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Mendoza, in their official capacities

9
 10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
 12
 13

14 **LANA RAE RENNA et al.,**

15 Plaintiffs,

16 v.

17 **ROB BONTA, in his official capacity**
 18 **as Attorney General of California;**
 19 **and ALLISON MENDOZA,¹ in her**
 20 **official capacity as Acting Director of**
 21 **the Department of Justice Bureau of**
 22 **Firearms,**

Defendants.

3:20-cv-02190-DMS-DEB

ANSWER TO THIRD AMENDED COMPLAINT

Judge: The Honorable Dana
 Makato Sabraw

Trial Date: None set

Action Filed: 11/10/2020

23 Defendants Rob Bonta, in his official capacity as Attorney General, and
 24 Allison Mendoza, in her official capacity as Acting Director of the Department of
 25 Justice Bureau of Firearms, hereby respond to Plaintiffs' Third Amended
 26 Complaint for Declaratory and Injunctive Relief ("TAC") as follows.

27 _____
 28 ¹ Allison Mendoza is hereby substituted for former Bureau of Firearms
 Acting Director Blake Graham. See Fed. R. Civ. P. 25(d).

ANSWER TO INTRODUCTION

1
2 1. In response to the allegations in paragraph 1 of the TAC quoting and
3 interpreting the Second Amendment of the United States, that legal authority speaks
4 for itself. In response to the allegations in paragraph 1 of the TAC regarding
5 Plaintiffs, Defendants lack knowledge or information sufficient to form a belief as
6 to the truth of the allegations and, therefore, deny them.

7 2. Paragraph 2 of the TAC consists of legal argument and/or conclusions
8 that do not require admission or denial. To the extent admission or denial is
9 required, Defendants deny all allegations.

10 3. Paragraph 3 of the TAC consists of legal argument and/or conclusions
11 that do not require admission or denial. To the extent admission or denial is
12 required, Defendants deny all allegations. With respect to any citation or quotation
13 of a legal authority, that authority speaks for itself.

14 4. Paragraph 4 of the TAC consists of legal argument and/or conclusions
15 that do not require admission or denial. To the extent admission or denial is
16 required, Defendants deny all allegations. With respect to any citation or quotation
17 of a legal authority, that authority speaks for itself.

18 5. Paragraph 5 of the TAC consists of legal argument and/or conclusions
19 that do not require admission or denial. To the extent admission or denial is
20 required, Defendants deny all allegations. With respect to any citation or quotation
21 of a legal authority, that authority speaks for itself.

22 6. Paragraph 6 of the TAC consists of a quotation of a legal authority. That
23 legal authority speaks for itself. To the extent admission or denial is required,
24 Defendants deny all allegations.

25 7. Paragraph 7 of the TAC consists of legal argument and/or conclusions
26 that do not require admission or denial. To the extent admission or denial is
27 required, Defendants deny all allegations. With respect to any citation or quotation
28 of a legal authority, that authority speaks for itself.

1 8. Paragraph 8 of the TAC consists of legal argument and/or conclusions
2 that do not require admission or denial. To the extent admission or denial is
3 required, Defendants deny all allegations.

4 9. Paragraph 9 of the TAC consists of a quotation of a legal authority. That
5 legal authority speaks for itself. To the extent admission or denial is required,
6 Defendants deny all allegations.

7 10. Paragraph 10 of the TAC consists of legal argument and/or conclusions
8 that do not require admission or denial. To the extent admission or denial is
9 required, Defendants deny all allegations.

10 11. Paragraph 11 of the TAC consists of legal argument and/or conclusions
11 that do not require admission or denial. To the extent admission or denial is
12 required, Defendants deny all allegations. With respect to any citation or quotation
13 of a legal authority, that authority speaks for itself.

14 12. Paragraph 12 of the TAC consists of legal argument and/or conclusions
15 that do not require admission or denial. To the extent admission or denial is
16 required, Defendants deny all allegations. With respect to any citation or quotation
17 of a legal authority, that authority speaks for itself.

18 13. Paragraph 13 of the TAC consists of a quotation of a legal authority.
19 That legal authority speaks for itself. To the extent admission or denial is required,
20 Defendants deny all allegations.

21 14. Paragraph 14 of the TAC consists of a quotation of a legal authority.
22 That legal authority speaks for itself. To the extent admission or denial is required,
23 Defendants deny all allegations.

24 15. Paragraph 15 of the TAC consists of legal argument and/or conclusions
25 that do not require admission or denial. To the extent admission or denial is
26 required, Defendants deny all allegations.

