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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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WILLIAM WIESE, an individual;
JEERMIAH MORRIS, an individual;
LANCE COWLEY, an individual;
SHERMAN MACASTON, an individual;
CLIFFORD FLORES, individually
and as trustee of the Flores
Family Trust; L.Q. DANG, an
individual; FRANK FEDEREAU, an
individual; ALAN NORMANDY, an
individual; TODD NIELSEN, an
individual; THE CALGUNS
FOUNDATION; FIREARMS POLICY
COALITION; FIREARMS POLICY
FOUNDATION; and SECOND AMENDMENT
FOUNDATION,

Plaintiffs,

v.

XAVIER BECERRA, in his official
capacity as Attorney General of
California; and MARTHA SUPERIOR,
in her official capacity as
Acting Chief of the Department
of Justice Bureau of Firearms,

Defendants.

No. 2:17-cv-903 WBS KJN

ORDER

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1 The court previously stayed this case pending
2 defendants' appeal in Duncan v. Becerra, No. 19-55376 (9th Cir.).
3 The parties have filed a joint status report informing the court
4 of the Ninth Circuit's decision, No. 19-55376, 2020 WL 4730668
5 (9th Cir. Aug. 14, 2020), though the mandate has not yet issued.
6 In the joint status report, plaintiffs request that the court
7 lift the stay and issue a briefing and hearing schedule for
8 plaintiffs' anticipated motion for summary judgment. Defendants
9 oppose this request.

10 Given that the mandate has not yet issued in Duncan v.
11 Becerra, and the possibility of en banc review, the court
12 declines to lift the stay in this case at this time. The parties
13 shall file a joint status report within fourteen (14) days of the
14 issuance of the mandate in Duncan v. Becerra.

15 IT IS SO ORDERED.

16 Dated: August 28, 2020



17 **WILLIAM B. SHUBB**
18 **UNITED STATES DISTRICT JUDGE**