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                     IN THE UNITED STATES DISTRICT COURT
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                   FOR THE EASTERN DISTRICT OF CALIFORNIA
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          Ivan Peña, et al.,
                                               Case No. 2:09-CV-01185-KJM-CKD
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                      Plaintiffs,
                                               PROPOSED ORDER
12
                VS.
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          Stephen Lindley,
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                      Defendant.
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16
                                 [PROPOSED] ORDER
17
          This matter came before the Court on Plaintiffs' motion to supplement the
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    record on the parties' cross-motions for summary judgment.
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          The attached declarations of Michael O. Fifer, Chief Executive Officer of
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    Sturm, Ruger & Co., and Peter James Debney, President and Chief Executive
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    Officer of Smith & Wesson, contain information relevant to the pending motions.
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    This information concerns developments that occurred after the pending motions'
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    submission, and which were thus unknown to the parties at the time the motions
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    were initially briefed. Because the Court could always reconsider its decision on
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summary judgment based on newly-developed facts, Local Rule 230(j)(3); Fed. R.

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Case 2:09-cv-01185-KJM-CKD Document 82-2 Filed 01/28/14 Page 2 of 2 Civ. Proc. 59(e) & 60(b), or entertain successive motions for summary judgment on an expanded factual record, Hoffman v. Tonnemacher, 593 F.3d 908, 911 (9th Cir. 2010), the Court will grant Plaintiffs' motion. The declarations of Michael O. Fifer and Peter James Debney are accepted into the record. SO ORDERED. This the _____ day of _______, 2014. The Hon. Kimberly J. Mueller United States District Judge