

TAB 3

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

MARIA M. GONZALEZ, *et al.*,

Plaintiffs,

v.

NO. CV-06-1268-PHX-ROS (Lead)

STATE OF ARIZONA, *et al.*,

Defendants.

**THE EFFECT OF PROPOSITION 200 ON VOTER REGISTRATION IN ARIZONA
THIRD SUPPLEMENTAL REPORT OF LOUIS R. LANIER, PH.D.**

Introduction

1. My name is Louis R. Lanier, and I have been retained by counsel for the plaintiffs to perform statistical analyses of Arizona voter roll and rejected voter data in order to determine if the flow of monthly voter registrations was affected by the implementation of Arizona Proposition 200 (Prop 200). Additionally, I have been asked to determine if any effect on voter registrations from Prop 200 was different between Hispanic and non-Hispanic registrants. I have previously submitted four reports in this matter, dated January 4, 2008 (my "initial report"), March 7, 2008 (my "rebuttal report"), March 21, 2008 (my "first supplemental report"), and March 28, 2008 (my "second supplemental report"). My resume and credentials are contained in my initial report.

2. The purpose of this third supplemental report is to update the statistics presented in my earlier reports with additional rejected voter form data, as well as data from recently produced uncounted conditional provisional ballot envelopes.

were affected by Prop 200.⁵ All fifteen Arizona counties produced uncounted ballot envelopes, and 10.9 percent of these uncounted ballot envelopes were from Hispanic individuals.

14. Data from the Census Bureau's Summary File 3 were geographically matched by census block group to the addresses of rejected voter registration applicants and the addresses of voters with uncounted conditional provisional ballots in order to tabulate descriptive statistics characterizing the areas in which these individuals live. The average characteristics of the areas in which Hispanics live are shown, along with average characteristics of the areas in which non-Hispanics live, and averages for the State of Arizona as a whole.

15. Tables 6 and 7 show similar patterns. In particular, Hispanic rejected registration applicants and uncounted conditional provisional ballots come from areas of Arizona where the population: is less likely to speak English well, possesses less schooling, and earns a lower household income than the averages for the state. Hispanic rejected applicants and uncounted ballots are also from areas where the population is: more highly Hispanic in makeup, more likely to use public transportation instead of driving a car or truck alone to work, and more urban (less rural) than statewide averages.

Conclusions

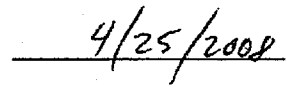
16. Based on the statistics presented in this report, I conclude:

- Prop 200 led to 38,359 rejected registrations in the fourteen counties for which data are available, the large majority of which are non-Hispanic.

⁵ It is my understanding that uncounted conditional provisional ballot envelopes were produced by defendants only for those ballots that were not counted due to the provisions of Prop 200.

A handwritten signature in black ink, appearing to read "L. Lanier", is written over a horizontal line.

Louis R. Lanier

A handwritten date "4/25/2008" is written in black ink over a horizontal line.

Date

Table 4. The Universe of Registrations After January 1, 2005 that Would Have Been Successful in the Absence of Prop 200

County	Non-Hispanic	Hispanic
Apache	5,112	208
Cochise	18,313	3,782
Coconino	18,798	1,221
Gila	5,264	454
Graham	13,349	3,028
Greenlee	581	136
La Paz	1,831	242
Maricopa	344,961	54,357
Mohave	22,707	1,847
Navajo	10,127	606
Pima	82,466	16,567
Pinal	51,596	9,349
Santa Cruz	-	-
Yavapai	30,244	1,816
Yuma	9,590	5,130
Total [a]	614,939	98,743

[a] Does not include rejected voter data for Santa Cruz and a portion of Yuma County.

**Table 5. Percent Hispanic Among All Registration Applicants After January 1, 2005
By Registration Outcome**

County	All Registration Applicants Regardless of Outcome			Difference (All Applicants - Rejected Applicants)			Difference (Successfully Registered - Rejected, Ultimately Not Successful)		
	All Registration Applicants of Outcome	All Rejected Applicants	Difference (All Applicants - Rejected Applicants)	Successfully Registered	Rejected, Ultimately Not Successful	Difference (Successfully Registered - Rejected, Ultimately Not Successful)			
Apache	3.9%	5.6%	-1.7%	3.9%	4.0%	0.0%			
Cochise	17.1%	14.3%	2.8%	17.1%	12.5%	4.6%			
Coconino	6.1%	7.2%	-1.1%	6.1%	6.1%	0.0%			
Gila	7.9%	12.2%	-4.2%	7.9%	10.5%	-2.6%			
Graham	18.5%	21.4%	-2.9%	18.5%	21.3%	-2.8%			
Greenlee	19.0%	15.8%	3.2%	19.0%	15.4%	3.7%			
La Paz	11.7%	12.7%	-1.0%	11.7%	9.1%	2.6%			
Maricopa	13.6%	16.5%	-2.9%	13.4%	19.6%	-6.3%			
Mohave	7.5%	9.2%	-1.7%	7.5%	9.0%	-1.5%			
Navajo	5.6%	9.8%	-4.2%	5.6%	10.7%	-5.1%			
Pima	16.7%	17.8%	-1.1%	16.6%	22.1%	-5.6%			
Pinal	15.3%	16.3%	-1.0%	15.2%	20.2%	-5.0%			
Santa Cruz	-	-	-	-	-	-			
Yavapai	5.7%	7.2%	-1.5%	5.7%	6.9%	-1.3%			
Yuma	34.9%	40.5%	-5.7%	34.8%	40.2%	-5.4%			
Total [a]	13.8%	16.7%	-2.8%	13.7%	19.8%	-6.1%			

[a] Does not include rejected voter data for Santa Cruz and a portion of Yuma County.

TAB 4

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

JAN 07 2008
SOLICITOR GENERAL'S OFFICE

MARIA M. GONZALEZ, *et al.*,

Plaintiffs,

v.

STATE OF ARIZONA, *et al.*,

Defendants.

NO. CV-06-1268-PHX-ROS (Lead)

THE EFFECT OF PROPOSITION 200 ON VOTER REGISTRATION IN ARIZONA

Background and Qualifications

1. My name is Louis R. Lanier, and I am a Senior Economist at Econ One Research, Inc., an economic consulting firm in Washington, D.C. I possess a Ph.D. in Applied Economics from Clemson University. From 1998 to 2002, I was a Research Associate at the Strom Thurmond Institute of Government and Public Affairs at Clemson University. In that capacity, I conducted policy analyses and provided consultation on topics related to economic development to the State of South Carolina and various local governments. From 2000 to 2002, I also served as a faculty member in the Policy Studies Ph.D. program at Clemson University, where I taught courses in microeconomics and public policy economics. Most recently, from May of 2003 until December of 2007, I was employed at Nathan Associates Inc., an economic consulting firm in Arlington, Virginia.
2. My work at Econ One involves litigation consulting and policy analysis. I have worked on several class action cases involving claims of employment discrimination and unfair labor practices, while also providing assistance in class action antitrust cases and

rejected voter registration forms that are currently being input into a useable electronic dataset.

21. Notice also that, in the case of Hispanics, the monthly flow of registrations slightly surpassed the predicted flow in the May 2007 to June 2007 time period at the far right of Chart 1. This spike in registrations is coincident with the large-scale private efforts mentioned earlier.⁵ However, this situation does not represent a full recovery. That is, even if the monthly flow of registrations has risen to a level that would have been predicted, the space between the actual and predicted lines remains, representing potential voter registrants who have not registered, though they likely would have in the absence of Prop 200. And, until actual registrations go *above* predicted registrations by the same amount that they have been below since the inception of Prop 200, voters in the State of Arizona will not have fully recovered from the effects of Prop 200.

