

1 C.D. Michel-SBN 144258
Anna M. Barvir-SBN 268728
2 Tiffany D. Chevront-SBN 317144
MICHEL & ASSOCIATES, P.C.
3 180 East Ocean Blvd., Suite 200
Long Beach, CA 90802
4 Telephone: (562) 216-4444
Fax: (562) 216-4445
5 Email: cmichel@michellawyers.com

6 Attorneys for Plaintiffs B&L Productions, Inc., Barry Bardack, Ronald J. Diaz, Sr.,
John Dupree, Christopher Irick, Robert Solis, Lawrence Michael Walsh, Captain
7 Jon’s Lockers, LLC, L.A.X. Firing Range, Inc., California Rifle & Pistol
Association, Incorporated, and South Bay Rod and Gun Club, Inc.

8
9 Donald Kilmer-SBN 179986
Law Offices of Donald Kilmer, APC
14085 Silver Ridge Road
10 Caldwell, Idaho 83607
Telephone: (408) 264-8489
11 Email: Don@DKLawOffice.com

12 Attorney for Plaintiff Second Amendment Foundation

13
14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

16 B&L PRODUCTIONS, INC., d/b/a
CROSSROADS OF THE WEST;
17 BARRY BARDACK; RONALD J.
DIAZ, SR.; JOHN DUPREE;
CHRISTOPHER IRICK; ROBERT
18 SOLIS; LAWRENCE WALSH;
CAPTAIN JON’S LOCKERS, LLC;
19 L.A.X. FIRING RANGE, INC., d/b/a
LAX AMMO; CALIFORNIA RIFLE &
20 PISTOL ASSOCIATION,
INCORPORATED; SOUTH BAY ROD
21 AND GUN CLUB, INC.; and SECOND
AMENDMENT FOUNDATION,

22 Plaintiffs,

23 v.

24 GAVIN NEWSOM, in his official
25 capacity as Governor of the State of
California and in his personal capacity;
26 ROBERT BONTA, in his official
capacity as Attorney General of the State
27 of California and in his personal capacity;
KAREN ROSS, in her official capacity as
28 Secretary of California Department of

CASE NO: '21CV1718 AJB KSC
NOTICE OF RELATED CASES

1 Food & Agriculture and in his personal
2 capacity; STEPHAN SUMMER, in his
3 official capacity as District Attorney of
4 San Diego County; THOMAS
5 MONTGOMERY, in his official capacity
6 as County Counsel of San Diego County;
7 22nd DISTRICT AGRICULTURAL
8 ASSOCIATION; DOES 1-50;

Defendants.

9 **TO THE CLERK OF THIS COURT AND ALL PARTIES AND THEIR**
10 **COUNSEL OF RECORD:**

11 **PLEASE TAKE NOTICE** that under Local Rule 40.1(f), Plaintiffs B&L
12 Productions, Inc., d/b/a Crossroads of the West, Barry Bardack, Ronald J. Diaz, Sr.,
13 John Dupree, Christopher Irick, Robert Solis, Lawrence Walsh, Captain Jon’s
14 Lockers, LLC, L.A.X. Firing Range, Inc., d/b/a LAX Ammo, California Rifle &
15 Pistol Association, Incorporated, South Bay Rod and Gun Club, Inc., and Second
16 Amended Foundation through their counsel of record, hereby notify this Court that
17 the above-captioned case is related to *B&L Productions, Inc. v. Becerra*, Case No.
18 3:19-cv-00134-CAB-NLS (“*B&L Productions I*”), which was filed in the Southern
19 District of California on January 21, 2019.

20 Local Rule 40.1(f) defines related actions as multiple proceedings “on file in
21 this or any other federal or state court” which: (1) involve some of the same parties
22 and are based on the same or similar claims, or (2) involve the same property,
23 transaction, or event, or (3) involve substantially the same facts and the same
24 questions of law. As described further below, all of these grounds for relating cases
25 are clearly satisfied here.

26 This case was filed and is being litigated by the very same attorneys on behalf
27 of 9 of the 10 plaintiffs who brought *B&L Productions I*, against some of the same
28 defendants (i.e., Defendants Ross and 22nd District Agricultural Association),
involving nearly identical legal questions about the same property. Indeed, this
matter involves a constitutional challenge to Assembly Bill 893 (AB 893), which

1 added section 4158 to the California Food & Agricultural Code and bars events at
2 the Del Mar Fairgrounds where firearms and/or ammunition will be sold. The stated
3 intent and practical effect of the law is to ban gun shows at the Fairgrounds—a
4 transparent attempt to supersede the victory secured by the plaintiffs in *B&L*
5 *Productions I*, who successfully challenged and reversed the 22nd DAA’s
6 moratorium on gun shows at the Fairgrounds on First Amendment and equal
7 protection grounds. The Plaintiffs in this matter challenge the state’s ban on gun
8 shows at the Fairgrounds, alleging the same violation of their rights to free speech,
9 free association, and equal protection under the law that the *B&L Productions I*
10 plaintiffs raised. While this case also involves new tort claims for economic
11 damages, those claims arise, in part, from the fact that the Defendants pursued a
12 state-law gun show ban and adopted AB 893 *because* of the settlement of *B&L*
13 *Productions I*, which permanently repealed 22nd DAA’s ban.

14 Due to the vast similarities between this case and *B&L Productions I*, in
15 addition to the Court’s masterful grasp and comprehensive examination of all the
16 critical legal questions in *B&L Productions I*, it is clear that it is uniquely
17 appropriate to relate the two cases. To be certain, the judicial economy of having a
18 courtroom that is intimately familiar with the key legal questions this new suit
19 involves adjudicate this matter is indisputable.

20 For these reasons, Plaintiffs respectfully submit this notice of related cases.

21
22 Dated: October 4, 2021

MICHEL & ASSOCIATES, P.C.

23 *s/ Anna M. Barvir*

24 Anna M. Barvir
25 Counsel for Plaintiffs B&L Productions, Inc.,
26 Barry Bardack, Ronald J. Diaz, Sr., John
27 Dupree, Christopher Irick, Robert Solis,
28 Lawrence Michael Walsh, Captain Jon’s
Lockers, LLC, L.A.X. Firing Range, Inc.,
California Rifle & Pistol Association,
Incorporated, South Bay Rod and Gun Club,
Inc.

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

Dated: October 4, 2021

LAW OFFICES OF DON KILMER

s/ Don Kilmer

Don Kilmer
Counsel for Plaintiff Second Amendment
Foundation