1 16. Paragraph 16 of the TAC consists of legal argument and/or conclusions
2 that do not require admission or denial. To the extent admission or denial is
3 required, Defendants deny all allegations.

4 **ANSWER TO ALLEGATIONS ON PARTIES**

5 17. In response to paragraph 17 of the TAC, Defendants lack knowledge or
6 information sufficient to form a belief as to the truth of the allegations and,
7 therefore, deny them.

8 18. In response to paragraph 18 of the TAC, Defendants deny that the “Smith
9 & Wesson M&P® 380 SHIELD™ EZ® that Plaintiff Renna wishes to purchase is
10 a constitutionally protected handgun.” In response to the remaining allegations,
11 Defendants lack knowledge or information sufficient to form a belief as to the truth
12 of the allegations and, therefore, deny them.

13 19. In response to paragraph 19 of the TAC, Defendants deny that any
14 particular make or model of handgun is “constitutionally protected.” In response to
15 the remaining allegations, Defendants lack knowledge or information sufficient to
16 form a belief as to the truth of the allegations and, therefore, deny them.

17 20. In response to paragraph 20 of the TAC, Defendants lack knowledge or
18 information sufficient to form a belief as to the truth of the allegations and,
19 therefore, deny them.

20 21. In response to paragraph 21 of the TAC, Defendants deny that any
21 particular make or model of handgun is “constitutionally protected.” In response to
22 the remaining allegations, Defendants lack knowledge or information sufficient to
23 form a belief as to the truth of the allegations and, therefore, deny them.

24 22. In response to paragraph 22 of the TAC, Defendants lack knowledge or
25 information sufficient to form a belief as to the truth of the allegations and,
26 therefore, deny them.

27 23. In response to paragraph 23 of the TAC, Defendants deny that any
28 particular make or model of handgun is “constitutionally protected.” In response to

1 the remaining allegations, Defendants lack knowledge or information sufficient to
2 form a belief as to the truth of the allegations and, therefore, deny them.

3 24. In response to paragraph 24 of the TAC, Defendants lack knowledge or
4 information sufficient to form a belief as to the truth of the allegations and,
5 therefore, deny them.

6 25. In response to paragraph 25 of the TAC, Defendants deny that any
7 particular make or model of handgun is “constitutionally protected.” In response to
8 the remaining allegations, Defendants lack knowledge or information sufficient to
9 form a belief as to the truth of the allegations and, therefore, deny them.

10 26. In response to paragraph 26 of the TAC, including footnote 3,
11 Defendants lack knowledge or information sufficient to form a belief as to the truth
12 of the allegations and, therefore, deny them.

13 27. In response to paragraph 27 of the TAC, Defendants deny that any
14 particular make or model of handgun is “constitutionally protected.” In response to
15 the remaining allegations, Defendants lack knowledge or information sufficient to
16 form a belief as to the truth of the allegations and, therefore, deny them.

17 28. In response to paragraph 28 of the TAC, Defendants lack knowledge or
18 information sufficient to form a belief as to the truth of the allegations and,
19 therefore, deny them.

20 29. In response to paragraph 29 of the TAC, Defendants deny that any
21 particular make or model of handgun is “constitutionally protected.” In response to
22 the remaining allegations, Defendants lack knowledge or information sufficient to
23 form a belief as to the truth of the allegations and, therefore, deny them.

24 30. In response to paragraph 30 of the TAC, Defendants lack knowledge or
25 information sufficient to form a belief as to the truth of the allegations and,
26 therefore, deny them.

27 31. In response to paragraph 31 of the TAC, Defendants deny that any
28 particular make or model of handgun is “constitutionally protected.” In response to

1 the remaining allegations, Defendants lack knowledge or information sufficient to
2 form a belief as to the truth of the allegations and, therefore, deny them.

3 32. In response to paragraph 32 of the TAC, Defendants lack knowledge or
4 information sufficient to form a belief as to the truth of the allegations and,
5 therefore, deny them.

6 33. In response to paragraph 33 of the TAC, Defendants deny that any
7 particular make or model of handgun is “constitutionally protected.” In response to
8 the remaining allegations, Defendants lack knowledge or information sufficient to
9 form a belief as to the truth of the allegations and, therefore, deny them.

10 34. In response to paragraph 34 of the TAC, Defendants lack knowledge or
11 information sufficient to form a belief as to the truth of the allegations and,
12 therefore, deny them.