Conclusions

22. The statistical evidence presented in this report supports the following conclusions:

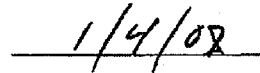
- The implementation of Prop 200 in January 2005 is correlated with a fall in both Hispanic and non-Hispanic voter registrations;
- The fall in Hispanic voter registrations was more severe than the fall in non-Hispanic voter registrations;
- Neither Hispanic nor non-Hispanic voter registrations have recovered to levels that would have been predicted, given pre-Prop 200 trends;

⁵ This spike in Hispanic registrations appears to have been temporary. As of August 2007, monthly Hispanic registrations were back down to less than half of the predicted value (3,625 actual, versus 8,625 predicted).

- Hispanic voter registrations remain further below predicted levels than non-Hispanic voter registrations in the time since Prop 200 was implemented.



Louis R. Lanier



Date

TAB 5

Rebuttal of Dr. Jeffrey Zax

Rodolfo Espino*

March 7, 2008

MAR 10 2008
SOLICITOR GENERAL'S OFFICE

*Rodolfo Espino is Assistant Professor of Political Science at Arizona State University, PO Box 873902, Tempe, AZ 85287-3902, tel: 480-965-5884, fax: 480-965-3929, espino@asu.edu.

Table 5: Estimating Effect of Proposition 200 on Hispanic Registration Rate (Weekly)

Variable	Coefficient	(Std. Err.)
Time, Pre-200 (in Weeks)	0.0097841**	(0.000)
Time, Post-200 (in Weeks)	0.0091686**	(0.000)
Adjusted R^2	0.9766	
N	268	
Wald Test: HispPre200 - HispPost200 = 0		
F(1 , 266) = 11.79		
Prob > F = 0.0007		
Significance levels : † : 10% * : 5% ** : 1%		

Given the findings from Tables 1-4, it is worth examining whether Non-Hispanic surnamed individuals experienced a similar drop in the percent of individuals being registered following the implementation of Proposition 200. Therefore, I re-estimate the same model specified in Table 5 but this time use the percent of Non-Hispanic surnamed individuals as the dependent variable. The resulting OLS estimates are presented in Table 6.

Table 6: Estimating Effect of Proposition 200 on Non-Hispanic Registration Rate (Weekly)

Variable	Coefficient	(Std. Err.)
Time, Pre-200 (in Weeks)	0.0342076**	(0.000)
Time, Post-200 (in Weeks)	0.0323748**	(0.000)
Adjusted R^2	0.9969	
N	268	
Wald Test: HispPre200 - HispPost200 = 0		
F(1 , 266) = 64.86		
Prob > F = 0.0000		
Significance levels : † : 10% * : 5% ** : 1%		

The results for β_1 and β_2 in Table 6 allow us to make the same claim as with Hispanic surnamed individuals - namely that Non-Hispanic surnamed individuals also experienced a decline in the rate at which they were registering to vote. However, the percent change in the coefficients for Hispanic surnamed individuals is greater than the percent change in the coefficients for non-Hispanic surnamed individuals. Specifically, the OLS models show that the percent of Hispanic individuals registered to vote each week in Arizona declined 6.29 percent following the implementation of Proposition 200, while the corresponding decline for non-Hispanic surnamed individuals

declined just 5.36 percent. While a difference of 0.93 percent between Hispanic and non-Hispanic surnamed individuals may seem small on its face, this is a difference in the rate of individuals registering to vote *each week* in Arizona. Over time and given the increasing size of Arizona's Hispanic population, this can amount to differences in thousands of voters each year.

The Influence of Maricopa County

Maricopa County, Arizona is, by far, the most populated county in Arizona, and according to the 2000 United States Census is the fourth most populous county in the entire United States. It would, therefore, be misleading to make conclusions about the condition of voter registration rates for the entire state of Arizona based on the singular behavior of voter registration rates within one county. After all, there are fourteen other county jurisdictions in the state of Arizona supervising the registration and election process. Let me point to the specifics in the data I have been using as to why this is important.

For the time period I have under examination, 59.16 percent of all individuals registered to vote were registered to vote in Maricopa County. The effect of Maricopa County on voter registration rates is something that can obviously be observed in the figures I produced in my original report, which separated out the rates for each county to show that Arizona's overall registration rate was driven primarily by that of Maricopa County.

Therefore, I re-estimate the above OLS models excluding the registration figures from Maricopa County and the results demonstrate even more forcefully the drop off in the rate of Hispanic voter registration following Proposition 200. Specifically, the OLS models show that the percent of Hispanic individuals registered to vote each week in Arizona declined 10.06 percent following the implementation of Proposition 200, while the corresponding decline for non-Hispanic surnamed individuals declined just 4.17 percent.

Rodolfo Espino III

Rodolfo Espino III

March 7, 2008

TAB 6

Tables 9e - CVAP, VAP Naturalized Citizen, and VAP non-Citizen for Total, White non-Hispanic and Hispanic Populations, Arizona, 2000- 2006

	<u>2000</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	Increase 2000-2006
Total CVAP	3,387,552	3,604,049	3,762,816	3,973,912	17.3%
VAP Naturalized Citizens	184,527	217,653	251,324	261,529	41.7%
Total VAP non-Citizens	380,379	488,242	493,135	555,551	48.7%
Total White non-Hispanic CVAP	2,546,441	2,652,635	2,728,503	2,879,827	13.1%
VAP Naturalized White non-Hispanic Citizens	57,739	71,473	62,077	78,310	35.6%
Total White non-Hispanic VAP non-Citizens	47,498	57,976	54,762	58,527	23.2%
Total Hispanic CVAP	510,488	595,965	647,612	677,525	32.7%
VAP Naturalized Hispanic Citizens	93,212	102,481	134,100	127,981	37.3%
Total Hispanic VAP non-Citizens	292,989	383,195	392,211	450,539	53.8%
Total non-Hispanic and White non-Hispanic VAP non-Citizens	39,892	47,071	46,162	56,485	41.6%

TAB 7

1 Nina Perales, TX SBN: 24005046
2 Diego Bernal, TX SBN: 24048350
3 MEXICAN AMERICAN LEGAL
4 DEFENSE AND EDUCATIONAL FUND
5 110 Broadway, Suite 300
6 San Antonio, TX 78205
7 Ph: (210) 224-5476
8 nperales@maldef.org
9 dbernal@maldef.org

6 Daniel R. Ortega, Jr., SBN: 005015
7 ROUSH, MCCracken, GUERRERO,
8 MILLER & ORTEGA
9 650 North Third Avenue
10 Phoenix, Arizona 85003
11 Ph: (602) 253-3554
12 danny@rmgmoinjurylaw.com

10 Karl J. Sandstrom
11 PERKINS COIE, LLP
12 607 Fourteenth Street, N.W., Suite 800
13 Washington, D.C. 20005
14 Ph:(202)434-1639
15 ksansdstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE DISTRICT OF ARIZONA

18 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
19) No. CV-06-1362-PCT-ROS
20 Plaintiffs,) No. CV-06-1575-PCT-ROS
21)
22 vs.) **ANSWERS TO DEFENDANTS**
23) **STATE OF ARIZONA AND THE**
24 State of Arizona, et al,) **ARIZONA SECRETARY OF**
25) **STATE'S FIRST SET OF**
26 Defendants.) **INTERROGATORIES TO**
27) **PLAINTIFF GEORGIA**
28) **MORRISON-FLORES**
)
) (Assigned to the
) Honorable Roslyn O. Silver
)
)

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Answer:

Plaintiff Georgia Morrison-Flores' best recollection is that she lived at 1919 S. Madison Ave., Apt. #4, Yuma, AZ 85364 in 2004, moved to Apt. #2 of the same building in September 2004, and in mid-2005 moved to her current residence, 510 S. 17th Ave., Yuma, AZ 85364.

