

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

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
RENO, NEVADA

AL BAKER,	)	3:10-cv-00426-ECR-RAM
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER GRANTING STIPULATED
	)	MOTION FOR PRELIMINARY
LEO DROZDOFF, et al.,	)	INJUNCTION AND TO STAY
	)	PROCEEDINGS
Defendant.	)	
	)	

---

This matter comes before the Court on the parties Second Stipulated Motion for Preliminary Injunction and to Stay Proceedings filed on March 21, 2011 (#21). The parties seek an Order preliminarily enjoining enforcement of Nevada Administrative Code § 407.105(1)(b)-(c), and an Order staying the proceedings in this case, pending the outcome of an administrative rulemaking to amend the regulations. The Court having considered the materials submitted, and having determined that good cause appears for the entry of a preliminary injunction and an Order staying the proceedings in this case, hereby Orders as follows:

1. Plaintiff alleges that Defendants' maintenance and enforcement of Nevada Administrative Code § 407.105(1)(b)-(c) prohibits the possession and discharge of functional firearms for self-defense in Nevada State Parks in violation of the right to keep and bear arms guaranteed by the Second and Fourteenth Amendments.

1           2. Defendants deny these allegations.

2           3. More time is needed for rulemaking procedures and  
3 hearings to be held.

4           4. The parties stipulate to the entry of a preliminary  
5 injunction and stay of the proceedings for six (6) months from the  
6 date of entry of this Order.

7           5. Enforcement of Nevada Administrative Code §  
8 407.105(1)(b)-(c) is hereby preliminarily enjoined. The  
9 Defendants, their officers, agents, servants, employees, and all  
10 persons in active concert or participation with them are hereby  
11 restrained and enjoined from enforcing in any way against any  
12 person Nevada Administrative Code § 407.105(1)(b)-(c).

13           5. Neither party shall be required to post security as a  
14 condition of this preliminary injunction.

15           5. All deadlines in this case are hereby stayed until  
16 September 30, 2011. Either party may move to extend or lift the  
17 stay upon showing of good cause.

18

19           Dated this 29<sup>TH</sup> day of March 2011.

20

21



22

EDWARD C. REED  
Senior United States District Judge

23

24

25

26

27

28