13 35. In response to paragraph 35 of the TAC, Defendants deny that any
14 particular make or model of handgun is “constitutionally protected.” In response to
15 the remaining allegations, Defendants lack knowledge or information sufficient to
16 form a belief as to the truth of the allegations and, therefore, deny them.

17 36. In response to paragraph 36 of the TAC, Defendants lack knowledge or
18 information sufficient to form a belief as to the truth of the allegations and,
19 therefore, deny them.

20 37. In response to the allegations in paragraph 37 of the TAC, the allegations
21 regarding whether Plaintiff Peterson can lawfully transfer a Fabrique Tactical
22 handgun to himself or others constitutes legal argument and/or conclusions that do
23 not require admission or denial. To the extent admission or denial is required,
24 Defendants deny those allegations. Defendants lack knowledge or information
25 sufficient to form a belief as to the truth of the remaining allegations and, therefore,
26 deny them.

27 38. In response to paragraph 38 of the TAC, Defendants deny that any
28 particular make or model of handgun is “constitutionally protected.” In response to

1 the remaining allegations, Defendants lack knowledge or information sufficient to
2 form a belief as to the truth of the allegations and, therefore, deny them.

3 39. In response to paragraph 39 of the TAC, Defendants lack knowledge or
4 information sufficient to form a belief as to the truth of the allegations and,
5 therefore, deny them.

6 40. In response to paragraph 40 of the TAC, Defendants lack knowledge or
7 information sufficient to form a belief as to the truth of the allegations and,
8 therefore, deny them.

9 41. In response to paragraph 41 of the TAC, Defendants deny that any
10 particular make or model of handgun is “constitutionally protected.” In response to
11 the remaining allegations, Defendants lack knowledge or information sufficient to
12 form a belief as to the truth of the allegations and, therefore, deny them.

13 42. In response to paragraph 42 of the TAC, Defendants deny that any
14 particular make or model of handgun is “constitutionally protected.” In response to
15 the remaining allegations, Defendants lack knowledge or information sufficient to
16 form a belief as to the truth of the allegations and, therefore, deny them.

17 43. In response to paragraph 43 of the TAC, Defendants lack knowledge or
18 information sufficient to form a belief as to the truth of the allegations and,
19 therefore, deny them.

20 44. In response to paragraph 44 of the TAC, Defendants lack knowledge or
21 information sufficient to form a belief as to the truth of the allegations and,
22 therefore, deny them.

23 45. In response to paragraph 45 of the TAC, Defendants deny that any
24 particular make or model of handgun is “constitutionally protected.” In response to
25 the remaining allegations, Defendants lack knowledge or information sufficient to
26 form a belief as to the truth of the allegations and, therefore, deny them.

27 46. In response to paragraph 46 of the TAC, Defendants deny that any
28 particular make or model of handgun is “constitutionally protected.” In response to

1 the remaining allegations, Defendants lack knowledge or information sufficient to
2 form a belief as to the truth of the allegations and, therefore, deny them.

3 47. In response to paragraph 47 of the TAC, Defendants lack knowledge or
4 information sufficient to form a belief as to the truth of the allegations and,
5 therefore, deny them.

6 48. In response to paragraph 48 of the TAC, Defendants lack knowledge or
7 information sufficient to form a belief as to the truth of the allegations and,
8 therefore, deny them.

9 49. In response to paragraph 49 of the TAC, Defendants deny that any
10 particular make or model of handgun is “constitutionally protected.” In response to
11 the remaining allegations, Defendants lack knowledge or information sufficient to
12 form a belief as to the truth of the allegations and, therefore, deny them.

13 50. In response to paragraph 50 of the TAC, Defendants deny that any
14 particular make or model of handgun is “constitutionally protected.” In response to
15 the remaining allegations, Defendants lack knowledge or information sufficient to
16 form a belief as to the truth of the allegations and, therefore, deny them.

17 51. In response to paragraph 51 of the TAC, Defendants deny that any
18 particular make or model of handgun is “constitutionally protected.” In response to
19 the remaining allegations, Defendants lack knowledge or information sufficient to
20 form a belief as to the truth of the allegations and, therefore, deny them.

21 52. In response to paragraph 52 of the TAC, Defendants deny that any
22 particular make or model of handgun is “constitutionally protected.” In response to
23 the remaining allegations, Defendants lack knowledge or information sufficient to
24 form a belief as to the truth of the allegations and, therefore, deny them.

