, STEVE NOBRIGA,  
 GARY GAMAZA, CALGUNS  
 15 FOUNDATION (CGF), INC., SECOND  
 AMENDMENT FOUNDATION (SAF), INC.,  
 16 and CALIFORNIA ASSOCIATION OF  
 FEDERAL FIREARMS LICENSEES (Cal-  
 17 FFL),

Case No.: CV12-3288 KAW

**DEFENDANTS' NOTICE OF MOTION  
 AND MOTION TO DISMISS**

DATE: October 18, 2012  
 TIME: 11:00 a.m.  
 DEPARTMENT: Ctrm 4, 3rd Floor

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 19 Plaintiffs,

20 v.

21 COUNTY OF ALAMEDA, ALAMEDA  
 BOARD OF SUPERVISORS (as a policy  
 22 making body), WILMA CHAN in her official  
 capacity, NATE MILEY in his official  
 23 capacity, and KEITH CARSON in his official  
 capacity,

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 25 Defendants.  
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1 NOTICE IS HEREBY GIVEN that at on October 18, 2012 at 11:00 a.m. in  
2 Courtroom 4 of the above-entitled court located at 1301 Clay Street, Oakland, California  
3 94612, Defendants County of Alameda, Alameda Board of Supervisors, Wilma Chan,  
4 Nate Miley and Keith Carson, in their official capacities, will move the Court to dismiss  
5 Plaintiffs' Complaint for Damages, Injunctive Relief and/or Declaratory Judgment  
6 ("Complaint") in its entirety as against these Defendants.

7 The Motion to Dismiss will be based on the grounds that Plaintiffs are collaterally  
8 estopped from asserting each cause of action or Claim for Relief in the Complaint and  
9 each Claim for Relief fails to allege sufficient facts to support a cognizable cause of  
10 action against these Defendants.

11 The Motion to Dismiss will be based on this Notice of Motion, the Memorandum  
12 of Points and Authorities, the Request for Judicial Notice, and the Declaration of Mary  
13 Ellyn Gormley, and attached Exhibits, all of which are filed and served herewith. The  
14 Motion also will be based on the Court's file herein, and on such oral argument and  
15 such additional evidence as may be presented at or before the hearing on the Motion.

16  
17 DATED: September 26, 2012 DONNA R. ZIEGLER,  
18 County Counsel, County of Alameda

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20 By Isl Mary Ellyn Gormley  
21 MARY ELLYN GORMLEY  
22 Assistant County Counsel

23 Attorneys for County of Alameda,  
24 Alameda Board of Supervisors, Wilma  
25 Chan, Nate Miley and Keith Carson  
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