

1 TERRY GODDARD
2 Attorney General
3 Firm Bar No. 14000
4 Mary O'Grady, No. 011434
5 Solicitor General
6 Steven A. LaMar, No. 004140
7 Senior Litigation Counsel
8 Carrie J. Brennan, No. 018250
9 Barbara A. Bailey, No. 018230
10 Assistant Attorneys General
11 1275 West Washington Street
12 Phoenix, Arizona 85007-1298
13 Tel: (602) 542-3333
14 Fax: (602) 542-8308
15 Attorneys for the Arizona Secretary of State

11 **IN THE UNITED STATES DISTRICT COURT**
12 **DISTRICT OF ARIZONA**

13 MARIA M. GONZALEZ, et al.,
14
15 Plaintiffs,
16 v.
17 STATE OF ARIZONA, et al.
18 Defendants.

No. CV06-01268 PHX ROS
No. CV06-1362 PCT JAT (Cons)
No. CV06-1575 PHX EHC (Cons)

**DECLARATION OF COUNSEL IN
SUPPORT OF MOTION FOR
SUMMARY JUDGMENT
PURSUANT TO FED. R. CIV. P. 56(B)
DIRECTED TO THE ITCA
PLAINTIFFS BY DEFENDANT
ARIZONA SECRETARY OF STATE**

(Assigned to the Honorable
Roslyn O. Silver)

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Barbara A. Bailey declares:

1. I am one of the attorneys of record in these consolidated cases and represent the Defendant Arizona Secretary of State, Janice Brewer (“Defendant”). I make this Declaration in support of the Defendant’s Motion for Summary Judgment Directed to the ITCA Plaintiffs in Case No. CV 06-1362, which is filed herewith.

2. Attached at Tab 1 is a true and correct copy of excerpts of the individual responses to the Defendant’s First Set of Interrogatories by the Inter Tribal Council of Arizona, Inc., Hopi Tribe, Steve M. Gallardo, Arizona Advocacy Network, League of Latin American Citizens and the League of Women Voters of Arizona, which were served on the Defendant in this matter.

3. Attached at Tab 2 is a true and correct copy of excerpts of the individual responses to the Defendant’s Second Set of Interrogatories by the Inter Tribal Council of Arizona, Inc., Hopi Tribe, Steve M. Gallardo, Arizona Advocacy Network, League of Latin American Citizens and the League of Women Voters of Arizona, which was served on Defendant in this matter.

4. Attached at Tab 3 is a true and correct copy of the description of the Navajo Nation plaintiffs’ disclosure of Rodolfo Espino, which disclosure was served on Defendant on January 4, 2008.

5. Attached at Tab 4 is a true and correct copy of ITCA Plaintiffs’ First Supplemental Disclosure Statement, which was served on January 18, 2008.

6. Attached at Tab 5 is a true and correct copy of a letters dated, March 28, 2008 and April 25, 2008 from Karen J. Hartman-Tellez to defense.

7. Attached at Tab 6 is a true and correct copy of the affidavit of Karen Osborne, dated June 4, 2008.

8. Neither Dr. Espino nor Dr. Lanier was disclosed by the ITCA plaintiffs as a testifying expert in this case.

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I declare under penalty of perjury that the foregoing assertions of fact are true and correct.

Executed on June 6, 2008, at Phoenix, Arizona.

TERRY GODDARD
Arizona Attorney General

s/Barbara A. Bailey
Mary O'Grady
Solicitor General
Steven A. LaMar
Senior Litigation Counsel
Carrie J. Brennan
Barbara A. Bailey
Assistant Attorneys General
Attorneys for the State of Arizona and the
Arizona Secretary of State

1 CERTIFICATE OF SERVICE

2 I hereby certify that on the 6th day of June, 2008, I caused the foregoing
3 document to be electronically transmitted to the Clerk's Office using the CM/ECF
4 System for filing and transmittal of a Notice of Electronic Filing to the following