25 53. In response to paragraph 53 of the TAC, Defendants deny that any
26 particular make or model of handgun is “constitutionally protected.” In response to
27 the remaining allegations, Defendants lack knowledge or information sufficient to
28 form a belief as to the truth of the allegations and, therefore, deny them.

1 54. In response to paragraph 54 of the TAC, Defendants deny that any
2 particular make or model of handgun is “constitutionally protected.” In response to
3 the remaining allegations, Defendants lack knowledge or information sufficient to
4 form a belief as to the truth of the allegations and, therefore, deny them.

5 55. In response to the allegations in paragraph 55, Defendants admit that Rob
6 Bonta is the Attorney General of the State of California and the head of the
7 California Department of Justice. With respect to any citation or quotation of a
8 legal authority, that authority speaks for itself. Defendants admit that the California
9 Department of Justice and the Bureau of Firearms enforce state law related to the
10 sales, transfer, possession, manufacture, and ownership of firearms. Defendants
11 admit that the California Attorney General and the California Department of Justice
12 maintain an office in San Diego, California. Defendants deny all remaining
13 allegations in paragraph 55.

14 56. In response to the allegations in paragraph 56, Defendants deny that
15 Blake Graham is the Director of the DOJ’s Bureau of Firearms. Allison Mendoza
16 is currently the Acting Director of the Bureau of Firearms. In that role, she reports
17 to Attorney General Bonta and oversees the operations of the Bureau of Firearms,
18 including the implementation and enforcement of state statutes, regulations, and
19 policies regarding firearm and ammunition sales, possession, and transfers.
20 Defendants admit that Allison Mendoza, having been substituted for former Acting
21 Director Blake Graham, is sued in her official capacity as Acting Director.
22 Defendants deny all remaining allegations.

23 **ANSWER TO ALLEGATIONS ON JURISDICTION AND VENUE**

24 57. Paragraph 57 of the TA consists of legal argument and/or conclusions
25 that do not require admission or denial. To the extent admission or denial is
26 required, Defendants admit that this court has jurisdiction over Plaintiffs’ claims
27 but deny all remaining allegations.
28

1 58. Paragraph 58 of the TA consists of legal argument and/or conclusions
2 that do not require admission or denial. To the extent admission or denial is
3 required, Defendants admit that venue in this Court is proper but deny all remaining
4 allegations.

5 **ANSWER TO STATEMENT OF FACTS**

6 59. Paragraph 59 of the TAC consists of legal argument and/or conclusions
7 that do not require admission or denial. To the extent admission or denial is
8 required, Defendants deny all allegations.

9 60. Paragraph 60 of the TAC consists of legal argument and/or conclusions
10 that do not require admission or denial. To the extent admission or denial is
11 required, Defendants deny all allegations.

12 61. Paragraph 61 of the TAC consists of legal argument and/or conclusions
13 that do not require admission or denial. To the extent admission or denial is
14 required, Defendants deny all allegations. With respect to any citation or quotation
15 of a legal authority, that authority speaks for itself.

16 62. Paragraph 62 of the TAC consists of a quotation of a legal authority.
17 That legal authority speaks for itself. To the extent admission or denial is required,
18 Defendants deny all allegations.

19 63. Paragraph 63 of the TAC consists of legal argument and/or conclusions
20 that do not require admission or denial. To the extent admission or denial is
21 required, Defendants deny all allegations. With respect to any citation or quotation
22 of a legal authority, that authority speaks for itself.

23 64. Paragraph 64 of the TAC, including footnote 4, consists of legal
24 quotation, argument and/or conclusions that do not require admission or denial. To
25 the extent admission or denial is required, Defendants deny all allegations. With
26 respect to any citation or quotation of a legal authority, that authority speaks for
27 itself.
28

1 65. In response to paragraph 65 of the TAC, Defendants admit that the
2 California Department of Justice participates in the National Instant Criminal
3 Background Check System (NICS), in accordance with California Penal Code
4 section 28229, subdivision (b). With respect to any citation or quotation of a legal
5 authority, that authority speaks for itself. Defendants deny all remaining allegations
6 in paragraph 65.

7 66. Paragraph 66 of the TAC consists of a quotation of a legal authority.
8 That legal authority speaks for itself. To the extent admission or denial is required,
9 Defendants deny all allegations.

10 67. Defendants admit the allegations in paragraph 67 of the TAC.

