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INDEPENDENT DRIVERS ASSOCIATION, INC.,
5 ERIK ROYCE, BRANDON ELIAS, FOLSOM
SHOOTING CLUB, INC., and THE CALGUNS
6 FOUNDATION, INC.,

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11
12 **IN THE UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF CALIFORNIA**
14 **SACRAMENTO DIVISION**

15 OWNER-OPERATOR INDEPENDENT DRIVERS
ASSOCIATION, INC., ERIK ROYCE, BRANDON
16 ELIAS, FOLSOM SHOOTING CLUB, INC., THE
17 CALGUNS FOUNDATION, INC., and NATIONAL
RIFLE ASSOCIATION, INC.,

18 Plaintiffs,

19 vs.

20 STEVE LINDLEY; THE STATE OF CALIFORNIA;
THE CALIFORNIA DEPARTMENT OF JUSTICE;
21 DOES 1-10

22 Defendants.

) **Case No.: 10-CV-02010-MCE-KJM**
)
) **REQUEST FOR JUDICIAL**
) **NOTICE IN SUPPORT OF**
) **PLAINTIFFS' OPPOSITION TO**
) **DEFENDANTS' MOTION TO**
) **DISMISS THE COMPLAINT, OR**
) **IN THE ALTERNATIVE, TO STAY**
) **THE ACTION**
)
) Date: November 18, 2010
) Time: 2:00
) Ctrm: No. 7 - 14th Floor
) Judge: Hon Morrison C. England, Jr.
) Trial Date: None
) Action Filed: 7/28/2010

REQUEST FOR JUDICIAL NOTICE

Plaintiffs, Owner-Operator Independent Drivers Association, Inc., Erik Royce, Brandon Elias, Folsom Shooting Club, Inc., The Calguns Foundation, Inc., and National Rifle Association, Inc., by and through their attorneys of record, respectfully request that this Court take judicial notice pursuant to Federal Rule of Evidence 201 of the following facts and document:

On or about December 30, 2009, the California Attorney General, by and through the California Department of Justice, Law Enforcement, Bureau of Firearms’ Chief Wilfredo Cid had published on the Bureau of Firearms’ official website an “Information Bulletin” interpreting Assembly Bill 962 (2009-2010 Reg. Sess.)(“AB962”). Specifically, this “Information Bulletin” states, in part:

Beginning February 1, 2011, the delivery or transfer of handgun ammunition must occur in a face-to-face transaction, with the recipient providing bona fide evidence of his or her identity and age, subject to specified exceptions. Non face-to-face transfers, such as internet transactions and mail order deliveries are prohibited. A violation is a misdemeanor. Pen. Code §12318. (Emphasis added.)

(<http://ag.ca.gov/firearms/infobuls/2009-BOF-05.pdf>. last visited November 3, 2010) A true and correct copy of the December 30, 2009, “Information Bulletin” issued by the California Department of Justice – Bureau of Firearms’ former Chief, Wilfredo Cid, is attached hereto as **Exhibit “1.”**

That “Information Bulletin” is currently being published on the Department of Justice, Law Enforcement Division, Bureau of Firearms’ official website under the Acting Chief of the Bureau of Firearms, Steve Lindley.

Dated: November 4, 2010

MICHEL & ASSOCIATES, P.C.

s/C.D. Michel
C.D. Michel
Attorney for Plaintiff National Rifle Association, Inc.

DAVIS & ASSOCIATES

s/ Jason A. Davis (as approved on 11/3/10)
Jason A. Davis
Attorney for Plaintiffs Owner-Operator Independent Drivers Association, Inc., Erik Royce, Brandon Elias, Folsom Shooting Club, Inc., and The Calguns Foundation, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

OWNER-OPERATOR INDEPENDENT DRIVERS
ASSOCIATION, INC., ERIK ROYCE, BRANDON
ELIAS, FOLSOM SHOOTING CLUB, INC., THE
CALGUNS FOUNDATION, INC., and NATIONAL
RIFLE ASSOCIATION, INC.,

Plaintiffs,

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STEVE LINDLEY; THE STATE OF CALIFORNIA;
THE CALIFORNIA DEPARTMENT OF JUSTICE;
DOES 1-10

Defendants.

) Case No.: 10-CV-02010-MCE-KJM

) CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of:

**REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS THE COMPLAINT, OR IN THE ALTERNATIVE,
TO STAY THE ACTION**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

EDMUND G. BROWN JR., Attorney General Telephone: (916) 324-5328
ZACKERY P. MORAZZINI, Supervising Deputy Attorney General Fax: (916) 324-8835
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1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 4, 2010.

/s/ C.D. Michel
C. D. Michel
Attorney for Plaintiff National Rifle
association, Inc.