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\*Motion to Appear Pro Hac Vice Forthcoming

Attorneys for Plaintiffs

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

JAMES MILLER; RYAN PETERSON;  
GUNFIGHTER TACTICAL, LLC;  
JOHN PHILLIPS; PWGG, L.P.; SAN  
DIEGO COUNTY GUN OWNERS  
PAC; CALIFORNIA GUN RIGHTS  
FOUNDATION; SECOND  
AMENDMENT FOUNDATION;  
FIREARMS POLICY COALITION,  
INC.; JOHN W. DILLON; DILLON  
LAW GROUP, P.C.; and GEORGE M.  
LEE,

Plaintiffs,

v.

ROB BONTA, Attorney General of  
California; and LUIS LOPEZ, Director  
of the California Department of Justice  
Bureau of Firearms,

Defendants.

Case No.: 3:22-cv-01446

**NOTICE OF RELATED CASE**

**[CivLR 40.1.f]**

1 TO THE COURT, CLERK OF THE COURT, AND TO ALL PARTIES IN  
2 THE RELATED CASES REFERENCED BELOW:

3 PLEASE TAKE NOTICE that, pursuant to S.D. CivLR 40.1.f, Plaintiffs James  
4 Miller, Ryan Peterson, Gunfighter Tactical, LLC, John Phillips, PWGG, L.P.,  
5 San Diego County Gun Owners Political Action Committee, California Gun Rights  
6 Foundation, Second Amendment Foundation, Firearms Policy Coalition, Inc., John  
7 W. Dillon, Dillon Law Group, P.C., and George M. Lee hereby serve this Notice of  
8 Related Case to show that this action is related to another action within this District,  
9 namely *Miller v. Bonta*, Case No. 3:19-cv-01537-BEN-JLB, filed August 15, 2019  
10 (*“Miller I”*).

11 The present action is a challenge to a California law unconstitutionally  
12 imposing a one-way fee-shifting penalty in the government’s favor that applies solely  
13 to litigation challenging state and local firearm regulations. 2022 Cal. Stat. ch. 146,  
14 § 2 (adding Code Civ. Proc. § 1021.11(a)). Section 1021.11 makes plaintiffs in such  
15 actions, as well as their attorneys and their attorneys’ firms, liable for the  
16 government’s attorney’s fees and costs if the case results in anything short of total  
17 victory of plaintiffs on every claim.

18 The present action is related to *Miller I* because Plaintiffs are litigants, lawyers,  
19 and law firms who have brought claims in *Miller I*, which is a long-running Second  
20 Amendment challenge to California’s ban on so-called “assault weapons” through the  
21 state’s Assault Weapons Control Act. The Defendants in this action, Attorney General  
22 Bonta and Director Lopez, are also defendants in *Miller I*. Moreover, Plaintiffs’ claims  
23 in this case result from their claims *Miller I*. Plaintiffs face the threat of a ruinous fee  
24 award under Section 1021.11 if they do not prevail outright in *Miller I*, requiring them  
25 to bring their present claims for declaratory and injunctive relief against Section  
26 1021.11. Accordingly, the assignment of this action and *Miller I* to a single district  
27 judge will effect a saving of judicial effort and other economies.

1 Pursuant to CivLR 40.1.h, the Clerk of the Court is therefore requested to report  
2 the related cases to “the judges concerned at the earliest date practicable.”  
3

4 Dated: September 26, 2022

BENBROOK LAW GROUP, PC

5  
6 By

  
BRADLEY A. BENBROOK  
Attorneys for Plaintiffs