11 68. In response to paragraph 68 of the TAC, Defendants admit that a COE
12 certificate holder is subject to “Rap Back” notifications which alert the Department
13 when the holder is arrested or otherwise prohibited from purchasing or possessing
14 firearms. Defendants deny the remaining allegations.

15 69. Defendants admit the allegations in paragraph 69 of the TAC.

16 70. In response to paragraph 70 of the TAC, Defendants admit that additional
17 information on the Roster of Certified Handguns (“Roster”) can be found in
18 California Code of Regulations, title 11, section 4070.

19 71. In response to paragraph 71 of the TAC, Defendants admit that the
20 Roster contains less than all of the handgun makes and models commercially
21 available throughout the United States. Defendants lack knowledge or information
22 sufficient to form a belief as whether the handgun makes and models on the Roster
23 constitute a “small fraction” of the handguns available elsewhere in the United
24 States and therefore denies that allegation. Defendants deny all remaining
25 allegations.

26 72. In response to the allegations in paragraph 72 of the TAC, Defendants
27 lack knowledge or information sufficient to form a belief as to the truth of the
28 allegations and, therefore, deny them.

1 73. In response to paragraph 73 of the TAC Defendants admit that as of
2 October 24, 2022, the Roster included 815 models of handguns. In response to the
3 remaining allegations Defendants lack knowledge or information sufficient to form
4 a belief as to their truth and, therefore, deny them.

5 74. In response to the allegations in paragraph 74 of the TAC, Defendants
6 admit that the Assembly Bill No. 2847 (2019-2020 Reg. Sess) (“AB 2847”) was
7 passed by the California Legislature and signed by the Governor and became
8 effective as of January 1, 2021. The provisions of AB 47 and California Penal
9 Code section 31910(b)(7) speak for themselves and do not require admission or
10 denial. To the extent admission or denial is required, Defendants deny the
11 remaining allegations.

12 75. In response to paragraph 75 of the TAC, Defendants lack knowledge or
13 information sufficient to form a belief as to the truth of the allegations and,
14 therefore, deny them.

15 76. Paragraph 76 of the TAC consists of legal argument and/or conclusions
16 that do not require admission or denial. To the extent admission or denial is
17 required, Defendants deny all allegations.

18 77. Paragraph 77 of the TAC consists of legal argument and/or conclusions
19 related to California Penal Code section 32015 and the Second Amendment that do
20 not require admission or denial. To the extent admission or denial is required,
21 Defendants deny all allegations. To the extent any allegations are factual rather than
22 legal, Defendants lack knowledge or information sufficient to form a belief as to the
23 truth of the allegations and, therefore, deny them.

24 78. In response to paragraph 78 of the TAC, Defendants admit that, as of
25 November 9, 2022, the Bureau of Firearm’s online list of de-certified handgun
26 models showed that hundreds of models have been decertified since December 31,
27 2001, and that 33 models have been de-certified in 2022. Defendants admit that in
28 October 2022, one model of handgun was added to the Roster. Defendants lack

1 knowledge or information sufficient to form a belief as to the truth of the remaining
2 allegations and, therefore, deny them.

3 79. Paragraph 79 of the TAC consists of legal argument and/or conclusions
4 that do not require admission or denial. To the extent admission or denial is
5 required, Defendants deny all allegations.

6 80. Paragraph 80 of the TAC consists of legal argument and/or conclusions
7 that do not require admission or denial. To the extent admission or denial is
8 required, Defendants deny all allegations.

9 81. Paragraph 81 of the TAC consists of legal argument and/or conclusions
10 that do not require admission or denial. To the extent admission or denial is
11 required, Defendants deny all allegations.

12 82. Paragraph 82 of the TAC consists of legal argument and/or conclusions
13 that do not require admission or denial. To the extent admission or denial is
14 required, Defendants deny all allegations.

15 83. Paragraph 83 of the TAC consists of legal argument and/or conclusions
16 that do not require admission or denial. To the extent admission or denial is
17 required, Defendants deny all allegations.

18 84. Paragraph 84 of the TAC consists of legal argument and/or conclusions
19 that do not require admission or denial. To the extent admission or denial is
20 required, Defendants deny all allegations. To the extent any allegations are factual
21 rather than legal, due to the ambiguity of the allegations Defendants lack
22 knowledge or information sufficient to form a belief as to the truth of the
23 allegations, they therefore deny them.

