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**ENDORSED
FILED**
San Francisco County Superior Court

JAN 25 2006

GORDON PARK-LI, Clerk
BY: CAROLYN BALISTRERI
Deputy Clerk

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO
UNLIMITED JURISDICTION

PAULA FISCAL, et al.,
Plaintiffs and Petitioners,
vs.
CITY AND COUNTY OF SAN
FRANCISCO, et al.,
Defendants and Respondents.

Case No. CPF-05-505960

**COPIES OF NON-CALIFORNIA
AUTHORITIES IN SUPPORT OF
AMICUS BRIEF OF LEGAL
COMMUNITY AGAINST VIOLENCE**

Hearing Date: February 15, 2006
Time: 9:30 a.m.
Department: 301
Judge: Honorable James L. Warren

Date Action Filed: December 29, 2005
Trial Date: None scheduled

Counsel for Amicus Curiae, pursuant to California Rules of Court, Rule 313(h), hereby submit copies of the following non-California authorities cited in their Memorandum of Points and Authorities in Support of their Amicus Brief:

1. *Great Western Shows, Inc. v. Los Angeles County* (9th Cir. 2000), 229 F.3d 1258
2. *Nordyke v. King* (9th Cir. 2000), 229 F.3d 1266
3. *Quilici v. Village of Morton Grove* (7th Cir. 1982), 695 F.2d 261

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SF Superior Court / CPF-05-505960

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COPIES OF NON-CALIFORNIA CASES IN SUPPORT OF LCAV'S AMICUS BRIEF

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4. *Seegars v. Ashcroft* (D.C. Cir. 2005), 396 F.3d 1248, cert. den. (2006) 2006 U.S. Lexis 1049

DATED: January 25, 2006

FARELLA BRAUN & MARTEL LLP

By: 
Roderick M. Thompson

Attorneys for Amicus Curiae
Legal Community Against Violence

EXHIBIT 1

TO

**COPIES OF NON-CALIFORNIA AUTHORITIES IN
SUPPORT OF AMICUS BRIEF OF LEGAL
COMMUNITY AGAINST VIOLENCE**

LEXSEE

GREAT WESTERN SHOWS, INC., a Texas corp., Plaintiff-Appellee, v. LOS ANGELES COUNTY, Defendant-Appellant.

No. 99-56605

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

229 F.3d 1258; 2000 U.S. App. LEXIS 22898; 2000 Cal. Daily Op. Service 7603;
2000 Daily Journal DAR 10110

September 12, 2000, Filed

CORE TERMS: gun, ordinance, firearm, regulation, state law, ammunition, preempted, ban, fairgrounds, preemption, gun control, local regulation, own property, local law, certification, municipality, license, borders, concurrent jurisdiction, preliminary injunction, police power, proprietary, confronted, immunity, enclave, handgun, banning, viable, substantial question, preempt

COUNSEL: [**1] For the County of Los Angeles: Lawrence L. Hafetz, Senior Deputy County Counsel, Los Angeles, California.

For Great Western Shows, Inc.: C.D. Michel, Trutanich & Michel LLP, San Pedro, California. Donald B. Kates, Jr., Benenson & Kates, Novato, California. Michael F. Wright, Patrick J. Walsh, and Armen Tamzarian, Case, Knowlson, Burnett & Wright, LLP, East, Los Angeles, California.

JUDGES: Before: Arthur L. Alarcon, Diarmuid F. O'Scannlain, and Ronald M. Gould, Circuit Judges.

OPINIONBY: DIARMUID F. O'SCANNLAIN

OPINION: [*1259]

ORDER CERTIFYING QUESTIONS TO THE CALIFORNIA SUPREME COURT

We certify to the California Supreme Court two questions set forth in Part III of this order. The preliminary injunction granted by the district court will remain in place during the pendency of certification. All further proceedings in this case are stayed pending receipt of the answers to the certified questions. This case is withdrawn from submission until further order of this court. If the California Supreme Court accepts the certified questions for answer, the parties shall file a joint report six months after date of acceptance and every six months thereafter advising us of the status of the proceedings. This [**2]

case is being certified jointly with *Nordyke v. King*, 229 F.3d 1266, 2000 U.S. App. LEXIS 22897, which raises a closely related issue of preemption.

I

Pursuant to Rule 29.5 of the California Rules of Court, a panel of the United States Court of Appeals for the Ninth Circuit, before which this appeal is pending, certifies to the California Supreme Court questions of law concerning the possible state preemption of local gun control ordinances and a jurisdictional conflict between a county and an incorporated city within its borders. The decisions of the Courts of Appeal of the State of California provide no controlling precedent regarding the certified questions, the answers to which may be determinative of this appeal. [*1260] We respectfully request that the California Supreme Court answer the certified questions presented below. Our phrasing of the issues is not meant to restrict the court's consideration of the case. We agree to follow the answers provided by the California Supreme Court. If the Supreme Court declines certification, we will resolve the issues according to our perception of California law.

II

Los Angeles County is deemed the petitioner in this request because it is appealing the district court's [**3] ruling on these issues. The caption of the case is:

GREAT WESTERN SHOWS, INC., a Texas corp.,

Plaintiff - Appellee,

v.

LOS ANGELES COUNTY,

Defendant - Appellant.

Counsel for the parties are as follows:

