David B. Rosenbaum, 009819
Andrew G. Pappas, 034432
Emma J. Cone-Roddy, 034285
OSBORN MALEDON, P.A.
2929 North Central Avenue, Suite 2000
Phoenix, Arizona 85012
(602) 640-9000
drosenbaum@omlaw.com
apappas@omlaw.com
econe-roddy@omlaw.com

Attorneys for Defendant No Labels

ARIZONA SUPERIOR COURT

MARICOPA COUNTY

Arizona Democratic Party, an Arizona political party; Lisa Sanor, a qualified elector,

Plaintiffs,

v.

No Labels, a District of Columbia nonprofit; Adrian Fontes, in his official capacity as the Secretary of State of Arizona; Apache County Board of Supervisors, in their official capacity; Coconino County Board of Supervisors, in their official capacity; Gila County Board of Supervisors, in their official capacity; Graham County Board of Supervisors, in their official capacity; Greenlee County Board of Supervisors, in their official capacity; La Paz County Board of Supervisors, in their official capacity; Maricopa County Board of Supervisors, in their official capacity; Mohave County Board of Supervisors, in their official capacity; Navajo County Board of Supervisors, in their official capacity; Pima County Board of Supervisors, in their official capacity; Pinal County Board of Supervisors, in their official capacity; Santa Cruz County Board of Supervisors, in their official capacity; Yavapai County Board of Supervisors, in their official capacity; Yuma County Board of Supervisors, in their official capacity,

Defendants.

No. CV2023-004832

DEFENDANT NO LABELS' REPLY IN SUPPORT OF ITS MOTION TO DISMISS

(Assigned to the Honorable Judge Katherine Cooper)

(Oral Argument Requested)

No Labels moved to dismiss Plaintiffs' Complaint because Plaintiffs' claims fail as a matter of law. As the Motion explained, Plaintiffs could prevail only if they showed that No Labels' new party petition did not substantially comply with legal mandates. Plaintiffs cannot make this showing. They do not challenge the number or veracity of petition signatures collected, the form of the petition, or even any aspect of the petition itself. Instead, their claims relate only to the separate cover affidavits appended to the petition and fall far short. The form of the cover affidavits No Labels submitted embodies the best reading of the statute that requires them, A.R.S. section 16-801(A). Additionally, because the cover affiants properly verified that the petition sought recognition of a new political party (and not the validity of petition signatures), it does not matter that the cover affidavits were executed before the last signature was collected.

Plaintiffs ask this Court to strain to find ambiguity in the statute where none exists. They ask the Court to invent and impose an unconstitutionally burdensome duty on the individuals signing the cover affidavit to "attest to the accuracy, completeness, and integrity" (Resp. at 7) of the entire petition according to a process and standards that the Plaintiffs do not even attempt to explain, perhaps because doing so demonstrates the illogic and extreme nature of their position.

Plaintiffs' Response leaves undisputed key points that that vitiate their claims, including:

- That this matter must be judged under the substantial compliance standard, which dooms only petitions that could "confuse or mislead" voters, not those that may suffer from technical defects (Mot. at 6–7);
- That cover affidavit signers have no role in verifying the individual signatures affixed to a petition (*id.* at 10–12);
- That if cover affidavit signers had *any* statutory role in verifying individual signatures, this would likely violate the United States Constitution (*id.* at 13); and

- That Plaintiffs' only interest in this matter is wanting to avoid competing with No Labels at the ballot box (*id.* at 2).

Unable to dispute these key points, Plaintiffs offer only non-sequiturs: They devote their opening paragraph to complaining that No Labels does not dispute the facts alleged in the Complaint, but it is those allegations, taken as true for purposes of this Motion, that entitle No Labels to dismissal.[1] And they again muse about No Labels federal tax status, which is undisputedly irrelevant to this state election law case.

Critically, Plaintiffs still do not and cannot allege that No Labels obtained petition signatures by fraud, or that any elector who signed a No Labels petition was confused or misled into doing so. That is to say, Plaintiffs ask this Court to silence 41,000-plus Arizonans over what, at worst, are supposed technical deficiencies in affidavits appended to No Labels' petition, all to spare Plaintiffs the inconvenience of competition. The Court should decline that invitation. As No Labels' Motion shows, the petition complied fully with the statute, but even if there were any deficiencies in the cover affidavits, they were insubstantial and do not entitle Plaintiffs to relief.[2]

ARGUMENT

I. The substantial compliance standard undisputedly applies.

No Labels' Motion demonstrated that the substantial compliance standard applies to Plaintiffs' claims. Mot. at 6–7. Under that standard, petition challengers cannot prevail based on "mere technical departures" from statutory form requirements. *Bee v. Day*, 218 Ariz. 505, 507, ¶ 10 (2008). Rather, our supreme court "has focused on whether the

[1] Plaintiffs' claim that they need discovery is undercut by their own argument (at 5) that "[t]he facial deficiencies in No Labels's petition . . . are, on their own, enough to establish that No Labels's petition fails to comply with [Arizona law]." If No Labels' petition is truly facially deficient, no discovery would serve any purpose in this litigation. And if the petition is not facially deficient, Plaintiffs have not stated a claim on which relief can be granted. Litigation is not a fishing expedition in search of a theory.

[2] Additionally, No Labels incorporates by reference the arguments made in the Secretary of State's reply memorandum.

omission of information could confuse or mislead electors signing the petition." *Id.* (quoting *Moreno v. Jones*, 213 Ariz. 94, 102, ¶ 42 (2006)).

Plaintiffs do not dispute and tacitly concede that the substantial compliance applies here. *See* Resp. at 11 (arguing that "even under a substantial compliance standard, a false verification affidavit voids the signatures on the petition sheets it purports to verify"). Nor do Plaintiffs dispute that "voter confusion" is the usual touchstone for substantial compliance. *See id.* Instead, they claim "that standard applies only where petition forms are presented to signers without required language." *Id.* (citing *Moreno*, 213 Ariz. at 102, ¶ 42). But neither *Moreno* nor *Bee* (nor any other case that No Labels has located) limits the substantial compliance standard as Plaintiffs contend, or suggests that different substantial compliance standards apply in different kinds of petition challenges. Rather, *Moreno* explains that because that standard "allows a measure of inconsistency," "no mere irregularity can be considered, unless it be shown that the result has been affected by such irregularity." *Moreno*, 213 Ariz. at 102, ¶ 42 (citations omitted). When voters are confused by misleading language, they may sign petitions they do not actually support. But Plaintiffs fail to offer any hypothesis, much less a convincing one, of how the purported defects in No Labels' cover affidavits could possibly have resulted in voter confusion.

And, in fact, Plaintiffs do not argue that No Labels' affidavits confused or misled *anyone* into signing the petition for new party recognition. Nor can they. As No Labels explained, no petition signer was required to see the cover affidavits, the form of petition prescribed by A.R.S. section 16-315 provides no space for the cover affiants to be identified, and the cover affiants have no relationship to the petition signers. Mot. at 9. Absent even a hint that any voter was confused or misled into signing the petition, Plaintiffs' claims should fail under the applicable substantial compliance standard.

II. The cover affidavits comply with statutory requirements.

Under the applicable statute, "a petition" for new party recognition must (1) be "signed by a number of qualified electors"; (2) separately be "verified by the affidavit of

ten qualified electors of the state, asking that the signers thereof be recognized as a new political party"; and (3) be "substantially the form prescribed by § 16-315." A.R.S. § 16-801(A). No Labels explained that the plain meaning and most natural reading of this statutory language is the one reflected in the Secretary's form for the cover affidavits: it requires that "[t]he petition shall . . . [b]e verified by that affidavit of ten qualified electors of the state, asking that the signers [of the petition] be recognized as a new political party." Mot. at 8. No Labels explained that this interpretation follows from the structure of the statute, as well as from common sense. *Id.* at 9.

Not surprisingly, Plaintiffs advance a different interpretation of the statute. They contend that "§ 16-801(A)(1) requires that the affidavit . . . request that *its signers*"—not the signers of the petition—"be recognized as the new party." Resp. at 9. Plaintiffs claim this interpretation flows from the "function of the statute," contending that "[r]equiring the county recorders to verify the registration status of the affidavit signers makes sense only if it is they who will comprise the new political party." *Id.* at 10. This contention finds no support in law or logic—there are ample reasons why the Legislature might have wanted to verify cover affiants' registration status regardless of who will comprise the party.

Moreover, regardless of the interpretation the Court adopts, neither the petition signers nor the cover affiants will "comprise" the party in any legal sense. Nothing in Title 16, Chapter 5, Article 2 (which governs political parties) gives either the cover affiants or the petition signers a role in the governance of a new party or even registers them for the new party. Rather, anyone who wishes to register with the new party must file a new voter registration form. A.R.S. § 16-136 ("An elector desiring to state a preference for a political party or organization other than the one indicated by the record of his registration shall reregister.") So, whoever asks whomever to form the party, no one—cover affiants or petition signers—functionally becomes a member of the new party just by signing, and it strains logic that the cover affiants would exclusively comprise the new political party when Arizona law assigns no other duties or role in political

governance or operations to them or even requires that their names be presented to petition-signers.

Plaintiffs also complain that "No Labels's reading would . . . mean that the affidavit signers play no role except to ask that *other people* form the new party." Resp. at 10. But this is manifestly not the case—the cover affiants play the key role of verifying the *request* to form a new party. That the Legislature would care about this is unsurprising—as Plaintiffs' own authority acknowledges, ballot access requirements are meant to guard against "the cranks, the publicity seekers, the frivolous candidates . . . and those who will run for office as a lark." *Adams v. Bolin*, 77 Ariz. 316, 320 (1954). The cover affiants ensure actual Arizona electors stand behind the request.

Perhaps more to the point, Plaintiffs' view (like No Labels') is an exercise in statutory interpretation that depends on the meaning of "the signers thereof" in the text. *Id.* No Labels explained that the Legislature wouldn't have used different phrases in two consecutive sentences of section 16-801(A)—"the signers *thereof*" in the first; "the signers *of the affidavit*"—if the phrases didn't mean different things. Mot. at 9. Plaintiffs call this reading "nonsensical" but concede the "inference cuts both ways"—*i.e.*, in favor of both No Labels' interpretation and Plaintiffs'. Resp. at 10. If, as Plaintiffs seem to suggest, the statutory language is susceptible to both interpretations, then the Secretary's form (which embodies the better interpretation) must be deemed to substantially comply with the statutory text, especially in the absence of prior judicial construction. But beyond that, the Legislature *actually* distinguished between "the signers thereof" and "the signers of the affidavit" in side-by-side sentences; it did not distinguish between "the signers thereof" and the signers "of the petition," as Plaintiffs hypothesize the Legislature could. *Id.* In this sense, the inference does not actually cut both ways—it cuts only in favor of No Labels' interpretation.

III. The cover affidavits properly verified the petitions.

No Labels' motion explained that, as a matter of statutory interpretation, the cover affiants properly verified the petition: they verified that the petition sought ballot access

for a new political party, not that the signatures on the petition were valid. Mot. at 10–12. No Labels also explained that, to the extent Plaintiffs suggest that section 16-801 required the cover affiants to verify the petition signatures themselves, such a requirement would raise constitutional concerns. *Id.* at 13.

Plaintiffs do not dispute that requiring the cover affiants to verify the tens of thousands of petition signatures would raise constitutional concerns that the Court should take pains to avoid. Indeed, they insist that they "do not contend that the affiants needed to verify each individual petition signature." Resp. at 6. But then they can't help themselves. Not only do they contend the cover affiants had to "know[] the identities of all the petition signers" in order to "verify . . . that 'the signers of the attached petitions' desire to be 'recognized as a new political party.'" *Id.* at 8. They claim it "makes sense" for such a requirement to be thrust upon a handful of cover affiants "given both the burden such petitions place on election officials and the need for public accountability by the proponents." *Id.* At the same time, Plaintiffs claim they are not demanding the affiants verify petition signatures, they are arguing that the affiants must provide some kind of first-level check on the validity of those very signatures and somehow make "representations" about the "accuracy" and "integrity" of the petition. *Id.* at 9. And Plaintiffs also ignore that this review for formal completeness—that each signer actually signed the petition with all required information—is statutorily assigned to the Secretary of State, not the cover affiants. A.R.S. § 16-803(B)(2).

In struggling to describe what the cover affiants must do in order to "verify" the completed petition packet, Plaintiffs assert that the cover affiants must: identify and know each petition signer, because a petition signed by "unidentified people who are completely unknown to [the cover affiants]" is deficient (*Id.* at 2); "attest to the accuracy, completeness, and integrity of the final packet" (*Id.* at 7); "know[] the identities of all the petition signers" (*Id.* at 8); "attest to its validity" (*Id.*); attest that the completed petition packet is "true and correct" (*Id.* at 9); and make "representations as to the accuracy or integrity" of the completed petition packet (*Id.*). The verification obligation that Plaintiffs

ask this Court to invent and impose on cover affiants would, by Plaintiffs' own description, create a substantially more burdensome process than that expressly imposed by statute on the election officials charged with verifying petitions, who conduct verification by sampling rather than by reviewing every line.

Plaintiffs cannot have it both ways, and their argument is unsupported anyhow. If there is a first-order check on the validity of petition signatures, Title 16 expressly assigns that responsibility to petition circulators, A.R.S. section 16-321(D), not to the cover affiants. There is no basis for Plaintiffs' contention that the Legislature intended to impose such a burden on the cover affiants without doing so expressly.

Plaintiffs' remaining arguments fare no better. They say "it is incontestable that the affidavit signers could not have satisfied the statutory duty to 'verify' when the petition they attested to was incomplete." Resp. at 7-8. For support, they cite (*Id*. at 8) a single case—the superior court's non-precedential, under advisement ruling in *Schaefer v. Brown*, No. CV 2016-014378, 2016 WL 6270945 (Ariz. Super. Aug. 31, 2016). But, as discussed in more detail below, even if *Schaefer* had precedential weight, it would not apply here: it involved affidavits by petition circulators who, unlike the cover affiants here, must attest to the validity of signatures they collect and cannot do so in advance. Here, in contrast, the cover affiants' role was to verify that the petition seeks ballot access for a new political party, which it indisputably did.

Plaintiffs also argue that the "petition" that must "be verified" under section 16-801(A) "refers singularly to the *packet* of signature pages bearing the requisite number of signatures and filed with the Secretary." Resp. at 7. They claim that various provisions in section 16-801 and section 16-803 imply that meaning. *Id.* But they relegate to a footnote the statutory definition of "petition" that really matters—the one in section 16-314. Resp. at 7 n.1. As No Labels explained, section 16-801(A)(2) requires that the petition "[b]e in substantially the form prescribed by section 16-315" for nomination petitions, and section 16-314 defines "nomination petition" as "*the form or forms* used for obtaining the required number of signatures of qualified electors which is

circulated[.]" Mot. at 11. In other words, under the definition section 16-801 effectively incorporates by reference, petition refers to the *form* of the document electors sign, not the signatures themselves—and not necessarily the *completed* form.

This interpretation makes sense in the broader statutory scheme. Section 16-801(A) refers to "a petition signed by a number of qualified electors"—language that distinguishes the *signatures* from the *petition*. Section 16-803 likewise repeatedly distinguishes between the "petition" and terms like the "petition sheets and signatures." A.R.S. § 16-803(B)(3). And here, the cover affiants properly verified that the petition sought recognition of a new party, not the signatures in support of it.

IV. The cover affidavits were accurate.

As No Labels' Motion explained, because the cover affiants did not verify (and were not required to verify) the nearly 57,000 petition signatures, it does not matter whether the affidavits were executed before or after the last signature on the petition was collected. Mot. at 11.

Plaintiffs nonetheless insist that the cover affidavits were "false on their own terms," because (1) yet-unsigned "petition sheets could not possibly have been 'attached' to the affidavits purporting to speak to them," and (2) whereas the affiants requested that petition signers "be recognized as a new political party," the petition signers asked "only 'that a new political party become eligible for recognition' and be afforded ballot access." Resp. at 10-11 (quoting Rosenbaum Decl., Exs. D & C).

Plaintiffs are mistaken. On the first point, the affiants could readily anticipate that the affidavits would attach signed petitions (as the affidavits did), and that the petitions would seek the recognition of a new political party, the No Labels Party (as the petitions did). On the second point, nothing about the petition signers' request renders the affiants' request false, or vice versa. Plaintiffs point out that "[n]othing in the form of the petition provided its signers with notice that, by signing, they would become members of the new party." Resp. at 11. That is true but irrelevant. As explained above, under state law

someone formally becomes a registered member of a new party only by re-registering as such, not by signing a new party petition or cover affidavit. *See* A.R.S. § 16-136.