24 85. In response to the allegations in paragraph 85 of the TAC, Defendants
25 admit that the provisions of California's Unsafe Handgun Act are not, alone,
26 sufficient to guarantee that all handguns will be used in a safe manner. Defendants
27 deny all remaining allegations.
28

1 86. In response to the allegations in paragraph 86 of the TAC, Defendants
2 admit that the provisions of California's Unsafe Handgun Act are not, alone,
3 sufficient to guarantee that all handguns will be used in a safe manner. Defendants
4 deny all remaining allegations.

5 87. Defendants deny the allegations in paragraph 87 of the TAC.

6 88. Defendants deny the allegations in paragraph 88 of the TAC.

7 89. In response to the allegations in paragraph 89 of the TAC, Defendants
8 lack knowledge or information sufficient to form a belief as to the truth of the
9 allegations and, therefore, deny them.

10 90. In response to the allegations in paragraph 90 of the TAC, Defendants
11 lack knowledge or information sufficient to form a belief as to the truth of the
12 allegations and, therefore, deny them.

13 91. In response to the allegations in paragraph 91 of the TAC, Defendants
14 lack knowledge or information sufficient to form a belief as to the truth of the
15 allegations and, therefore, deny them.

16 92. In response to the allegations in paragraph 92 of the TAC, Defendants
17 lack knowledge or information sufficient to form a belief as to the truth of the
18 allegations and, therefore, deny them.

19 93. In response to the allegations in paragraph 93 of the TAC, Defendants
20 lack knowledge or information sufficient to form a belief as to the truth of the
21 allegations and, therefore, deny them.

22 94. Paragraph 94 of the TAC, including footnote 6, consists of legal
23 argument and/or conclusions that do not require admission or denial. To the extent
24 admission or denial is required, Defendants deny all allegations.

25 95. Defendants admit the allegations in paragraph 95 of the TAC.

26 96. Defendants admit the allegations in paragraph 96 of the TAC.

27 97. Defendants admit the allegations in paragraph 97 of the TAC.

1 98. In response to the allegations in paragraph 98 of the TAC, due to the
2 ambiguity of the allegations, Defendants lack knowledge or information sufficient
3 to form a belief as to the truth of the allegations and, therefore, deny them.

4 99. In response to the allegations in paragraph 99 of the TAC, due to the
5 ambiguity of the allegations, Defendants lack knowledge or information sufficient
6 to form a belief as to the truth of the allegations and, therefore, deny them.

7 100. Paragraph 100 of the TAC consists of legal argument and/or conclusions
8 that do not require admission or denial. To the extent admission or denial is
9 required, Defendants deny all allegations.

10 **ANSWER TO COUNT ONE**

11 101. Defendants incorporate and reassert their responses to paragraphs 1-100
12 of the TAC.

13 102. Paragraph 102 of the TAC consists of legal argument and/or conclusions
14 that do not require admission or denial. To the extent admission or denial is
15 required, Defendants deny all allegations.

16 103. Paragraph 103 of the TAC consists of legal argument and/or conclusions
17 that do not require admission or denial. To the extent admission or denial is
18 required, Defendants deny all allegations. With respect to any citation or quotation
19 of a legal authority, that authority speaks for itself.

20 104. Paragraph 104 of the TAC consists of legal argument and/or conclusions
21 that do not require admission or denial. To the extent admission or denial is
22 required, Defendants deny all allegations. With respect to any citation or quotation
23 of a legal authority, that authority speaks for itself.

24 105. Paragraph 105 of the TAC consists of legal argument and/or conclusions
25 that do not require admission or denial. To the extent admission or denial is
26 required, Defendants deny all allegations. With respect to any citation or quotation
27 of a legal authority, that authority speaks for itself.

28

1 106. Paragraph 106 of the TAC consists of legal argument and/or conclusions
2 that do not require admission or denial. To the extent admission or denial is
3 required, Defendants deny all allegations.

4 107. Paragraph 107 of the TAC consists of legal argument and/or conclusions
5 that do not require admission or denial. To the extent admission or denial is
6 required, Defendants deny all allegations. With respect to any citation or quotation
7 of a legal authority, that authority speaks for itself.

8 108. Paragraph 108 of the TAC consists of legal argument and/or conclusions
9 that do not require admission or denial. To the extent admission or denial is
10 required, Defendants deny all allegations.

11 109. Paragraph 109 of the TAC consists of legal argument and/or conclusions
12 that do not require admission or denial. To the extent admission or denial is
13 required, Defendants deny all allegations.

14 110. Paragraph 110 of the TAC consists of legal argument and/or conclusions
15 that do not require admission or denial. To the extent admission or denial is
16 required, Defendants deny all allegations. With respect to any citation or quotation
17 of a legal authority, that authority speaks for itself.

