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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

IVAN PEÑA, et al.,

Plaintiffs,

v.

STEPHEN LINDLEY, in his official  
capacity as Chief of the California  
Department of Justice Bureau of Firearms,

Defendant.

No. 2:09-CV-01185-KJM-CKD


ORDER

The parties' cross motions for summary judgment are pending before the court. Pls.' Mot. Summ. J. at 1, ECF No. 61; Def.'s Mot. Summ. J. at 1, ECF No. 55. Having carefully considered the parties' arguments in light of the current record, the court finds the record insufficient to render judgment, and so directs the parties to provide supplemental briefing on two issues: (1) whether the microstamping requirement, CAL. PENAL CODE § 31910(b)(7)(A), of the California Unsafe Handgun Act ("UHA") amounts to a *de facto* ban of unrostered weapons to which the requirement applies, and if not, the extent of the requirement's burden on Second Amendment rights; and (2) whether a reasonable fit exists between the UHA's testing requirements, *id.* §§ 31910(a)–(b)(6), particularly the similar-gun exception, *id.* § 32030, and the statute's purposes. Simultaneous briefs, not to exceed twenty

1 pages each, and any factual support therefor are due within thirty days of the filing of this  
2 order.

3 IT IS SO ORDERED.

4 DATED: June 5, 2014.

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7 UNITED STATES DISTRICT JUDGE  
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