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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

TRACY RIFLE AND PISTOL LLC;  
MICHAEL BARYLA; TEN PERCENT  
FIREARMS; WESLEY MORRIS;  
SACRAMENTO BLACK RIFLE, INC.;  
ROBERT ADAMS; PRK ARMS, INC.; and  
JEFFREY MULLEN,

Plaintiffs,

v.

KAMALA D. HARRIS, in her official capacity  
as Attorney General of California; and  
STEPHEN J. LINDLEY, in his official capacity  
as Chief of the California Department of Justice  
Bureau of Firearms,

Defendants.

Case No.: 2:14-cv-02626-TLN-DAD

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

1 Plaintiffs have demonstrated that they are likely to succeed on the merits of their claim that  
2 California Penal Code section 26820 violates their First Amendment rights. Plaintiffs have also  
3 established that this harm is irreparable, the balance of equities weighs in their favor, and  
4 injunctive relief will promote the public interest. Therefore, the Court finds that Plaintiffs' Motion  
5 for a Preliminary Injunction should be GRANTED.

6 Because Defendants will not suffer monetary hardship by the issuance of the preliminary  
7 injunction and because the matter involves a constitutional violation, the Court will require a  
8 nominal bond in the amount of \$1.

9 IT IS THEREFORE ORDERED that Defendants are hereby enjoined from enforcing  
10 California Penal Code section 26820 until this Court orders otherwise.

11  
12 Date: \_\_\_\_\_

UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**  
**Case No. 2:14-cv-02626-TLN-DAD**

The undersigned hereby certifies as follows:

I am an employee of the law firm of Benbrook Law Group, PC, 400 Capitol Mall, Suite 1610, Sacramento, California. I am over 18 years of age and am not a party to the within action.

On November 17, 2014 I served a true copy of the following document:

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

on the party(ies) in this action by placing a true copy thereof in a sealed envelope(s), addressed as follows:

Kamala D. Harris Attorney General of California 1300 I Street Sacramento, CA 95814	Stephen J. Lindley California Department of Justice Bureau of Firearms 1300 I Street Sacramento, CA 95814
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\_\_\_\_\_(BY OVERNIGHT DELIVERY) I placed each such sealed envelope, with delivery fees provided for, for collection and overnight delivery at Benbrook Law Group, PC, Sacramento, California following ordinary business practices. I am readily familiar with the practice of Benbrook Law Group, PC for collection and processing of correspondence for overnight delivery, said practice being that in the ordinary course of business, correspondence is deposited in the facility regularly maintained by the express services carrier the same day as it is placed for collection.

XX (BY MAIL) I placed such sealed envelope, with postage fully prepaid for first-class mail, for collection and mailing at Benbrook Law Group, PC, Sacramento, California following ordinary business practices. I am readily familiar with the practice of Benbrook Law Group, PC for collection and processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for collection.

\_\_\_\_\_(PERSONAL SERVICE) by sending a true copy thereof in an envelope addressed as indicated above, and by then sealing said envelope(s) and giving the same to a messenger for personal delivery.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Dated: November 17, 2014

/s/ Kelly McConnen  
Kelly McConnen