2. **Identify every injury that you have suffered or currently are suffering that you contend is caused by the voting identification requirement of Proposition 200 that you contend confers standing upon you to maintain this action.**

Answer:

Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to the extent that it is confusing, compound, and calls for a legal conclusion. Without waiving any objections, Plaintiff Georgia Morrison-Flores directs Defendants to pleadings already filed in the case, including Plaintiffs' First Amended Complaint, for a discussion of injury and standing. Moreover, Plaintiff Georgia Morrison-Flores is a registered voter in Yuma County who was not allowed to cast her ballot in person because the poll worker concluded she did not have the documentation required by Proposition 200 to vote at the poll.

3. **State each and every form of voting identification that you currently possess.**

Answer:

Ms. Morrison-Flores possesses a valid Arizona driver's license issued after October 1, 1996.

4. **If you do not possess voting identification, describe what you would have to do to obtain each voting identification document.**

Answer:

N/A

5. **What was your income from all sources for the years 2005, 2006, and 2007?**

Answer:

Notwithstanding the General Objections, Plaintiff also objects to this Interrogatory as unnecessary, unduly burdensome and harassing. Without waiving any objections, Plaintiffs Georgia Morrison-Flores' best recollection is she had no personal income from January 1, 2005 to July 6, 2005. From July 7, 2005 to December 2006, Ms. Morrison-Flores recalls earning approximately \$2,400. She has no personal income for 2007.

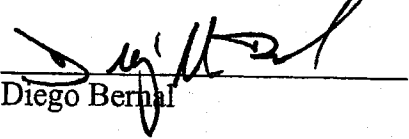
1 Morrison-Flores responds that there are no impediments to her ability to vote
2 early in an election in the State of Arizona, either by mail or in person.

3 Dated: November 8, 2007

Respectfully submitted,

4 MEXICAN AMERICAN LEGAL DEFENSE
5 AND EDUCATIONAL FUND

6 By:

7 
Diego Bernal

8 Attorneys for Plaintiffs
9 Gonzalez, et al.

10 CERTIFICATE OF SERVICE

11 I hereby certify that on the 8th day of November, 2007, I mailed copies of the
12 foregoing document to:

13 Arizona Attorney General
14 Solicitor General's Office
15 Attn: Barbara A. Bailey
16 1275 West Washington Street
Phoenix, AZ 85007-2926

17 M. Colleen Connor
18 MCAO Division of County Counsel
19 222 N. Central Avenue, Ste. 1100
Phoenix, Arizona 85003

20 Dennis I. Wilenchik
21 Kathleen Rapp
22 Wilenchik and Bartness, P.C.
23 The Wilenchik & Bartness Building
2810 North Third Street
Phoenix, Arizona 85004

24 STEPTOE & JOHNSON LLP
25 David J. Bodney
26 Karen J. Hartman-Tellez
27 Collier Center
201 East Washington St., Ste. 1600
Phoenix, Arizona 85004-2382

1
2 STEPTOE & JOHNSON LLP
3 David J. Bodney
4 Karen J. Hartman-Tellez
5 Collier Center
6 201 East Washington St., Ste. 1600
7 Phoenix, Arizona 85004-2382

8 OSBORN MALEDON, P.A.
9 David B. Rosenbaum
10 Thomas L. Hudson
11 Sara S. Greene
12 2929 North Central Ave., 21st Floor
13 Phoenix, Arizona 85012-2793

14 SACKS TIERNEY P.A.
15 Marvin S. Cohen
16 Judith M. Dworkin
17 Patricia Furgeson-Bohnee
18 4250 N. Drinkwater Blvd., 4TH Floor
19 Scottsdale, AZ 85251-3693

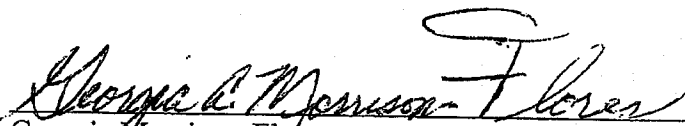
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By: 

Diego Bernal
Counsel for Plaintiffs, Gonzalez, et al.

VERIFICATION OF ANSWERS TO INTERROGATORIES

I, Georgia Morrison-Flores, declare, under penalty of perjury under the laws of the United States that the facts stated in the foregoing Interrogatories and Answers are true to the best of my knowledge or belief.


Georgia Morrison-Flores

Dated: 11-07-07

TAB 8

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

MARIA M. GONZALEZ, et al.,)
)
 Plaintiffs,)
)
 vs.) No. CV06-1268-PHX-ROS
) (LEAD)
 STATE OF ARIZONA, et al.,) No. CV06-1362-PCT-ROS
) No. CV06-1575-PHX-ROS
 Defendants.)
)
-----)

DEPOSITION OF BERNIE ABEYTIA

Phoenix, Arizona
September 27, 2007
1:06 p.m.

REPORTED BY:
PAMELA J. MAYER, RMR-CRR
Certified Reporter
Certificate No. 50207

PREPARED FOR:
BARBARA A. BAILEY, ESQ.

(Copy)



3030 North Central Avenue
Suite 1102
Phoenix, Arizona 85012

T 602.264.2230
888.529.9990
F 602.264.2245

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1 election?

2 A. That, I don't recall. 2007, 2006, that would
3 have been -- I'm not sure.

4 Q. You're not sure if you voted?

5 A. I may have. I'm not sure. I may have did it
6 through the mail. I'm not sure.

7 Q. Okay. And I understand that some of my
8 questions will go back in time, obviously, and if you're
9 not sure, you're not sure. So that's fine.

10 Let me ask you, though, a follow-up on that.
11 You said you may have voted by mail in that election.

12 A. Yes.

13 Q. Have you ever voted by mail in any other
14 elections?

15 A. In Arizona?

16 Q. Yes, in Arizona. Thank you.

17 A. I don't recall.

18 Q. You don't recall that you did? You don't recall
19 one way or the other?

20 A. City councilman, the last mayor election.

21 Q. Okay. Just a few weeks ago.

22 A. Okay. Yes. That's --

23 Q. That's the election you're referring to?

24 A. That's the last time I --

25 Q. Okay. And you voted by mail in that election?

1 A. I believe July.

2 Q. You have a driver's license?

3 A. Yes.

4 Q. Is that an Arizona driver's license?

5 A. Yes.

6 Q. And when was that driver's license issued?

7 A. 2004, I think.

8 Q. What's the address on your driver's license?

9 A. P.O. box.

10 Q. And you're currently retired?

11 A. Yes.

12 Q. Maybe you can tell me about your employment
13 history.

14 A. The latest was 27 years with the federal
15 government, Social Security Administration.

16 Q. Okay. When did you retire?

17 A. 2004.

18 Q. And what did you do before the Social Security
19 Administration?

20 A. I worked for a program called Corazon,
21 C-o-r-a-z-o-n.

22 Q. And what did they do?

23 A. Executive director.

24 Q. What did that organization do?

25 A. It was alcohol and drug counseling, inpatient

TAB 9

1 Nina Perales, TX SBN: 24005046
2 Diego Bernal, TX SBN: 24048350
3 MEXICAN AMERICAN LEGAL
4 DEFENSE AND EDUCATIONAL FUND
5 110 Broadway, Suite 300
6 San Antonio, TX 78205
7 Ph: (210) 224-5476
8 nperales@maldef.org
9 dbernal@maldef.org

NOV 13 2007

SOLICITOR GENERAL'S OFFICE

COPY

6 Daniel R. Ortega, Jr., SBN: 005015
7 ROUSH, MCCrackEN, GUERRERO,
8 MILLER & ORTEGA
9 650 North Third Avenue
10 Phoenix, Arizona 85003
11 Ph: (602) 253-3554
12 danny@rmgmoinjurylaw.com

10 Karl J. Sandstrom
11 PERKINS COIE, LLP
12 607 Fourteenth Street, N.W., Suite 800
13 Washington, D.C. 20005
14 Ph:(202)434-1639
15 ksansdstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE DISTRICT OF ARIZONA

17 Maria M. Gonzalez, et al.,
18
19 Plaintiffs,

20 vs.

