

1 ROBIN B. JOHANSEN, State Bar No. 79084
THOMAS A. WILLIS, State Bar No. 160989
2 KARI KROGSENG, State Bar No. 215263
REMCHO, JOHANSEN & PURCELL, LLP
3 201 Dolores Avenue
San Leandro, CA 94577
4 Phone: (510) 346-6200
Fax: (510) 346-6201
5 Email: rjohansen@rjp.com

6 Attorneys for Defendant
CARLOS A. GARCIA
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 KEVIN M. HALL, an individual,

12 Plaintiff,

13 vs.

14 CARLOS A. GARCIA, in his official capacity as
Superintendent of the San Francisco Unified
15 School District,

16 Defendant.
17 _____

) No.: C 10-03799 RS
)

) **[PROPOSED] ORDER GRANTING**
) **DEFENDANT'S MOTION FOR**
) **JUDGMENT ON THE PLEADINGS**

) Hearing:

) Date: January 6, 2011

) Time: 1:30 p.m.

) Crtrm.: 3
)

(The Honorable Richard Seeborg)

1 On January 6, 2011, the Court heard defendant's motion for judgment on the pleadings.
2 The Court has considered the motion, plaintiff's opposition thereto, and all of the papers submitted and
3 arguments made in support of and in opposition to the motion for judgment on the pleadings.

4 The Court finds that in its recent Second Amendment opinions, the Supreme Court has
5 expressly recognized that regulation of firearms in school zones is permissible, and the
6 Superintendent's decision not to grant plaintiff an exemption from state law that prohibits him from
7 openly carrying an unloaded handgun outside his home or vehicle and within 1000 feet of a school
8 does not violate the Second Amendment.

9 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT:

- 10 (1) plaintiff's request for declaratory judgment is denied;
11 (2) all claims against defendant in his individual capacity are dismissed with
12 prejudice;
13 (3) the complaint is dismissed with prejudice; and
14 (4) judgment is entered in favor of defendant.

15 DATED:
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18 THE HONORABLE RICHARD SEEBORG
19 UNITED STATES DISTRICT COURT JUDGE
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