

1 Donald E.J. Kilmer, Jr. (SBN: 179986)
E-Mail: Don@DKLawOffice.com
2 Jason A. Davis (SBN: 224250)
E-Mail: Jason@CalGunLawyers.com
3 1645 Willow Street, Suite 150
San Jose, California 95125-5120
4 Voice: (408) 264-8489
Fax: (408) 264-8487

5 Attorneys for Plaintiffs
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8 UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 MARK AARON HAYNIE, BRENDAN
10 JOHN RICHARDS, THE CALGUNS
11 FOUNDATION, INC., and THE
12 SECOND AMENDMENT
FOUNDATION, INC.,
Plaintiffs,

13 vs.

14 KAMALA HARRIS, Attorney General
of California (in her official capacity)
15 and CALIFORNIA DEPARTMENT
OF JUSTICE, CITY OF ROHNERT
16 PARK, OFFICER DEAN BECKER
17 (RP134), and DOES 1 TO 20,
Defendants.

Case Nos.: 3:10-CV-01255 SI
3:11-CV-02493 SI
(Consolidated Cases)

**STIPULATION and JOINT
ADMINISTRATIVE MOTION
Re: Related Case**

**ND CA Rule 7-11
ND CA Rule 3-12(b)**

18
19 BRENDAN JOHN RICHARDS, THE
20 CALGUNS FOUNDATION, INC.,
21 and THE SECOND AMENDMENT
FOUNDATION, INC.,
Plaintiffs,

22 vs.

23 KAMALA HARRIS, Attorney General
of California (in her official capacity)
24 and CALIFORNIA DEPARTMENT
OF JUSTICE, SONOMA COUNTY
25 SHERIFFS' OFFICE, SHERIFFS'
26 DEPUTY GREG MYERS (SD1023)
27 and DOES 1 TO 20,
Defendants.

Case No.: 3:11-CV-05580 SI
(Related Case)

**STIPULATION and JOINT
ADMINISTRATIVE MOTION
Re: Related Case**

**ND CA Rule 7-11
ND CA Rule 3-12(b)**

1 MAX JOSEPH PLOG-HOROWITZ,
2 THE CALGUNS FOUNDATION,
3 INC., and THE SECOND
4 AMENDMENT FOUNDATION, INC.,
Plaintiffs,

5 vs.

6 KAMALA HARRIS, Attorney General
7 of California, CALIFORNIA
8 DEPARTMENT OF JUSTICE,
9 COTATI POLICE DEPARTMENT,
10 CITY OF COTATI, ANDREW
11 LYSSAND (CO0339) and DOES 1 TO
20,
Defendants.

Case No.: 3:12-CV-0452 LB
(Proposed Related Case)

**STIPULATION and JOINT
ADMINISTRATIVE MOTION
Re: Related Case**

**ND CA Rule 7-11
ND CA Rule 3-12(b)**

12 IT IS HEREBY STIPULATED¹ by and between the parties hereto through
13 their respective attorneys of record that a subsequent case is and ought to be
14 related to this action.

15 The subsequent case is *Plog-Horowitz, et al., v. Harris, et al.*, Case No.: CV-12-
16 0452 LB. The case was filed on January 27, 2012. A true and correct copy of the
17 Complaint without exhibits is attached. A Notice of Related Case was also filed in
18 the subsequent case.

19 The case sought to be related sets forth similar issues of law and fact that are
20 plead in the consolidated Second Amended Complaint in Case Nos.: 3:10-CV-01255
21 SI (*Haynie v. Harris*) and 3:11-CV-02493 SI (*Richards v. Harris I*), and in the initial
22 Complaint filed in Case No.: 3:11-CV-05580 SI (*Richards v. Harris II*). The only
23 substantial differences between the cases would be the addition of Defendants:
24 CITY OF COTATI, COTATI POLICE DEPARTMENT and ANDREW LYSSAND

25 _____
26 ¹ *Haynie v. Harris*, Case No.: 3:10-CV-01255 SI was ordered consolidated with
27 *Richards v. Harris*, Case No.: 3:11-CV-02493 SI, in an ordered filed on October 22,
28 2011. (See Documents # 42 and #15 respectively. The second *Richards v. Harris*,
Case No.: 3:11-CV-05580 was ordered to be related with the first two cases in an
order filed on December 21, 2011. (See documents #47 and # 20 respectively.)

1 (CO0339). The law firm currently representing the Rohnert Park Defendants in
 2 *Richards I*, (Robert Henkels of Geary, Shea, O'Donnell, Grattan & Mitchell, P.C.)
 3 has already accept service of the complaint in *Plog-Horowitz, et al., v. Harris, et al.*

4 The Defendants, by and through undersigned counsel stipulate that the cases
 5 are related pursuant to Local Rule 3-12.

6 The Plaintiffs, by and through undersigned counsel stipulate that the cases
 7 are related pursuant to Local Rule 3-12.

8 SO STIPULATED.

9 Date: February 29, 2012

Date: February 29, 2012

10 _____ /s/
 11 Ross Moody,
 12 Counsel for Defendants
 Harris & California Dept. of Justice

_____ /s/
 Donald Kilmer
 Counsel for Plaintiffs

13 Date: February 29, 2012

Date: February 29, 2012

14 _____ /s/
 15 Robert W. Henkels
 16 Counsel for Defendants
 City of Rohnert Park & Becker

_____ /s/
 Anne Keck
 Counsel for Defendants
 Sonoma County & Myer

17 **ATTESTATION FOR COMPLIANCE WITH GENERAL ORDER 45 AND**
 18 **LOCAL RULE VIII.B.**

19 I, Donald Kilmer, declare under penalty of perjury under the laws of California
 20 and the United States that I have in my possession e-mail correspondence from
 21 Ross Moody, Robert Henkels and Anne Keck that the content of this document is
 acceptable to all persons required to sign the document. I declare that this
 document was signed in San Jose, CA on February 29, 2012.

22 _____ /s/
 23 Donald Kilmer
 24 Attorney for Plaintiffs

FINDINGS AND ORDER

Pursuant to the stipulation of the parties and a review of the Complaint in *Plog-Horowitz, et al., v. Harris, et al*, Case No.: CV-12-0452 LB., and the Complaints in the other related cases in this action, this Court finds that the matters are related under Local Rule 3-12.

The Clerk of the Court is directed to reassign *Plog-Horowitz, et al., v. Harris, et al*, Case No.: CV-12-0452 LB. to the same docket as *Haynie v. Harris*, Case No.: CV 10-1255 SI; *Richards v. Harris*, Case No.: CV-11-02493; and *Richards v. Harris*, Case No.: 3:11-CV-05580 SI. All deadlines in *Plog-Horowitz, et al., v. Harris, et al*, Case No.: CV-12-0452 LB are vacated and a Case Management Conference is to be combined with the currently scheduled Case Management Conference in this matter set for March 30, 2012 at 2:30 p.m. in Courtroom 10, 19th Floor, San Francisco.

Plaintiffs are directed to serve a copy of this Stipulation and Order on the remaining Defendants in *Plog-Horowitz, et al., v. Harris, et al*, Case No.: CV-12-0452 LB.

Date: 3/1/12



United States District Judge

LAW OFFICE OF DONALD KILMER, APC
1645 Willow St., Suite 150, San Jose, CA 95125
Vc: (408) 264-8489 Fx: (408) 264-8487
Dor@DKLawOffice.com

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