18 111. Paragraph 111 of the TAC consists of legal argument and/or conclusions
19 that do not require admission or denial. To the extent admission or denial is
20 required, Defendants deny all allegations. With respect to any citation or quotation
21 of a legal authority, that authority speaks for itself.

22 112. In response to the allegations in paragraph 112 of the TAC, due to the
23 ambiguity of the allegations, Defendants lack knowledge or information sufficient
24 to form a belief as to the truth of the allegations and, therefore, deny them.

25 113. Paragraph 113 of the TAC consists of legal argument and/or conclusions
26 that do not require admission or denial. To the extent admission or denial is
27 required, Defendants deny all allegations. With respect to any citation or quotation
28 of a legal authority, that authority speaks for itself.

1 114. Paragraph 114 of the TAC consists of legal argument and/or conclusions
2 that do not require admission or denial. To the extent admission or denial is
3 required, Defendants deny all allegations. With respect to any citation or quotation
4 of a legal authority, that authority speaks for itself.

5 115. Paragraph 115 of the TAC consists of legal argument and/or conclusions
6 that do not require admission or denial. To the extent admission or denial is
7 required, Defendants deny all allegations.

8 116. Paragraph 116 of the TAC consists of a quotation of a legal authority.
9 That legal authority speaks for itself. To the extent admission or denial is required,
10 Defendants deny all allegations.

11 117. Paragraph 117 of the TAC consists of legal argument and/or conclusions
12 that do not require admission or denial. To the extent admission or denial is
13 required, Defendants deny all allegations.

14 118. Paragraph 118 of the TAC consists of legal argument and/or conclusions
15 that do not require admission or denial. To the extent admission or denial is
16 required, Defendants deny all allegations. With respect to any citation or quotation
17 of a legal authority, that authority speaks for itself.

18 119. Paragraph 119 of the TAC consists of legal argument and/or conclusions
19 that do not require admission or denial. To the extent admission or denial is
20 required, Defendants deny all allegations. With respect to any citation or quotation
21 of a legal authority, that authority speaks for itself.

22 120. Paragraph 120 of the TAC consists of legal argument and/or conclusions
23 that do not require admission or denial. To the extent admission or denial is
24 required, Defendants deny all allegations.

25 121. Paragraph 121 of the TAC consists of legal argument and/or conclusions
26 that do not require admission or denial. To the extent admission or denial is
27 required, Defendants deny all allegations. With respect to any citation or quotation
28 of a legal authority, that authority speaks for itself.

1 122. Paragraph 122 of the TAC consists of a quotation of a legal authority.
2 That legal authority speaks for itself. To the extent admission or denial is required,
3 Defendants deny all allegations.

4 123. Paragraph 123 of the TAC consists of legal argument and/or conclusions
5 that do not require admission or denial. To the extent admission or denial is
6 required, Defendants deny all allegations. With respect to any citation or quotation
7 of a legal authority, that authority speaks for itself.

8 124. Paragraph 124 of the TAC consists of legal argument and/or conclusions
9 that do not require admission or denial. To the extent admission or denial is
10 required, Defendants deny all allegations. With respect to any citation or quotation
11 of a legal authority, that authority speaks for itself.

12 125. Paragraph 125 of the TAC consists of legal argument and/or conclusions
13 that do not require admission or denial. To the extent admission or denial is
14 required, Defendants deny all allegations.

15 126. Paragraph 126 of the TAC consists of legal argument and/or conclusions
16 that do not require admission or denial. To the extent admission or denial is
17 required, Defendants deny all allegations. With respect to any citation or quotation
18 of a legal authority, that authority speaks for itself.

19 127. Paragraph 127 of the TAC consists of legal argument and/or conclusions
20 that do not require admission or denial. To the extent admission or denial is
21 required, Defendants deny all allegations. With respect to any citation or quotation
22 of a legal authority, that authority speaks for itself.

23 128. Paragraph 128 of the TAC consists of a quotation of a legal authority.
24 That legal authority speaks for itself. To the extent admission or denial is required,
25 Defendants deny all allegations.

26 129. Paragraph 129 of the TAC consists of legal argument and/or conclusions
27 that do not require admission or denial. To the extent admission or denial is
28 required, Defendants deny all allegations. To the extent paragraph 129 contains

1 any factual allegations, Defendants lack knowledge or information sufficient to
2 form a belief as to the truth of the allegations and, therefore, deny them.