21 State of Arizona, et al,
22
23 Defendants.

) No. CV-06-1268-PHX-ROS(Lead)
) No. CV-06-1362-PCT-ROS
) No. CV-06-1575-PCT-ROS
)

) ANSWERS TO DEFENDANTS
) STATE OF ARIZONA AND THE
) ARIZONA SECRETARY OF
) STATE'S FIRST SET OF
) INTERROGATORIES TO
) PLAINTIFF ARIZONA
) HISPANIC COMMUNITY
) FORUM

)
) (Assigned to the
) Honorable Roslyn O. Silver
)

- 1 2. **Identify every injury that you currently are suffering that you contend is**
2 **caused by the proof of citizenship requirement of Proposition 200 that you**
3 **contend confers standing upon you to maintain this action.**

4 Answer:

5 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
6 the extent that it is confusing, compound, and calls for a legal conclusion.
7 Without waiving any objections, Plaintiff AHCF directs Defendants to pleadings
8 already filed in the case, including Plaintiffs' First Amended Complaint, for a
9 discussion of injury and standing. Moreover, Plaintiff AHCF conducts voter
10 registration drives in order to fulfill its organizational goals. The proof of
11 citizenship voter registration requirement of Proposition 200 thwarts Plaintiff
12 AHCF's voter registration efforts.

- 13 3. **Identify every member of your organization that you contend would have**
14 **standing to maintain this action based on the member's inability to comply,**
15 **or difficulty in complying, with the voting identification requirement of**
16 **Proposition 200, including full name, birth date, and address of residence.**

17 Answer:

18 Plaintiff AHCF objects to this Interrogatory as vague, as Defendants do not
19 provide a definition for the terms "comply" or "complying." Without waiving
20 any general objections, Plaintiff AHCF has not yet identified any members who
21 fit the description in the Interrogatory. However, Plaintiff reserves the right to
22 supplement this Response in the event these members are identified.

- 23 4. **Identify every member of your organization that you contend would have**
24 **standing to maintain this action based on the member's inability to comply,**
25 **or difficulty in complying, with the proof of citizenship requirement of**
26 **Proposition 200, including full name, birth date, and address of residence.**

27 Answer:

28 Without waiving any general objections, Plaintiff objects to the Interrogatory as
vague, as Defendants do not provide definitions for the terms "comply" and
"complying." Assuming Defendants seek to discover organizational members
who themselves may be unable to register to vote, Plaintiff AHCF has not yet
identified any members who fit the description in the Interrogatory. However,
Plaintiff reserves the right to supplement this Response in the event these
members are identified.

5. **For each person identified in response to Interrogatory 4, state whether such**
person currently is registered to vote in Arizona.

Answer:

1 Notwithstanding the General Objections, Plaintiff AHCF objects to the
2 Interrogatory to the extent that it fails to define the term "resource" and
3 "diverted." Without waiving any objections, Plaintiff AHCF expended time and
4 human resources participating in several voter registration drives in Arizona to
5 increase the number of Latino voters on the rolls after the passage and
6 implementation of proposition 200.

7 **11. For each resource identified in Interrogatory 10, identify each and every
8 document evidencing such diversion and the amounts thereof, including the
9 title, form, content, and location or possessor of the document.**

10 Answer:

11 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory as
12 vague as the Defendants do not define the terms "resource" and "diversion."
13 Without waiving any objections, Plaintiff does not possess any documents
14 responsive to this Interrogatory, but reserve the right to supplement their
15 Responses in the event any documents are located.

16 Dated: November 8, 2007

17 Respectfully submitted,

18 MEXICAN AMERICAN LEGAL DEFENSE
19 AND EDUCATIONAL FUND

20 By: 

21 Diego M. Bernal

22 Attorneys for Plaintiffs
23 Gonzalez, et al.

24 CERTIFICATE OF SERVICE

25 I hereby certify that on the 8th day of November, 2007, I mailed copies of the
26 foregoing document to:

27 Arizona Attorney General
28 Solicitor General's Office
Attn: Barbara A. Bailey
1275 West Washington Street
Phoenix, AZ 85007-2926

M. Colleen Connor
MCAO Division of County Counsel
222 N. Central Avenue, Ste. 1100

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VERIFICATION OF ANSWERS TO INTERROGATORIES

I, Esther Durán Lumm, declare, under penalty of perjury under the laws of the United States that the facts stated in the foregoing Interrogatories and Answers are true to the best of my knowledge or belief.

Esther Durán Lumm

Dated: 11/07/07



COPY

NOV 13 2007
SOLICITOR GENERAL'S OFFICE

1 Nina Perales, TX SBN: 24005046
2 Diego Bernal, TX SBN: 24048350
3 MEXICAN AMERICAN LEGAL
4 DEFENSE AND EDUCATIONAL FUND
5 110 Broadway, Suite 300
6 San Antonio, TX 78205
7 Ph: (210) 224-5476
8 nperales@maldef.org
9 dbernal@maldef.org

6 Daniel R. Ortega, Jr., SBN: 005015
7 ROUSH, MCCRACKEN, GUERRERO,
8 MILLER & ORTEGA
9 650 North Third Avenue
10 Phoenix, Arizona 85003
11 Ph: (602) 253-3554
12 danny@rmgmoinjurylaw.com

10 Karl J. Sandstrom
11 PERKINS COIE, LLP
12 607 Fourteenth Street, N.W., Suite 800
13 Washington, D.C. 20005
14 Ph:(202)434-1639
15 ksansdstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE DISTRICT OF ARIZONA

17 Maria M. Gonzalez, et al.,
18
19 Plaintiffs,
20 vs.
21 State of Arizona, et al,
22 Defendants.

) No. CV-06-1268-PHX-ROS(Lead)
) No. CV-06-1362-PCT-ROS
) No. CV-06-1575-PCT-ROS
)

) ANSWERS TO DEFENDANTS
) STATE OF ARIZONA AND THE
) ARIZONA SECRETARY OF
) STATE'S FIRST SET OF
) INTERROGATORIES TO
) PLAINTIFF ASSOCIATION OF
) COMMUNITY
) ORGANIZATIONS FOR
) REFORM NOW

) (Assigned to the
) Honorable Roslyn O. Silver)

1 **2. Identify every injury that you currently are suffering that you contend is**
2 **caused by the proof of citizenship requirement of Proposition 200 that you**
3 **contend confers standing upon you to maintain this action.**

4 Answer:

5 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
6 the extent that it is confusing, compound, and calls for a legal conclusion.
7 Without waiving any objections, Plaintiff ACORN directs Defendants to
8 pleadings already filed in the case, including Plaintiffs' First Amended
9 Complaint, for a discussion of injury and standing. Moreover, Plaintiff ACORN
10 organizes voter registration drives, targeting moderate and low-income families
11 in Arizona. As a result of the voter registration requirements of Proposition 200,
12 Plaintiff ACORN is thwarted in fully realizing its organizational goals and has
13 had to scale back its voter registration efforts in the state as a result.

14 **3. Identify every member of your organization that you contend would have**
15 **standing to maintain this action based on the member's inability to comply,**
16 **or difficulty in complying, with the voting identification requirement of**
17 **Proposition 200, including full name, birth date, and address of residence.**

18 Answer:

19 Without waiving any general objections, Plaintiff ACORN has not yet identified
20 any members who fit the description in the Interrogatory. However, Plaintiff
21 reserves the right to supplement this Response in the event these members are
22 identified.

