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9  
 10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 12 FRESNO DIVISION

13  
 14 **JEFF SILVESTER, BRANDON COMBS,**  
 15 **THE CALGUNS FOUNDATION, INC., a**  
 16 **non-profit organization, and THE SECOND**  
 17 **AMENDMENT FOUNDATION, INC., a**  
 18 **non-profit organization,**

19 Plaintiffs,

20 v.

21 **KAMALA D. HARRIS, Attorney General of**  
 22 **California (in her official capacity),**

23 Defendant.

1:11-cv-02137-AWI-SKO

**NOTICE OF APPEAL, INCLUDING  
 REPRESENTATION STATEMENT**

Judge: Hon. Anthony W. Ishii  
 Trial Date: March 25, 2014  
 Action Filed: December 23, 2011

24 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

25 PLEASE TAKE NOTICE that Kamala D. Harris, Attorney General of California (the  
 26 “Attorney General”), defendant in the above-named case, hereby appeals to the U.S. Court of  
 27 Appeals for the Ninth Circuit from this Court’s final judgment entered in this action on  
 28 August 25, 2014.

1           By a motion filed on September 22, 2014, the Attorney General also is seeking, under  
2 Federal Rule of Civil Procedure 59(e), to amend the judgment to adjust this Court’s remedial  
3 order for injunctive relief entered in this action; that order also issued on August 25, 2014. The  
4 instant notice of appeal will become effective upon the disposition of that motion. *See* Fed. R.  
5 App. P. 4(a)(4)(B)(i) (“If a party files a notice of appeal after the court announces or enters a  
6 judgment—but before it disposes of any motion listed in Rule 4(a)(4)(A)—the notice becomes  
7 effective to appeal a judgment or order, in whole or in part, when the order disposing of the last  
8 such remaining motion is entered.”). A motion to amend a judgment is one of the motions that  
9 has this effect. *See* Fed. R. App. P. 4(a)(4)(A)(v).

10 Dated: September 24, 2014

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
MARK R. BECKINGTON  
Supervising Deputy Attorney General  
PETER H. CHANG  
Deputy Attorney General

16           \_\_\_\_\_/s/  
17 JONATHAN M. EISENBERG  
18 Deputy Attorney General  
19 *Attorneys for Defendant Kamala D. Harris,*  
20 *as California Attorney General*

**REPRESENTATION STATEMENT**

The undersigned represents Kamala D. Harris, Attorney General of California, defendant and appellant in this matter, and no other party. Below is a service list that shows all of the parties in this lawsuit, and identifies their counsel by name, firm/office, U.S. mail address, telephone number, and e-mail address.

Plaintiff (and Putative Appellee) **Jeff Silvester** is represented by Victor J. Otten, Otten Law, PC, 3620 Pacific Coast Hwy., Ste. 100, Torrance, CA 90505; (310) 378-8533; vic@ottenlawpc; and also by Donald E.J. Kilmer, Law Offices of Donald Kilmer, APC, 1645 Willow St., Ste. 150, San Jose, CA 95125; (408) 264-8489; don@dklaawoffice.com.

Plaintiff (and Putative Appellee) **Brandon Combs** is represented by Victor J. Otten, Otten Law, PC, 3620 Pacific Coast Hwy., Ste. 100, Torrance, CA 90505; (310) 378-8533; vic@ottenlawpc; and also by Donald E.J. Kilmer, Law Offices of Donald Kilmer, APC, 1645 Willow St., Ste. 150, San Jose, CA 95125; (408) 264-8489; don@dklaawoffice.com.

Plaintiff (and Putative Appellee) **The Calguns Foundation, Inc.**, is represented by Victor J. Otten, Otten Law, PC, 3620 Pacific Coast Hwy., Ste. 100, Torrance, CA 90505; (310) 378-8533; vic@ottenlawpc; and also by Donald E.J. Kilmer, Law Offices of Donald Kilmer, APC, 1645 Willow St., Ste. 150, San Jose, CA 95125; (408) 264-8489; don@dklaawoffice.com.

Plaintiff (and Putative Appellee) **The Second Amendment Foundation, Inc.**, is represented by Victor J. Otten, Otten Law, PC, 3620 Pacific Coast Hwy., Ste. 100, Torrance, CA 90505; (310) 378-8533; vic@ottenlawpc; and also by Donald E.J. Kilmer, Law Offices of Donald Kilmer, APC, 1645 Willow St., Ste. 150, San Jose, CA 95125; (408) 264-8489; don@dklaawoffice.com.

Defendant and Appellant **Kamala D. Harris**, Attorney General of California, is represented by Jonathan M. Eisenberg, Office of the California Attorney General, 300 South Spring St., Ste. 1702, Los Angeles, CA 90013; (213) 897-6505; jonathan.eisenberg@doj.ca.gov; and also by