5 CM/ECF Registrants:

6 David J. Bodney
7 Karen J. Hartman-Tellez
8 Steptoe & Johnson LLP
9 201 East Washington St., Ste. 1600
10 Phoenix, Arizona 85004-2382
11 dbodney@steptoe.com
12 khartman@steptoe.com

13 David B. Rosenbaum
14 Thomas L. Hudson
15 Sara S. Greene
16 Osborn Maledon, P.A.
17 2929 N. Central, 21st Floor
18 Phoenix, Arizona 85012-2793
19 drosenbaum@omlaw.com
20 thudson@omlaw.com
21 sgreene@omlaw.com

22 Jon Greenbaum
23 Benjamin Blustein
24 Lawyers' Committee For
25 Civil Rights Under Law
26 1401 New York Avenue, Ste. 400
27 Washington, D.C. 20005
28 jgreenbaum@lawyerscommittee.org

Neil Bradley
ACLU Southern Regional Office
2600 Marquis One Tower
245 Peachtree Center Avenue
Atlanta, Georgia 30303
nbradley@aclu.org

Elliot M. Mincberg

1 People for the American
2 Way Foundation
3 2600 M Street, NW, Ste. 400
4 Washington, DC 20036
eminberg@pfaw.org

5 Daniel B. Kohrman
6 AARP Foundation Litigation
7 601 E Street, N.W., Ste. A4-240
8 Washington, DC 20049
dkohrman@aarp.org

9 Joe P. Sparks
10 Susan B. Montgomery
11 Sparks, Tehan & Ryley PC
12 The Inter Tribal Council of Arizona, Inc.
13 7503 First Street
14 Scottsdale, Arizona 85251
joe-sparks@qwest.net

14 David J. Becker
15 People for the American Way Foundation
16 2000 M Street, NW, Suite 400
17 Washington, D.C. 20036
dbecker@pfaw.org

18 Daniel R. Ortega, Jr.
19 Roush McCracken Guerrero
20 Miller & Ortega
21 650 N. 3rd Avenue
22 Phoenix, Arizona 85003
danny@rmgmoinjurylaw.com

23
24 Nina Perales (**served electronically and via FedEx**)
25 Mexican American Legal Defense and Education Fund
26 110 Broadway, Ste. 300
27 San Antonio, Texas 78205
nperales@maldef.org

28

1 M. Colleen Connor
2 MCAO Division of County Counsel
3 222 N. Central Avenue, Ste. 1100
4 Phoenix, Arizona 85003
connorc@mcao.maricopa.gov

5 Dennis I. Wilenchik
6 Kathleen Rapp
7 Wilenchik and Bartness, P.C.
8 2810 N. Third Street
9 Phoenix, Arizona 85004
diw@wb-law.com
kathleenr@wb-law.com

10 Judith M. Dworkin
11 Marvin S. Cohen
12 Patricia Ferguson-Bohnee
13 SACKS TIERNEY P.A.
14 4250 N. Drinkwater Blvd. 4th
15 Scottsdale, Arizona 85251-3693
Judith.Dworkin@sackstierney.com

16 Criss E. Candelaria
17 Bradley Carlyon
18 Apache County Attorneys Office
19 PO Box 637
20 St. Johns, Arizona 86025
bcarlyon@apachelaw.net

21 Melvin R. Bowers, Jr.
22 Lance B. Payette
23 Navajo County Attorneys Office
24 PO Box 668
25 Holbrook, Arizona 86025
lance.payette@co.navajo.az.us

26 Brenna L. Clani
27 Navajo County Department of Justice
28 PO Box 2010
Window Rock, Arizona 86515
brennalclani@navajo.org

Jean E. Wilcox

1 Coconino County Attorney's Office
2 110 East Cherry Ave.
3 Flagstaff, Arizona 86001
4 jwilcox@coconino.az.gov

5 COPY also served this 6th day of June, 2008, via U.S. mail, with Notice of
6 Electronic Filing on:

7 The Honorable Roslyn O. Silver
8 United States District Court
9 Sandra Day O'Connor U.S. Courthouse, Suite 624
10 401 West Washington Street, SPC 59
11 Phoenix, AZ 85003-2158

12 /s Elizabeth A. Stark

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