23 **4. Identify every member of your organization that you contend would have**
24 **standing to maintain this action based on the member's inability to comply,**
25 **or difficulty in complying, with the proof of citizenship requirement of**
26 **Proposition 200, including full name, birth date, and address of residence.**

27 Answer:

28 Without waiving any general objections, Plaintiff objects to the Interrogatory as
vague, as Defendants do not provide definitions for the terms "comply" and
"complying." Assuming Defendants seek to discover organizational members
who themselves may be unable to register to voter, Plaintiff ACORN has not yet
identified any members who fit the description in the Interrogatory. However,
Plaintiff reserves the right to supplement this Response in the event these
members are identified.

5. For each person identified in response to Interrogatory 4, state whether such
person currently is registered to vote in Arizona.

Answer:

1 "diverted." Without waiving any objections, Plaintiff ACORN expended funds,
2 time and human resources planning and executing a voter registration drive in
3 Phoenix designed to gather information on the impact of Proposition 200 on the
addition of new voters to the voter rolls.

- 4 **11. For each resource identified in Interrogatory 10, identify each and every**
5 **document evidencing such diversion and the amounts thereof, including the**
6 **title, form, content, and location or possessor of the document.**

7 Answer:

8 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory as
9 burdensome to the extent Defendants already possess the responsive documents.
10 Plaintiff also objects to the Interrogatory as vague as it does not define the terms
11 "resource" and "diverted." Without waiving any objections, Plaintiff ACORN
responds that Plaintiff Project Vote is in possession of a Microsoft Excel
Spreadsheet with information collected on the Arizona voter registration drive
discussed in Interrogatory 10 above.

12 Dated: November 8, 2007

Respectfully submitted,

13 MEXICAN AMERICAN LEGAL DEFENSE
14 AND EDUCATIONAL FUND

15 By: 

16 Diego M. Bernal

17 Attorneys for Plaintiffs
18 Gonzalez, et al.

19 CERTIFICATE OF SERVICE

20 I hereby certify that on the 8th day of November, 2007, I mailed copies of the
21 foregoing document to:

22 Arizona Attorney General
23 Solicitor General's Office
24 Attn: Barbara A. Bailey
25 1275 West Washington Street
Phoenix, AZ 85007-2926

26 M. Colleen Connor
27 MCAO Division of County Counsel
28 222 N. Central Avenue, Ste. 1100
Phoenix, Arizona 85003

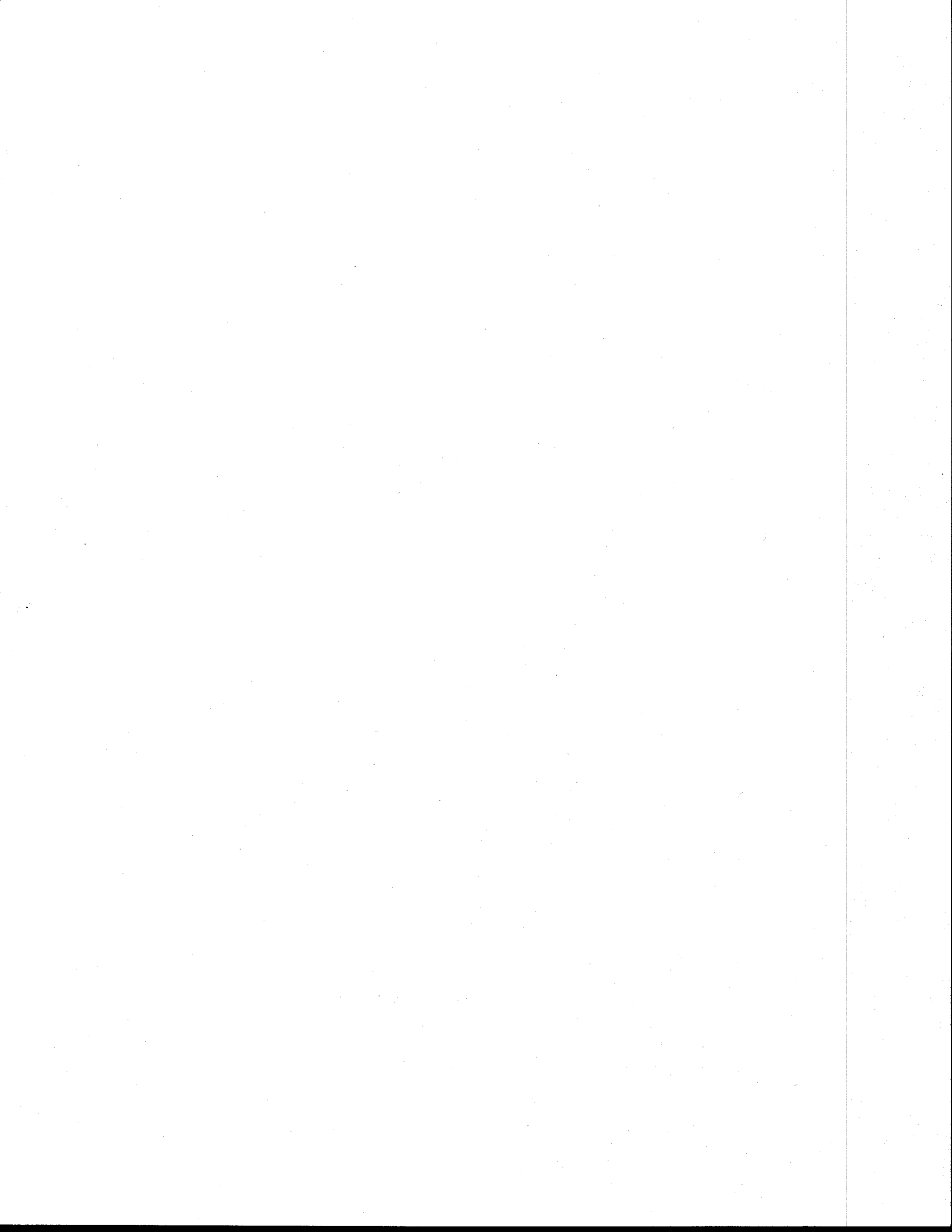
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VERIFICATION OF ANSWERS TO INTERROGATORIES

I, Don Mello, declare, under penalty of perjury under the laws of the United States that the facts stated in the foregoing Interrogatories and Answers are true to the best of my knowledge or belief.

Don Mello

Dated: 11/07/07



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SOLICITOR GENERAL'S OFFICE

1 Nina Perales, TX SBN: 24005046
 Diego Bernal, TX SBN: 24048350
 2 MEXICAN AMERICAN LEGAL
 DEFENSE AND EDUCATIONAL FUND
 3 110 Broadway, Suite 300
 San Antonio, TX 78205
 4 Ph: (210) 224-5476
 nperales@maldef.org
 5 dbernal@maldef.org

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 ROUSH, MCCrackEN, GUERRERO,
 7 MILLER & ORTEGA
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 13 ksansdstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

15
 16 IN THE UNITED STATES DISTRICT COURT
 17 FOR THE DISTRICT OF ARIZONA

18 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
) No. CV-06-1362-PCT-ROS
 19 Plaintiffs,) No. CV-06-1575-PCT-ROS

20 vs.) ANSWERS TO DEFENDANTS
 21) STATE OF ARIZONA AND THE
 22 State of Arizona, et al,) ARIZONA SECRETARY OF
) STATE'S FIRST SET OF
 23 Defendants.) INTERROGATORIES TO
) PLAINTIFF CHICANOS POR LA
 24) CAUSA, INC.

25)
) (Assigned to the
 26) Honorable Roslyn O. Silver)
)
 27)

- 1 2. Identify every injury that you currently are suffering that you contend is
2 caused by the proof of citizenship requirement of Proposition 200 that you
3 contend confers standing upon you to maintain this action.

4 Answer:

5 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
6 the extent that it is confusing, compound and calls for a legal conclusion.

