1 2 3 4 5	C. D. Michel - S.B.N. 144258 Glenn S. McRoberts - S.B.N. 144852 Clinton Monfort - S.B.N. 255609 MICHEL & ASSOCIATES, PC 180 E. Ocean Boulevard, Suite 200 Long Beach, CA 90802 Telephone: 562-216-4444 Facsimile: 562-216-4445 Email: cmichel@michellawyers.com		
6	Attorneys for Plaintiffs		
7			
8	IN THE UNITED STATES DISTRICT COURT		
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION		
10 11	ESPANOLA JACKSON, PAUL COLVIN,		
12	THOMAS BOYER, LARRY BARSETTI, DAVID GOLDEN, NOEMI MARGARET))) STATEMENT OF RECENT DECISION IN	
13	ROBINSON, NATIONAL RIFLE ASSOCIATION OF AMERICA, INC. SAN	SUPPORT OF PLAINTIFFS' OPPOSITION	
14	FRANCISCO VETERAN POLICE OFFICERS ASSOCIATION,) Civil L.R. 7-3(d)(2)	
15	Plaintiffs)) Hearing Date: May 5, 2011) Time: 1:30 p.m.	
16	VS.) Place: Courtroom 5	
17	CITY AND COUNTY OF SAN))	
18 19	FRANCISCO, MAYOR EDWIN LEE, in his official capacity; ACTING POLICE CHIEF JEFF GODOWN, in his official		
20	capacity, and Does 1-10,		
21	Defendants.))	
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	II Request for Judicial Notice		

TO THE CLERK AND ALL PARTIES OF RECORD AND THEIR COUNSEL HEREIN: 1 2 Please take notice that Plaintiffs, Espanola Jackson, Paul Colvin, Thomas Boyer, Larry 3 Barsetti, David Golden, Noemi Margaret Robinson, National Rifle Association, Inc., and San 4 Francisco Veteran Police Officers Association, by and through their attorneys of record, hereby 5 lodge and respectfully note, pursuant to Civil Local Rule 7-3(d)(2), the issuance of a recent 6 opinion by the United States Court of Appeals for the District of Columbia in a case similar to the 7 present action, Dearth, et al. v. Holder, Case No. 1:00-5062. A true and correct copy of the Court 8 of Appeals' opinion in *Dearth v. Holder* is attached hereto as Exhibit "A." 9 In reversing and remanding the District Court's ruling in that case, the Court of Appeals for 10 the District of Columbia held that a plaintiff alleging violations of Second Amendment rights has 11 standing to sue, irrespective of enforcement or pre-enforcement activities. Pursuant to Civil Local 12 Rule 7-3(d)(2), Plaintiffs' Statement of Recent Decision is timely filed and provides notice of a 13 decision issued subsequent to the filing of Plaintiffs' Opposition and Defendants' Reply.¹ 14 Dated: May 3, 2011 Respectfully submitted, MICHEL & ASSOCIATES, P. C. 15 16 /S/17 C. D. Michel Attorney for Plaintiffs 18 19 20 21 22 23 24 25 ¹ Although the Opinion was issued on April 15, 2011, the same day Plaintiffs' 26 Supplemental Brief was filed pursuant to the Court's Order requesting Plaintiffs' 27 address Defendants' amendments to San Francisco Police Code section 1290, Plaintiffs were not yet aware of Court of Appeals' opinion in *Dearth v. Holder* at the time of 28 filing.

Request for Judicial Notice

1	IN THE UNITED STATES DISTRICT COURT		
2	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
3	SAN FRANCISCO DIVISION		
4	ESPANOLA JACKSON, PAUL COLVIN, THOMAS BOYER,	CASE NO.: CV-09-2143-RS	
5	LARRY BARSETTI, DAVID GOLDEN, NOEMI MARGARET ROBINSON,))) CERTIFICATE OF SERVICE	
6	NATIONAL RIFLE ASSOCIATION OF AMERICA, INC. SAN FRANCISCO) CERTIFICATE OF SERVICE	
7	VETERAN POLICE OFFICERS ASSOCIATION,		
8	Tiob centricit,		
9	Plaintiffs		
10	VS.		
11	CITY AND COUNTY OF SAN FRANCISCO, MAYOR EDWIN LEE, in		
12	his official capacity; ACTING POLICE CHIEF JEFF GODOWN, in his official		
13	capacity, and Does 1-10,		
14	Defendants.		
15	IT IS HEREBY CERTIFIED THAT:	,	
16	I, the undersigned, am a citizen of the United States and am at least eighteen years of age.		
17	My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.		
18	I am not a party to the above-entitled action. I have caused service of:		
19	STATEMENT OF RECENT DECISION IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS		
20	on the following party by electronically filing the foregoing with the Clerk of the District Court		
21	using its ECF System, which electronically notifies them.		
22	Wayne Snodgrass, Deputy City Attorney Sherri Sokeland Kaiser, Deputy City Attorney		
23	sherri.kaiser@sfgov.org City and County of San Francisco		
24	Office of the City Attorney City Hall 1 Drive Carlton B.		
25	San Francisco, CA 94102		
26	I declare under penalty of perjury that the foregoing is true and correct. Executed on May 3, 2011.		
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28	Attorney for Plaintiffs'		
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ļ	Request for Judicial Notice		