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8
9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 JAMES FAHR, *et al.*) Case No. 21cv1676 BAS (BGS)
)
12 Plaintiffs,) **THIRD JOINT STATUS**
) **REPORT**
13 v.)
14) Judge: Hon. Cynthia Bashant
15 CITY OF SAN DIEGO, *et al.*,) Court Room: 4B
) Trial: Not Set
16 Defendants.)
17)

18 This matter was stayed for a period of days effective July 25, 2022, pending
19 further proceedings in the appeal from the judgment in *Roger Palmer, et al. v.*
20 *Stephen Sisolak, et al.*, 3:21-cv-02680-MMD-CSD (D. Nev.), Ninth Circuit Case
21 No. 22-15645.

22 The Ninth Circuit heard oral argument on May 9, 2023, and issued an Order
23 on May 26, 2023, retaining jurisdiction over the case while remanding to the
24 district court for the limited purpose of developing a record and making findings as
25 to: (1) whether A.B. 286 conforms to “this Nation’s historical tradition of firearm
26 regulation,” (2) whether it is possible in Nevada to lawfully add a serial number to a
27 self-manufactured unserialized firearm and/or unfinished frame or receiver, and if
28 so, how and under what circumstances; (3) whether it is possible in Nevada to

1 lawfully obtain serialized self-manufacturing and/or self-assembly firearm kits, and
2 if so, how and under what circumstances; and (4) what kind of self-manufacturing
3 Plaintiffs want to engage in.

4 On July 24, 2023, the parties in *Palmer* filed a joint status report in the
5 district court proposing a discovery plan to develop the record as outlined in the
6 Ninth Circuit’s Order. On December 21, 2023, the district court established a
7 discovery and submission schedule for the parties' proposed Findings of Fact and
8 Conclusions of Law.

9 On August 21, 2024, the parties submitted their respective proposed Findings
10 of Fact and Conclusions of Law to the district court.

11 On October 7, 2024, the Court issued an order primarily adopting
12 Defendants' proposed Findings of Fact and rejecting Plaintiffs' proposed findings.
13 Pursuant to the Ninth Circuit's directive, the Court ordered the parties to notify the
14 appellate court of these findings.

15 The parties agree that the stay should remain in effect until proceedings in
16 the Ninth Circuit have concluded, consistent with the reasons the case was initially
17 stayed.

18 Dated: January 6, 2025

Respectfully submitted,
FLORES LAW PLLC.

20 By: /s/ Chad Flores
21 Chad Flores*

22 Attorney for Plaintiffs JAMES FAHR, et. al.
23 *Admitted Pro Hac Vice

24 DILLON LAW GROUP, APC

25 By: /s/ John W. Dillon
26 John W. Dillon

27 Attorney for Plaintiffs JAMES FAHR, et. al.
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HEATHER FERBERT, CITY ATTORNEY

By: /s/ Matthew L. Zollman

Matthew L. Zollman

Attorneys for Defendants CITY OF SAN
DIEGO and SAN DIEGO CHIEF OF
POLICE DAVID NISLEIT

CERTIFICATION

I certify that I have obtained authorization to affix to this document the
electronic signatures of the above-listed signatories, pursuant to Section 2(f)(4) of
the Electronic Case Filing Administrative Policies and Procedures Manual.

Dated: January 6, 2025

By: /s/ Matthew L. Zollman

Matthew L. Zollman

Attorneys for Defendants CITY OF SAN
DIEGO and SAN DIEGO CHIEF OF
POLICE DAVID NISLEIT

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

JAMES FAHR; DESIREE BERGMAN; COLIN RUDOLPH; SAN DIEGO COUNTY GUN OWNERS PAC; AND FIREARMS POLICY COALITION, INC.,

Plaintiffs,

v.

CITY OF SAN DIEGO, CALIFORNIA AND DAVID NISLEIT, IN HIS OFFICIAL CAPACITY AS CHIEF OF POLICE OF SAN DIEGO CITY, CALIFORNIA

Defendants.

Case No. 21cv1676 BAS (BGS)

DECLARATION OF SERVICE

I, the undersigned, declare under penalty of perjury that I am, and was at the time of service of the papers herein referred to, over the age of eighteen years and not a party to the action; and I am employed in the County of San Diego, California, in which county the within-mentioned service occurred. My business address is 1200 Third Avenue, Suite 1100, San Diego, California, 92101. I served the foregoing documents described as:

THIRD JOINT STATUS REPORT

I caused said documents listed above to be served electronically by CM/ECF to the following individuals:

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**Attorneys for Plaintiffs JAMES
FAHR, et. al**

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on January 6, 2025, at San Diego, California.



Chela Madere
Legal Secretary