7 Without waiving any objections, Plaintiff CPLC directs Defendants to pleadings
8 already filed in the case, including Plaintiffs' First Amended Complaint, for a
9 discussion of injury and standing. Moreover, Plaintiff CPLC engages in voter
10 registration efforts as part of its organizational mission. As a result of the proof
11 of citizenship voter registration requirements of Proposition 200, CPLC was
12 forced to divert resources to educate the community about these requirements
13 and was thwarted in fully realizing its organizational goals.

- 14 3. Identify every member of your organization that you contend would have
15 standing to maintain this action based on the member's inability to comply,
16 or difficulty in complying, with the voting identification requirement of
17 Proposition 200, including full name, birth date, and address of residence.

18 Answer:

19 N/A

- 20 4. Identify every member of your organization that you contend would have
21 standing to maintain this action based on the member's inability to comply,
22 or difficulty in complying, with the proof of citizenship requirement of
23 Proposition 200, including full name, birth date, and address of residence.

24 Answer:

25 N/A

- 26 5. For each person identified in response to Interrogatory 4, state whether such
27 person currently is registered to vote in Arizona.

28 Answer:

N/A

6. For each person identified in response to Interrogatory 4, state whether such
person could obtain proof of citizenship and what he or she would have to
do to obtain such proof of citizenship.

Answer:

N/A

1 campaign period started on September 1, 2006 and was completed on October 8,
2 2006.

3 **11. For each resource identified in Interrogatory 10, identify each and every**
4 **document evidencing such diversion and the amounts thereof, including the**
5 **title, form, content, and location or possessor of the document.**

6 Answer:

7 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory as
8 burdensome to the extent Defendants already possess the responsive documents.
9 Plaintiff also objects to the Interrogatory as vague as it does not define the terms
10 "resource" and "diversion." Without waiving any objections, Plaintiff CPLC
11 responds

- 12 • September 13, 2006 Memo from Edmundo Hidalgo to all staff re: voter
13 registration efforts.
- 14 • CPLC Voter Registration Project Frequently Asked Questions.
- 15 • Notice: New Voter Registration Requirements for Implementation of
16 Proposition 200 (English and Spanish versions)

17 All documents are already in the possession of the Defendants.

18 Plaintiff CPLC regretfully notes that the employee responsible for coordinating
19 the vast majority of the organization's voter outreach and registration efforts,
20 Lorraine Lee, suddenly passed away on October 31, 2007 after a long illness.
21 Plaintiff will immediately supplement its Responses if and when it encounters
22 relevant material as it moves forward from this loss.

23 Dated: November 8, 2007

24 Respectfully submitted,

25 MEXICAN AMERICAN LEGAL DEFENSE
26 AND EDUCATIONAL FUND

27 By: 

28 Diego M. Bernal

Attorneys for Plaintiffs
Gonzalez, et al.

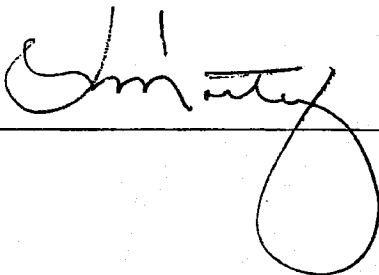
CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of November, 2007, I mailed copies of the
foregoing document to:

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VERIFICATION OF ANSWERS TO INTERROGATORIES

I, Sal Martinez, declare, under penalty of perjury under the laws of the United States that the facts stated in the foregoing Interrogatories and Answers are true to the best of my knowledge or belief.

Dated: 11/7/07 



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NOV 13 2007
SOLICITOR GENERAL'S OFFICE

1 Nina Perales, TX SBN: 24005046
2 Diego Bernal, TX SBN: 24048350
3 MEXICAN AMERICAN LEGAL
4 DEFENSE AND EDUCATIONAL FUND
5 110 Broadway, Suite 300
6 San Antonio, TX 78205
7 Ph: (210) 224-5476
8 nperales@maldef.org
9 dbernal@maldef.org

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9 650 North Third Avenue
10 Phoenix, Arizona 85003
11 Ph: (602) 253-3554
12 danny@rmgmoinjurylaw.com

10 Karl J. Sandstrom
11 PERKINS COIE, LLP
12 607 Fourteenth Street, N.W., Suite 800
13 Washington, D.C. 20005
14 Ph:(202)434-1639
15 ksandstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE DISTRICT OF ARIZONA

18 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
19) No. CV-06-1362-PCT-ROS
20 Plaintiffs,) No. CV-06-1575-PCT-ROS

21 vs.) ANSWERS TO DEFENDANTS
22) STATE OF ARIZONA AND THE
23 State of Arizona, et al,) ARIZONA SECRETARY OF
24) STATE FIRST SET OF
25 Defendants.) INTERROGATORIES TO
26) PLAINTIFF COMMON CAUSE

27)
28) (Assigned to the
Honorable Roslyn O. Silver)

1 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
2 the extent that it is confusing, compound and calls for a legal conclusion.
3 Without waiving any objections, Plaintiff Common Cause directs Defendants to
4 pleadings already filed in the case, including Plaintiffs' First Amended
5 Complaint, for a discussion of injury and standing. Moreover, Plaintiff Common
6 Cause engages in voter education efforts as part of its organizational mission. As
7 a result of the voter identification requirements of Proposition 200, Common
8 Cause will be forced to divert resources to educate the community about these
9 requirements and will be thwarted from fully realizing its organizational goals.

- 10
11
12 **2. Identify every injury that you currently are suffering that you contend is
13 caused by the proof of citizenship requirement of Proposition 200 that you
14 contend confers standing upon you to maintain this action.**

15 Answer:
16 N/A

- 17
18 **3. Identify every member of your organization that you contend would have
19 standing to maintain this action based on the member's inability to comply,
20 or difficulty in complying, with the voting identification requirement of
21 Proposition 200, including full name, birth date, and address of residence.**

22 Answer:

23 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
24 the extent that it calls for a legal conclusion. Without waiving any objections,
25 Plaintiff responds that the information sought by this Interrogatory is held by the
26 individual members of Common Cause. Plaintiff Common Cause is in the
27 process of contacting its members and will supplement this Response when it
28 receives the requested information from its members.

- 4. Identify every member of your organization that you contend would have
standing to maintain this action based on the member's inability to comply,
or difficulty in complying, with the proof of citizenship requirement of
Proposition 200, including full name, birth date, and address of residence.**

Answer:

Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
the extent that it calls for a legal conclusion. Without waiving any objections,
Plaintiff responds that the information sought by this Interrogatory is held by the
individual members of Common Cause. Plaintiff Common Cause is in the
process of contacting its members and will supplement this Response when it
receives the requested information from its members.

1 advocacy organization on issues of both policy and process in government.
2 Today, Common Cause has nearly 300,000 members and supporters, and offices
3 in 35 states.

4 A commitment to honest, open and accountable government, and to encouraging
5 citizen participation in democracy are the foundation for the organization's
6 program agenda, which includes Money and Politics, Voting and Elections,
7 Media and Democracy, and Ethics and Transparency in Government. Common
8 Cause has a respected tradition as an effective citizens' lobby working to ensure
9 honest, open, accountable and effective government.

