

1 Donald E.J. Kilmer, Jr. (SBN: 179986)
 LAW OFFICES OF DONALD KILMER, A.P.C.
 2 1645 Willow Street, Suite 150
 San Jose, California 95125-5120
 3 Voice: (408) 264-8489
 Fax: (408) 264-8487
 4 Email: Don@DKLawOffice.com

5 Jason A. Davis (SBN: 224250)
 Davis & Associates
 6 27281 Las Ramblas, Suite 200
 Mission Viejo, CA 92691
 7 Voice: (949) 310-0817
 Fax: (949) 288-6894
 8 E-Mail: Jason@CalGunLawyers.com

9 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT

12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 MARK AARON HAYNIE,
 14 BRENDAN JOHN RICHARDS, THE
 CALGUNS FOUNDATION, INC.,
 15 and THE SECOND AMENDMENT
 FOUNDATION, INC.,
 16

17 Plaintiffs,

18 vs.

19
 20 KAMALA HARRIS, Attorney General
 of California (in her official capacity)
 21 and CALIFORNIA DEPARTMENT
 OF JUSTICE, CITY OF ROHNERT
 22 PARK, OFFICER DEAN BECKER
 23 (RP134) and DOES 1 TO 20,

24 Defendants.

Case No.: 3:10-CV-01255 SI¹
 3:11-CV-02493 SI

**STIPULATION and JOINT
 ADMINISTRATIVE MOTION TO
 CONSIDER WHETHER CASES
 SHOULD BE RELATED**

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

Proposed Related Case:

Richards, et al v. Harris, et al.
 Case No.: 3:11-CV-05580 LB
 Filed November 17, 2011

25
 26
 27 ¹ *Haynie v. Harris*, Case No.: 3:10-CV-01255 SI was ordered consolidated with *Richards*
 28 *v. Harris*, Case No.: 3:11-CV-02493 SI, in an ordered filed on October 22, 2011. (See Documents
 # 42 and #15 respectively.)

1 IT IS HEREBY STIPULATED by and between the parties hereto through
2 their respective attorneys of record that a subsequent case is and ought to be related
3 to this action.

4 The subsequent case is *Richards, et al., v. Harris, et al.*, Case No.: CV-11-5580
5 LB. The case was filed on November 17, 2011. A true and correct copy of the
6 Complaint without exhibits is attached. A Notice of Related Case was also filed in
7 the subsequent case.

8 The case sought to be related sets forth similar issues of law and fact set forth
9 in the consolidated Second Amended Complaint in the current action. The only
10 substantial difference would be the addition of Defendants: SONOMA COUNTY
11 SHERIFFS' OFFICE and SHERIFFS' DEPUTY GREG MYERS.

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

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

16 A Case Management Conference is currently scheduled in the current matter
17 for January 13, 2012 at 3:00 p.m. in Courtroom 10, 19th Floor, San Francisco. The
18 parties herein respectfully suggest that the Court reset this conference to date in
19 February, 2012.

20 SO STIPULATED.

21 Date: December 16, 2011

Date: December 16, 2011

22 /s/
23 Ross Moody,
24 Counsel for Defendants
25 Harris & California Dept. of Justice

 /s/
26 Donald Kilmer
27 Counsel for Plaintiffs

28 Date: December 16, 2011

 /s/
Robert W. Henkels
County for Defendants
City of Rohnert Park & Becker

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

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

I, Donald Kilmer, declare under penalty of perjury under the laws of California and the United States that I have in my possession e-mail correspondence from Ross Moody and Robert Henkels 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 December 16, 2011

_____/s/
Donald Kilmer
Attorney for Plaintiffs


FINDINGS AND ORDER

Pursuant to the stipulation of the parties and a review of the Complaint in *Richards v. Harris*, Case No.: CV 11-05580 LB, and the Amended Consolidated Complaint 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 *Richards v. Harris*, Case No.: CV 11-05580 LB to the same docket as *Haynie v. Harris*, Case No.: CV 10-1255 SI and *Richards v. Harris*, Case No.: CV-11-02493. All deadlines in the second *Richards* case are vacated and an Initial Case Management Conference is to be combined with the currently scheduled Case Management Conference in this matter set for January 13, 2012 at 3:00 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 *Richards v. Harris*, Case Number: 3:11-CV-05580 LB (the second *Richards* case).

Date: 12/19/11



United States District Judge