The case law Plaintiffs cite is similarly unavailing. Plaintiffs (at 11) again rely on decisions striking signature sheets because the circulator affidavit was fraudulent, such as *Brousseau v. Fitzgerald*, 138 Ariz. 453 (1984), *Moreno*, 213 Ariz. 94, *Parker v. City of Tucson*, 233 Ariz. 422 (App. 2013), and *Schaefer*, 2016 WL 6270945. But a different, harsher rule applies to circulators. For nominating petitions and initiatives, the statutes require that petition circulators attest that the petition was signed "in his presence" and to their beliefs that the signers are "qualified elector[s]." A.R.S. § 16-321(D) (nomination petitions); *see also* A.R.S. § 19-112(C) (imposing identical requirements for initiatives). When a circulator falsely attests to this, it calls into question the validity of the signatures themselves. Thus, courts strike sheets where the verification was signed by a person who did not actually circulate the petition, *Brousseau*, 138 Ariz. at 455; where signatures were collected in a location in which the circulator was not present, *Moreno*, 213 Ariz. at 98, ¶ 21; where it should have been apparent that signers did not state their own address, *Parker*, 233 Ariz. at 438, ¶ 48; or where the circulator attached a photocopied affidavit before collecting signatures, *Schaefer*, 2016 WL 6270945 at *1. In these cases, fraudulent circulator affidavits called into question the validity of the signatures. As *Brousseau* explains, a harsh rule is required in such circumstances because allowing falsely verified signatures to stand "would render the circulation requirement meaningless and possibly lead to additional falsehood and fraud." *Brousseau*, 138 Ariz. at 456.

That is not the case here. The cover affiants did not circulate the petitions to gather signatures. Circulators did that. Plaintiffs do not challenge a single circulator affidavit. They do not allege that *any* signature is false, or that any circulator lied in stating a nomination petition was signed in his or her presence. And whereas false circulator affidavits raise the specter of fraudulent signatures, no such specter of fraud exists here. At the risk of belaboring the point, the cover affiants play no role in signature collection. And even if Plaintiffs were correct that the cover affidavits imperfectly paraphrased the

statutory language, this would not amount to or suggest fraud. Instead, this is precisely the sort of "technical departure[]" that courts should overlook, and instead "focus on whether the omission of information could confuse or mislead electors signing the petition." *Bee*, 218 Ariz. at 507, ¶ 10. That undisputedly did not happen here.[3]

CONCLUSION

Plaintiffs seek to obtain a competitive advantage at the ballot box by disqualifying a new political party for, at most, an alleged technical issue with respect to the timing and language of cover affidavits attached to a petition. Because, at a minimum, No Labels has substantially complied with all requirements of the petition process, Plaintiffs' claims fail as a matter of law, the Court should dismiss their Complaint in full.

DATED this 5th day of June, 2023.

OSBORN MALEDON, P.A.

By /s/ David B. Rosenbaum
David B. Rosenbaum
Andrew G. Pappas
Emma J. Cone-Roddy
2929 North Central Avenue, Suite 2000
Phoenix, Arizona 85012

Attorneys for Defendants No Labels

This document was electronically filed and copy delivered/e-served via the AZTurboCourt eFiling system this 5th day of June, 2023, on:

Honorable Katherine Cooper
Maricopa County Superior Court
101 West Jefferson,
Phoenix, Arizona 85003

[3] At minimum, if the Court determines the alleged defects in the cover affidavits are more than trivial, the Court should allow No Labels an opportunity to cure them. *Cf. W. Devcor v. City of Scottsdale*, 168 Ariz. 426, 431 (1991) (noting possibility of curing defects in petition process could be cured).

Roy Herrera
Daniel A. Arellano
Jillian L. Andres
Austin T. Marshall
roy@ha-firm.com
daniel@ha-firm.com
jillian@ha-firm.com
austin@ha-firm.com
HERRERA ARELLANO LLP
1001 North Central Avenue
Suite 404
Phoenix, Arizona 85004
Attorneys for Plaintiffs

Craig A. Morgan
Shayna Stuart
Jake T. Rapp
CMorgan@ShermanHoward.com
SStuart@ShermanHoward.com
JRapp@ShermanHoward.com
SHERMAN & HOWARD L.L.C.
2555 East Camelback Road, Suite 1050
Phoenix, Arizona 85016
Attorneys for Defendant Adrian Fontes, in his official capacity as Secretary of State of Arizona

Celeste Robertson
crobertson@apachecountyaz.gov
groupmail@apachecountyaz.gov
APACHE COUNTY ATTORNEY'S OFFICE
245 West 1st South
St. Johns, Arizona 85936
crobertson@apachecountyaz.gov
Attorney for Defendant Apache County Board of Supervisors, in their official capacity