10 **10. Identify and quantify with particularity each and every resource you have
11 diverted to fulfill your organizational mission or purpose as a direct result of
12 the requirements of Proposition 200.**

13 Answer:
14 N/A

15 **11. For each resource identified in Interrogatory 10, identify each and every
16 document evidencing such diversion and the amounts thereof, including the
17 title, form, content, and location or possessor of the document.**

18 Answer:
19 N/A

20 Dated: November 8, 2007

21 Respectfully submitted,

22 MEXICAN AMERICAN LEGAL DEFENSE
23 AND EDUCATIONAL FUND

24 By:

25 
26 Diego M. Bernal

27 Attorneys for Plaintiffs
28 Gonzalez, et al.

CERTIFICATE OF SERVICE

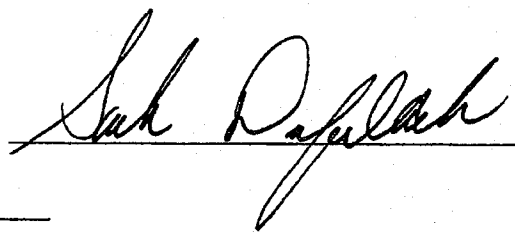
I hereby certify that on the 8th day of November, 2007, I mailed copies of the foregoing document to:

Arizona Attorney General
Solicitor General's Office
Attn: Barbara A. Bailey

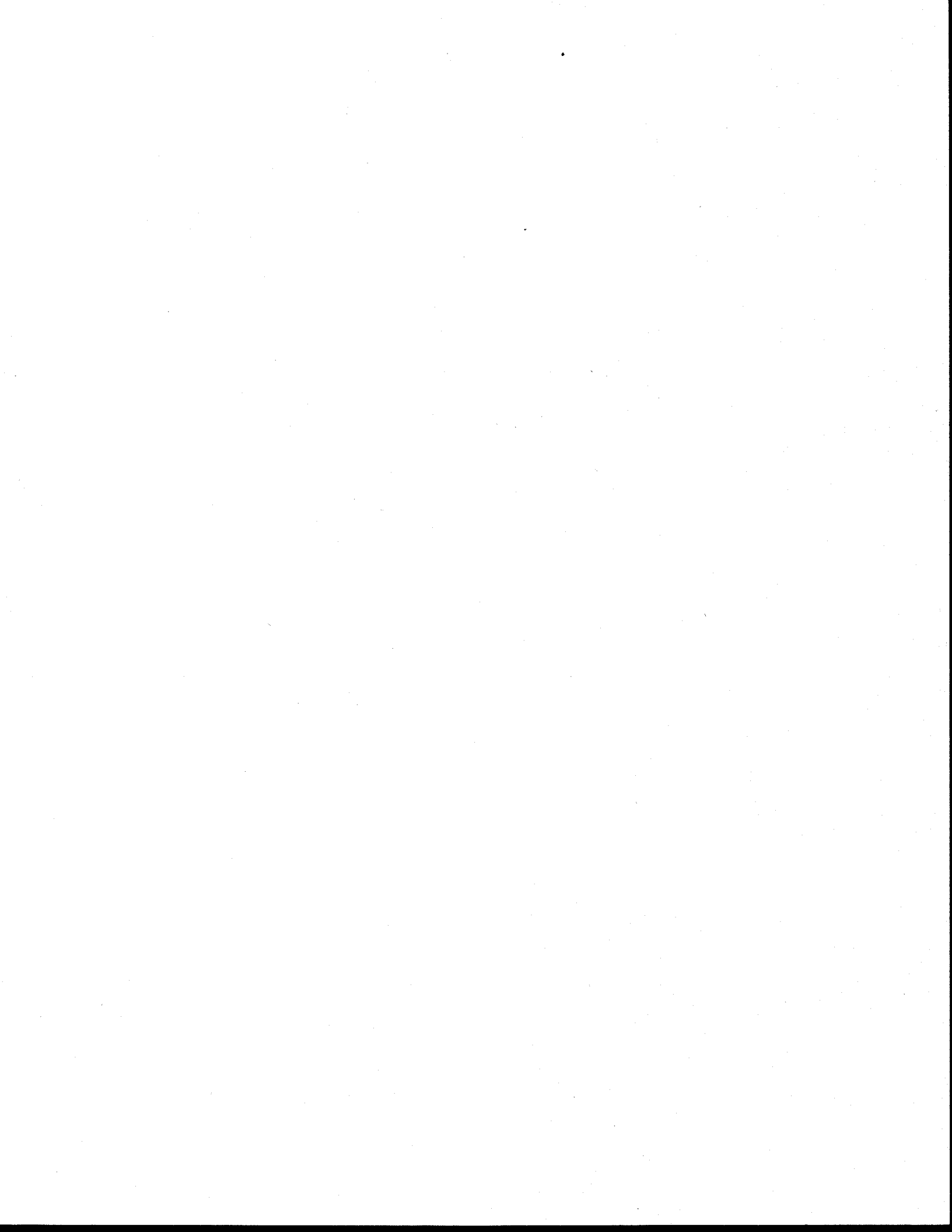
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VERIFICATION OF ANSWERS TO INTERROGATORIES

I, SARAH DOVELOACH, declare, under penalty of perjury under the laws of the United States that the facts stated in the foregoing Interrogatories and Answers are true to the best of my knowledge or belief.



Dated: 11/7/07



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SOLICITOR GENERAL'S OFFICE

1 Nina Perales, TX SBN: 24005046
2 Diego Bernal, TX SBN: 24048350
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14 Ph:(202)434-1639
15 ksansdstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE DISTRICT OF ARIZONA

18 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
19) No. CV-06-1362-PCT-ROS
20 Plaintiffs,) No. CV-06-1575-PCT-ROS
21)

21 vs.) **ANSWERS TO DEFENDANTS**
22) **STATE OF ARIZONA AND THE**
23 State of Arizona, et al,) **ARIZONA SECRETARY OF**
24) **STATE'S FIRST SET OF**
25 Defendants.) **INTERROGATORIES TO**
26) **PLAINTIFF FRIENDLY HOUSE**
27)

(Assigned to the
Honorable Roslyn O. Silver)

1 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
2 the extent that it is confusing, compound and calls for a legal conclusion.
3 Without waiving any objections, Plaintiff Friendly House directs Defendants to
4 pleadings already filed in the case, including Plaintiffs' First Amended
5 Complaint, for a discussion of injury and standing. Moreover, one way Plaintiff
6 Friendly House fulfills its organizational mission is through voter education. The
7 voting requirements of Proposition 200 have required Plaintiff Friendly House to
8 divert staff and time to explain the requirements to current and future voters.
9 Furthermore, Plaintiff was forced to incorporate the requirements into its civics
10 and citizenship classes, which not only required additional staff time and
11 resources, but displaced other information in their lesson plans.

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2. **Identify every injury that you currently are suffering that you contend is caused by the proof of citizenship requirement of Proposition 200 that you contend confers standing upon you to maintain this action.**

Answer:

Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to the extent that it is confusing, compound and calls for a legal conclusion. Without waiving any objections, Plaintiff Friendly House directs Defendants to pleadings already filed in the case, including Plaintiffs' First Amended Complaint, for a discussion of injury and standing. Moreover, one way Plaintiff Friendly House fulfills its organizational mission is by conducting voter registration. The voter registration requirements of Proposition 200 have required Plaintiff Friendly House to divert staff and time to explain the requirements to potential voter registrants. Furthermore, Plaintiff was forced to incorporate the requirements into its civics and citizenship classes, which not only required additional staff time and resources, but displaced other information in their lesson plans.

3. **Identify every member of your organization that you contend would have standing to maintain this action based on the member's inability to comply, or difficulty in complying, with the voting identification requirement of Proposition 200, including full name, birth date, and address of residence.**

Answer:

N/A

4. **Identify every member of your organization that you contend would have standing to maintain this action based on the member's inability to comply, or difficulty in complying, with the proof of citizenship requirement of Proposition 200, including full name, birth date, and address of residence.**

Answer:

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N/A

5. For each person identified in response to Interrogatory 4, state whether such person currently is registered to vote in Arizona.

Answer:

N/A

6. For each person identified in response to Interrogatory 4, state whether such person could obtain proof of citizenship and what he or she would have to do to obtain such proof of citizenship.

Answer:

N/A

7. Identify every member of your organization that does not currently possess voting identification sufficient to vote at the polls on election day in Arizona, including full name, birth date, and address of residence.