3 130. Paragraph 130 of the TAC consists of legal argument and/or conclusions
4 that do not require admission or denial. To the extent admission or denial is
5 required, Defendants deny all allegations. To the extent paragraph 129 contains
6 any factual allegations, due to their ambiguity, Defendants lack knowledge or
7 information sufficient to form a belief as to the truth of the allegations and,
8 therefore, deny them.

9 131. Paragraph 131 of the TAC consists of legal argument and/or conclusions
10 that do not require admission or denial. To the extent admission or denial is
11 required, Defendants deny all allegations. With respect to any citation or quotation
12 of a legal authority, that authority speaks for itself.

13 132. Paragraph 132 of the TAC consists of legal argument and/or conclusions
14 that do not require admission or denial. To the extent admission or denial is
15 required, Defendants deny all allegations.

16 133. In response to paragraph 133 of the TAC, Defendants admit that they
17 generally enforce the provisions of California's Unsafe Handgun Act, as authorized
18 and required by law. As to the remaining allegations, due to their ambiguity,
19 Defendants lack knowledge or information sufficient to form a belief as to the truth
20 of the allegations and, therefore, deny them.

21 134. Paragraph 134 of the TAC consists of legal argument and/or conclusions
22 that do not require admission or denial. To the extent admission or denial is
23 required, Defendants deny all allegations. To the extent paragraph 129 contains
24 any factual allegations, Defendants lack knowledge or information sufficient to
25 form a belief as to the truth of the allegations and, therefore, deny them.

26 135. Paragraph 135 of the TAC consists of legal argument and/or conclusions
27 that do not require admission or denial. To the extent admission or denial is
28 required, Defendants deny all allegations. To the extent paragraph 129 contains

1 any factual allegations, Defendants lack knowledge or information sufficient to
2 form a belief as to the truth of the allegations and, therefore, deny them.

3 136. Paragraph 136 of the TAC consists of legal argument and/or conclusions
4 that do not require admission or denial. To the extent admission or denial is
5 required, Defendants deny all allegations.

6 137. Paragraph 137 of the TAC consists of legal argument and/or conclusions
7 that do not require admission or denial. To the extent admission or denial is
8 required, Defendants deny all allegations.

9 138. Paragraph 138 of the TAC consists of legal argument and/or conclusions
10 that do not require admission or denial. To the extent admission or denial is
11 required, Defendants deny all allegations.

12 139. Paragraph 139 of the TAC consists of legal argument and/or conclusions
13 that do not require admission or denial. To the extent admission or denial is
14 required, Defendants deny all allegations.

15 **ANSWER TO PRAYER FOR RELIEF**

16 No response is required to Plaintiffs' prayer for relief. To the extent
17 Defendants are required to respond, they deny that Plaintiffs are entitled to the
18 requested relief.

19 **DEFENSES**

20 In addition to the foregoing admissions and denials, and without admitting any
21 allegations contained in the TAC, Defendants assert the following defenses.

22 **FIRST DEFENSE**

23 The TAC, and each cause of action alleged therein, fails to state a claim on
24 which relief can be granted.

25 **RESERVATION OF DEFENSES**

26 The foregoing defenses are raised without waiver of any other defenses that
27 might become known during this litigation. Defendants hereby reserve their right to
28 amend or supplement their answer to assert any other related defenses.

PRAYER OF DEFENDANTS

WHEREFORE, Defendants pray that:

1. The TAC, and all claims and prayers for relief therein, be denied in their entirety;
2. Plaintiffs take nothing from Defendants by this action;
3. Defendants be awarded their costs incurred in defending this action;
4. Defendants be awarded such further relief that the Court may deem just and proper.

Dated: November 14, 2022

Respectfully submitted,

ROB BONTA
Attorney General of California
ANTHONY R. HAKL
Supervising Deputy Attorney General

/s/ Gabrielle D. Boutin
GABRIELLE D. BOUTIN
Deputy Attorney General
Attorneys for Defendants Attorney General Rob Bonta and Acting Director Allison Mendoza, in their official capacities

CERTIFICATE OF SERVICE

Case Name: **Lana Rae Renna et al. v. Rob Bonta, et al.** No. **3:20-cv-02190-DMS-DEB**

I hereby certify that on November 14, 2022, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

ANSWER TO THIRD AMENDED COMPLAINT

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on November 14, 2022, at Sacramento, California.

Ritta Mashriqi

Declarant

/s/Ritta Mashriqi

Signature