

1 XAVIER BECERRA, State Bar No. 118517  
 Attorney General of California  
 2 MARC A. LEFORESTIER, State Bar No. 178188  
 Supervising Deputy Attorney General  
 3 PETER H. CHANG, State Bar No. 241467  
 Deputy Attorney General  
 4 455 Golden Gate Avenue, Suite 11000  
 San Francisco, CA 94102-7004  
 5 Telephone: (415) 703-5939  
 Fax: (415) 703-1234  
 6 E-mail: Peter.Chang@doj.ca.gov  
 Attorneys for Defendant Kamala D. Harris, in her  
 7 official capacity as California Attorney General

8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 10 SACRAMENTO DIVISION

11  
 12 **FIREARMS POLICY COALITION**  
 13 **SECOND AMENDMENT DEFENSE**  
 14 **COMMITTEE; ET AL.,**  
 Plaintiffs,  
 15  
 16 v.  
 17 **KAMALA D. HARRIS, in her official**  
 18 **capacity as Attorney General of California,**  
 Defendant.  
 19

2:16-cv-01144-MCE-AC

**JOINT REQUEST FOR A COURT  
 ORDER RE: THE PARTIES'  
 SETTLEMENT OF PLAINTIFFS'  
 CLAIM FOR COSTS AND ATTORNEYS'  
 FEES**

**ORDER**

**BACKGROUND**

20  
 21  
 22 Plaintiffs filed this action to enjoin enforcement of former California Government Code  
 23 section 9026.5. On June 22, 2016, the Court granted plaintiffs' motion for preliminary  
 24 injunction. On September 22, 2016, Governor Brown signed into law Assembly Bill 884,  
 25 repealing former Government Code section 9026.5, effectively immediately.

26 The parties then agreed to dismiss the case with prejudice pursuant to Federal Rule of Civil  
 27 procedure 41(a)(1)(A)(ii). Dkt. No. 22. On October 7, 2016, the Court dismissed this action with  
 28

1 prejudice and retained jurisdiction solely to resolve Plaintiffs' anticipated motion for attorneys'  
2 fees. Dkt. No. 25.

3 Plaintiffs have made a request to Defendant for attorneys' fees and costs. Defendant has  
4 reviewed evidence regarding services rendered, counsel's qualification and rates, and has  
5 approved a settlement of fees and costs. The policy of Defendant's office requires that a  
6 settlement be reduced to a consent decree, judgment, or other court order before it can be paid.  
7 This stipulation and joint request is for such an order.

8 **THE PARTIES' STIPULATION AND JOINT REQUEST**

9 Plaintiffs and Defendant have now reached an agreement regarding costs and fees, and  
10 jointly request that the Court enter the following order:

- 11 1. Defendant will pay Plaintiffs a total of \$38,025.80 in costs and fees (\$234.80 in costs  
12 and \$37,791.00 in attorneys' fees).  
13 2. This payment will completely satisfy Defendant's obligation to pay costs and fees in  
14 this matter; Plaintiffs will not be entitled to any interest.  
15 3. Plaintiffs will not need to submit an affidavit or other evidence to the Court in support  
16 of an award of attorneys' fees otherwise required under Local Rule 293.

17  
18 Dated: April 4, 2017

Respectfully submitted,

19 XAVIER BECERRA  
20 Attorney General of California  
21 MARC A. LEFORESTIER  
22 Supervising Deputy Attorney General

23 /s/ Peter H. Chang  
24 PETER H. CHANG  
25 Deputy Attorney General  
26 *Attorneys for Defendant*

Benbrook Law Group, PC

27 /s/ Stephen Duvernay  
28 STEPHEN DUVERNAY  
*Attorneys for Plaintiffs*

SA2016102322

**ORDER**

Pursuant to the parties' stipulation, and good cause appearing, the Court hereby orders as follows:

1. Defendant will pay Plaintiffs a total of \$38,025.80 in costs and fees (\$234.80 in costs and \$37,791.00 in attorneys' fees).
2. This payment will completely satisfy Defendant's obligation to pay costs and fees in this matter; Plaintiffs will not be entitled to any interest.
3. Plaintiffs do not need to submit an affidavit or other evidence to the Court in support of an award of attorneys' fees otherwise required under Local Rule 293.

IT IS SO ORDERED.

Dated: April 5, 2017

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE