

STATE OF INDIANA

IN THE LAKE SUPERIOR COURT

COUNTY OF LAKE

CIVIL DIVISION ROOM ONE
HAMMOND, INDIANA

CITY OF GARY, INDIANA,
Plaintiff,

CASE NO. 45D01-1211-CT-233

v.

GLOCK CORP., et al,
Defendants.

Filed in Open Court

NOV 13 2023


CLERK LAKE SUPERIOR COURT

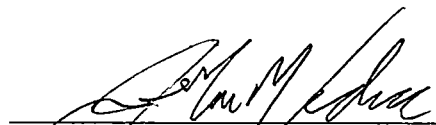
ORDER DENYING MOTIONS TO QUASH

The plaintiff, City of Gary, Indiana, appears by Attorney Philip Bangle and Attorney Christopher Wilson, the defendant Jack's Loan Office, Inc. and non-parties Westforth Sports, Inc. South County Gun Co., LLC and Cash Indiana, Inc. appear by Attorney Timothy Rudd; non-party Deb's Gun Range, LLC appears by Attorney David Sigale; the defendant Sturm Ruger & Co., Inc. and non-party Bass Pro Outdoor World, LLC d/b/a Cabela's appears by Attorney James Vogts and Attorney Terry Austgen; the defendant Blythe's Sport Shop, Inc. appears by Attorney John Hughes; and the defendant Colt's Manufacturing Co, Inc. appears by Attorney Robert Anderson and Attorney Michael Price appear for hearing on Jack' and the non-parties Motion to Quash Subpoena and for Protective Order.

After reviewing the filings of the parties, hearing oral argument and being fully advised, the Court finds that the subpoenas issued against both Jack's and the non-parties do not exceed the scope of discovery established in the Court's March 3, 2022 and June 12, 2023 Orders. These Orders were based upon the decision of the Indiana Court of Appeals in *City of Gary v. Smith & Wesson Corp.*, 126 N.E.2d 813 (Ind. Ct. App. 2019) which held that Gary may move forward on its public nuisance claim based upon the unlawful sales of firearms that have, indeed, harmed Gary. The Court reiterates that the cost of obtaining what is sought by the subpoena is to be borne solely by Gary and that privacy concerns regarding the information produced fall under the Protective Order previously issued by the Court.

IT IS THEREFORE ORDERED by the Court that the Motions to Quash of the defendant, Jack's Loan Office, Inc. and the non-parties are denied.

Dated November 13, 2023



JOHN M. SEDIA, JUDGE
LAKE SUPERIOR COURT
CIVIL DIVISION, ROOM ONE