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Attorneys for Intervening Defendant

IN THE DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

DAVID J. RADICH and LI-RONG RADICH,)	No. 1:14-CV-00020
)	
Plaintiffs,)	[PROPOSED]
)	ANSWER OF
vs.)	INTERVENING
)	DEFENDANT
ROBERT GUERRERO,)	
in his official capacity as Commissioner)	
of the CNMI Department of Public Safety, and)	
LARISSA LARSON,)	
in her official capacity as Secretary)	
of the CNMI Department of Finance,)	
)	
Defendants, and)	
)	
TANAPAG MIDDLE SCHOOL PARENT)	
TEACHER STUDENT ASSOCIATION,)	
)	
Intervening Defendant.)	

Intervening Defendant Tanapag Middle School Parent Teacher Student Association answers the allegations in Plaintiffs’ Third Amended Complaint for Declaratory and Injunctive Relief as follows:

1. The allegations in the following paragraphs are admitted: 2, 3, 6, 11, 12, 13, 14, 16, 17, 18, 19, 20, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50 and 52.
2. The allegations in the following paragraphs are denied: 22, 29, 31, 33, 35, 36 and 43.

- 1 3. Intervening Defendant lacks sufficient knowledge to form a belief as to the truth of
2 the allegations in the following paragraphs, and on that basis denies the same: 7, 8, 9,
3 21, 22, 23, 24, 25 and 26.
- 4 4. With respect to the following paragraphs, Intervening Defendant incorporates its
5 responses to all paragraphs preceding each: 28, 30, 32, 34 and 37.
- 6 5. The following paragraphs are admitted except to the extent they allege that Plaintiffs
7 have suffered an actual injury to their legal rights, and are to that extent denied: 1, 5
8 and 51.
- 9 6. With respect to the allegations in Paragraph 4, the term “fully applicable” is vague,
10 ambiguous and admits of no clear answer, and is on that basis denied. It is
11 specifically denied that the Second Amendment or the right to bear arms applies to
12 the CNMI to the same extent or in the same manner as it applies to the States
13 pursuant to the *Heller* and *McDonald* decisions.
- 14 7. The allegations in Paragraph 10 are denied with respect to James C. Deleon Guerrero,
15 but admitted with respect to his successor in office Robert Guerrero.
- 16 8. The allegations in Paragraph 15 are admitted, except that it is denied that handguns
17 are the most commonly used self-defense firearm in the CNMI.
- 18 9. The allegations in Paragraph 27 are admitted, except for the characterization
19 “constitutionally protected,” which is denied.
- 20 10. All allegations not specifically admitted above are denied.
- 21 11. It is denied that Plaintiffs are entitled to any of the relief for which they pray.

22 WHEREFORE, the Intervening Defendant prays that Plaintiffs take nothing by way of their
23 Third Amended Complaint, and that all relief sought thereby by them be denied.

1 Respectfully submitted this ____ day of April, 2016.

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O'CONNOR BERMAN DOTTS & BANES
Attorneys for Intervening Defendant

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By: _____/s/_____
Joseph E. Horey

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7 *1000-09-160425-proposed answer 2*

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