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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 ESPANOLA JACKSON, PAUL COLVIN,) **CASE NO.: CV-09-2143-RS**
THOMAS BOYER, LARRY BARSETTI,)
12 DAVID GOLDEN, NOEMI MARGARET) **UNOPPOSED MOTION FOR**
ROBINSON, NATIONAL RIFLE) **ADMINISTRATIVE RELIEF**
13 ASSOCIATION OF AMERICA, INC. SAN) **FOR LEAVE TO FILE STATEMENT**
FRANCISCO VETERAN POLICE) **OF RECENT DECISION**
14 OFFICERS ASSOCIATION,)
15)
Plaintiffs)
16)
vs.)
17)
CITY AND COUNTY OF SAN)
18 FRANCISCO, MAYOR EDWIN LEE, in)
his official capacity; ACTING POLICE)
19 CHIEF JEFF GODOWN, in his official)
capacity, and Does 1-10,)
20)
Defendants.)
21)

22
23 Pursuant to Civil Local Rule 7-11, Plaintiffs Espanola Jackson, Paul Colvin, Thomas Boyer,
24 Larry Barsetti, David Golden, Noemi Margaret Robinson, National Rifle Association, Inc., and
25 San Francisco Veteran Police Officers Association (collectively, "Plaintiffs") respectfully submit
26 this Motion for Administrative Relief for Leave to File a Statement of Recent Decision¹ in

27 _____
28 ¹ A copy of Plaintiffs' [Proposed] Statement of Recent Decision is attached hereto as Exhibit 1.

1 support of their Opposition to Defendants' Motion to Dismiss for Lack of Jurisdiction.

2 According to Civil Local Rule 7-3(d)(2), it is proper to file a Statement of Recent Decision
3 when necessary to alert the Court of a relevant judicial decision published after the opposition and
4 reply papers have been filed but before the noticed hearing date. Because the hearing on
5 Defendants' Motion to Dismiss has already passed, but no decision has yet been rendered,
6 Plaintiffs must generally file a motion for leave to file statement of recent decision. Civ. L.R. 7-
7 3(d). However, because the matter has already been submitted, and a decision on the underlying
8 motion to dismiss may be reached before any motion for leave to file could be heard, Plaintiffs
9 submit this motion for administrative relief.

10 Good cause to grant this motion exists because the opinion Plaintiffs seek to present was
11 handed down on July 6, 2011, some two months after the hearing on Defendants' Motion to
12 Dismiss for Lack of Jurisdiction. Further, the case is persuasive authority that discusses the same
13 issue of standing in the Second Amendment context that is posed by Defendants' motion, and it
14 rightfully should be considered by this Court when rendering its decision on that motion.

15 Additionally, Plaintiffs' counsel contacted Defendants' counsel on July 7, 2011, requesting
16 Defendants stipulate to the filing of this motion; they agreed to so stipulate under the condition
17 the parties be given the opportunity to comment on the case if the Court intends to rely on it. (*See*
18 *Stipulation to Administrative Relief filed simultaneously herewith.*)

19 Based on the foregoing, Plaintiffs respectfully request this Court grant Plaintiffs' Motion for
20 Administrative Relief, granting Plaintiffs leave to file a statement of recent decision.

21 Date: July 9, 2011

MICHEL & ASSOCIATES, PC

22
23 /S/

24 C. D. Michel
25 Attorney for Plaintiffs
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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ESPANOLA JACKSON, PAUL COLVIN,) **CASE NO.: CV-09-2143-RS**
THOMAS BOYER, LARRY BARSETTI,)
DAVID GOLDEN, NOEMI MARGARET)
ROBINSON, NATIONAL RIFLE) **CERTIFICATE OF SERVICE**
ASSOCIATION OF AMERICA, INC. SAN)
FRANCISCO VETERAN POLICE)
OFFICERS ASSOCIATION,)
)
)
)
Plaintiffs)
)
vs.)
)
CITY AND COUNTY OF SAN)
FRANCISCO, MAYOR EDWIN LEE, in)
his official capacity; ACTING POLICE)
CHIEF JEFF GODOWN, in his official)
capacity, and Does 1-10,)
)
Defendants.)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of:

**UNOPPOSED MOTION FOR ADMINISTRATIVE RELIEF
FOR LEAVE TO FILE STATEMENT OF RECENT DECISION**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Wayne Snodgrass, Deputy City Attorney
Sherri Kaiser, Deputy City Attorney
City and County of San Francisco
Office of the City Attorney
City Hall 1 Drive Carlton B.
San Francisco, CA 94102

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 9, 2011.

_____/S/
C. D. Michel
Attorney for Plaintiffs'