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8 Attorneys for Plaintiff

9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11 **WESTERN DIVISION**

<p>13 <b>A.W. CLARK,</b></p> <p>14 Plaintiff,</p> <p>15 v.</p> <p>16 <b>SHIRLEY N. WEBER,</b> as California Secretary of State,</p> <p>17</p> <p>18 Defendant.</p>	<p>2:21-cv-06558-MWF(KSx)</p> <p><b>PLAINTIFF'S CORRECTED RESPONSE TO OSC RE: WHY SUMMARY JUDGMENT SHOULD NOT BE ENTERED (08/30/21)</b></p> <p>Judge Michael W. Fitzgerald</p>
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20 On Aug. 27, 2021, the court rendered its order on plaintiff's motion for  
21 declaratory relief and for a preliminary injunction, and plaintiff sincerely thanks  
22 the court for putting in the time and effort it must have taken in order to render  
23 such a speedy disposition of that motion. It is much-appreciated.<sup>1</sup>

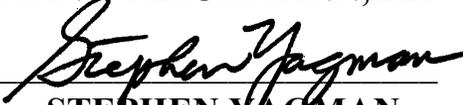
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28 <sup>1</sup> Contrary to the court's comments, plaintiff never has been, and is not now,  
"disgruntled," with respect to anything, and hopes that the court will not harbor this  
sentiment about plaintiff.

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In its order, the court directed plaintiff to file, by Sept. 21, 2021, a response as to why summary judgment should not be entered, and plaintiff asserts that summary judgment should not be rendered for at least for the following reasons:

- 1. It would deprive plaintiff of the due process of fully litigating all of his claims;
- 2. The court's ruling did not fully dispose of the due process and equal protection claims set forth in averments 105, 106, 112, & 113 of the complaint, and the court seemingly held that the claims set forth in those averments were not raised on the preliminary injunction motion, so that the court would not consider them on that motion. They remain to be litigated and to be addressed by the court.

Respectfully submitted,  
YAGMAN + REICHMANN,LLP

By:   
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