Christine J. Roberts
Paul Correa
CRoberts@cochise.az.gov
PCorrea@cochise.az.gov
COCHISE COUNTY ATTORNEY'S OFFICE
P.O. Drawer CA
Bisbee, Arizona 85603
Attorney for Defendant Cochise County Board of Supervisors, in their official capacity

William Ring
Monique Coady
Heather Mosher
Lindsay Daley
Wring@coconino.az.gov
MCoady@coconino.az.gov
HMosher@coconino.az.gov
LDaley@coconino.az.gov
COCONINO COUNTY ATTORNEY'S OFFICE
110 East Cherry Ave.
Flagstaff, Arizona 86001
Attorney for Defendant Coconino County Board of Supervisors, in their official capacity

Jean A. Roof
jroof@graham.az.gov
GRAHAM COUNTY ATTORNEY'S OFFICE
800 W. Main Street
Safford, Arizona 85546
Attorney for Defendant Graham County Board of Supervisors, in their official capacity

Jefferson R. Dalton
jdalton@gilacountyaz.gov
GILA COUNTY ATTORNEY'S OFFICE
1400 E. Ash Street
Globe, Arizona 85501
Attorney for Defendant Gila County Board of Supervisors, in their official capacity

Gary Griffith
GGriffith@greenlee.az.gov
GREENLEE COUNTY ATTORNEY'S OFFICE
P.O. Box 1717
Clifton, Arizona 85533
Attorney for Defendant Greenlee County Board of Supervisors, in their official capacity

Jason Mitchell
Jmitchell@lapazcountyaz.gov
LA PAZ COUNTY ATTORNEY'S OFFICE
1320 Kofa Avenue
Parker, Arizona 85344
Attorney for Defendant La Paz County Board of Supervisors, in their official capacity

Ryan H. Esplin
William Davis
EspliR@mohave.gov
DavisW@mohave.gov
MOHAVE COUNTY ATTORNEY'S OFFICE
P.O. Box 7000
Kingman, Arizona 86402
Attorney for Defendant Mohave County Board of Supervisors, in their official capacity

Jason S. Moore
Jason.Moore@navajocountyaz.gov
NAVAJO COUNTY ATTORNEY'S OFFICE
P.O. Box 668
Holbrook, Arizona 86025
Attorney for Defendant Navajo County Board of Supervisors, in their official capacity

Daniel Jurkowitz
Daniel.Jurkowitz@pcao.pima.gov
PIMA COUNTY ATTORNEY'S OFFICE
32 North Stone Avenue, Suite 2100
Tucson, Arizona 85701
Attorney for Defendant Pima County Board of Supervisors, in their official capacity

Craig Cameron
Craig.Cameron@pinal.gov
PINAL COUNTY ATTORNY'S OFFICE
P.O. Box 887
Florence, Arizona 85132
Attorneys for Defendant Pinal County Board of Supervisors, in their official capacity

Robert F. May
rmay@santacruzcountyaz.gov
SANTA CRUZ COUNTY ATTORNEY'S OFFICE
2150 N. Congress Drive
Nogales, AZ 85621
Attorneys for Defendant Santa Cruz County Board of Supervisors, in their official capacity

William J. Kerekes
Bill.Kerekes@yumacountyaz.gov
YCAttyCivil@yumacountyaz.gov
YUMA COUNTY ATTORNEY'S OFFICE
250 West Second Street
Suite G
Yuma, Arizona 85364
Attorney for Defendant Yuma County Board of Supervisors, in their official capacity

Thomas M. Stoxen
Michael J. Gordon
Thomas.Stoxen@yavapaiaz.gov
Michael.Gordon@yavapaiaz.gov
YAVAPAI COUNTY ATTORNEY'S OFFICE
255 East Gurley Street
Prescott, Arizona 86301
Attorney for Defendant Yavapai County Board Supervisors, in their official capacity

Joseph E. La Rue
Anna G. Critz
Jack L. O'Connor III
laruej@mcao.maricopa.gov
critza@mcao.maricopa.gov
oconnorj@mcao.maricopa.gov
ca-civilmailbox@mcao.maricopa.gov
MARICOPA COUNTY ATTORNEY'S OFFICE
225 West Madison Street
Phoenix, Arizona 85003
Attorney for Defendant Maricopa County Board of Supervisors, in their official capacity

/s/*Amy Ebanks*