Answer:

N/A

8. For each person identified in response to Interrogatory 7, state whether such person could obtain sufficient voting identification and what he or she would have to do to obtain such identification.

Answer:

N/A

9. Identify the organizational mission or purpose of your organization.

Answer:

Plaintiff Friendly House is a social service agency that has served the community over the past 85 years. Originally established to address the problems of immigration and the naturalization of new immigrants, Friendly House has expanded its services to include youth Services, adult education & workforce development, a full range of family services, and home care for the elderly & disabled. Annually, Friendly House serves 40,000 families, youth and children.

The organization's mission is to foster excellence in the community by serving the educational and human service needs of its people.

1 **10. Identify and quantify with particularity each and every resource you have**
2 **diverted to fulfill your organizational mission or purpose as a direct result of**
3 **the requirements of Proposition 200.**

4 Answer:

5 Notwithstanding the General Objections, Plaintiff Friendly House objects to the
6 Interrogatory to the extent that it fails to define the terms "resource" and
7 "diverted." Without waving any objections, Plaintiff Friendly House conducts
8 voter registration as part of the direct services it provides. Due to the voting and
9 voter registration requirements of Proposition 200 it takes more staff time to
10 conduct the voter registration portion of the one-on-one intake/counseling
11 session. Thus, on particularly busy days the staff may not reach as many of its
12 patrons- the vast majority of whom are working people or full-time parents- as
13 they would have before Proposition 200 passed.

14 Furthermore, Plaintiff Friendly House provides citizenship and civics courses to
15 the community. Since the passage of the voting and voter registration
16 requirements of Proposition 200, Plaintiff Friendly House has diverted staff and
17 time to incorporate the requirements into its curricula, displacing other
18 information in their lesson plans.

19 **11. For each resource identified in Interrogatory 10, identify each and every**
20 **document evidencing such diversion and the amounts thereof, including the**
21 **title, form, content, and location or possessor of the document.**

22 Answer:

23 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory as
24 vague as the Defendants do not define the terms "resource" and "diversion."
25 Without waving any objections, Plaintiff does not possess any documents
26 responsive to this Interrogatory, but reserve the right to supplement their
27 Responses in the event any documents are located.

28 Dated: November 8, 2007

Respectfully submitted,

MEXICAN AMERICAN LEGAL DEFENSE
AND EDUCATIONAL FUND

By: 

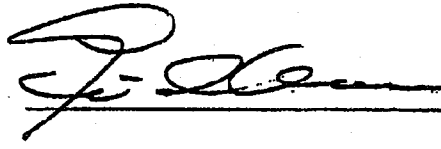
Diego M. Bernal

Attorneys for Plaintiffs
Gonzalez, et al.

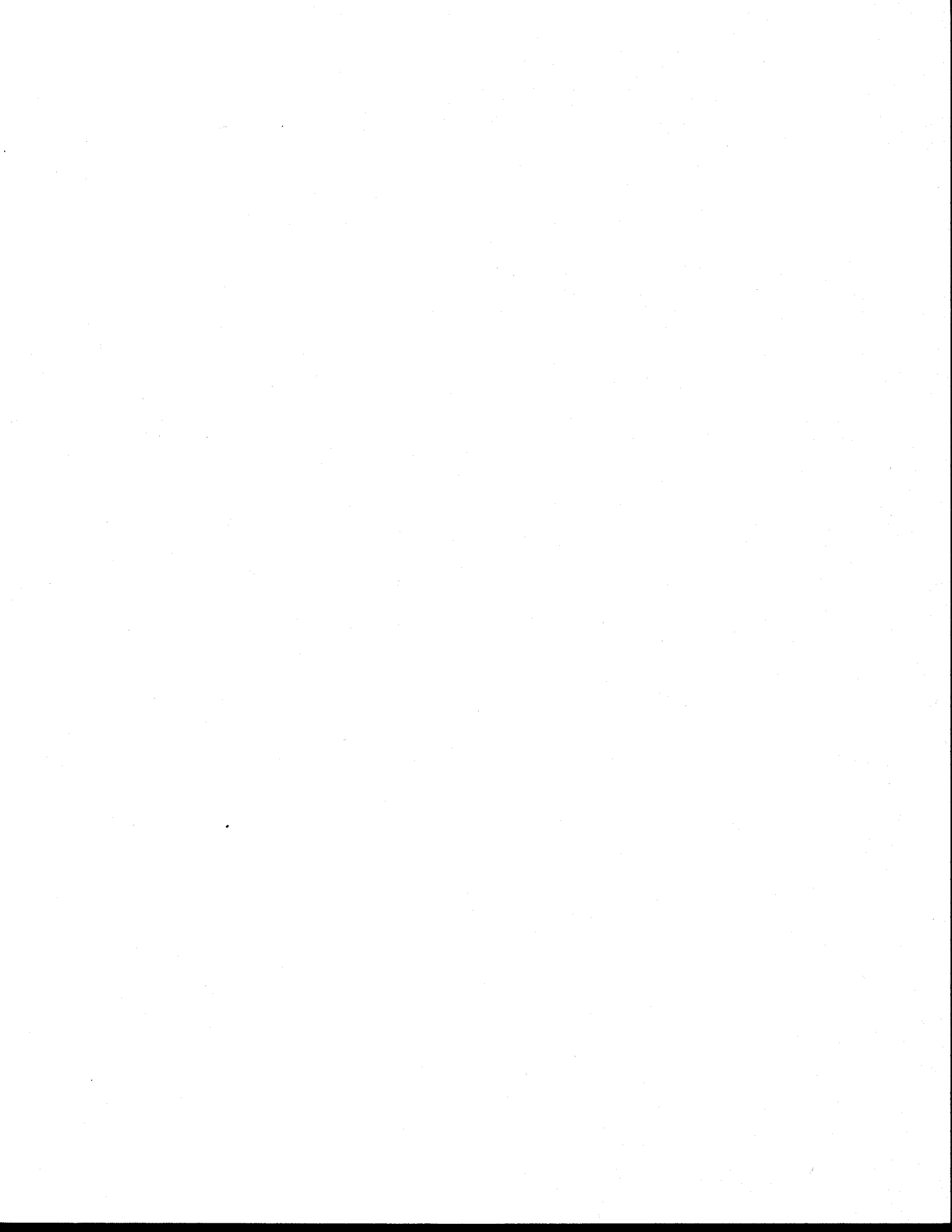
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VERIFICATION OF ANSWERS TO INTERROGATORIES

I, Luis Ibarra, declare, under penalty of perjury under the laws of the United States that the facts stated in the foregoing Interrogatories and Answers are true to the best of my knowledge or belief.



Dated: 11/08/07



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NOV 13 2007

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14 Attorneys for Gonzalez Plaintiffs

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18 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
 19) No. CV-06-1362-PCT-ROS
 20 Plaintiffs,) No. CV-06-1575-PCT-ROS
 21)

22 vs.) **ANSWERS TO DEFENDANTS**
 23) **STATE OF ARIZONA AND THE**
 24 State of Arizona, et al,) **ARIZONA SECRETARY OF**
 25) **STATE'S FIRST SET OF**
 26 Defendants.) **INTERROGATORIES TO**
 27) **PLAINTIFF PROJECT VOTE**
 28)

(Assigned to the
 Honorable Roslyn O. Silver)

1 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
2 the extent that it is confusing, compound and calls for a legal conclusion.
3 Without waiving any objections, Plaintiff Project Vote directs Defendants to
4 pleadings already filed in the case, including Plaintiffs' First Amended
5 Complaint, for a discussion of injury and standing. Moreover, Plaintiff Project
6 Vote engages in voter education and voter registration efforts as part of its
7 organizational mission. As a result of the voter identification requirements of
8 Proposition 200, Project Vote will be forced to divert resources to educate the
9 community about the requirements of Proposition 200 and its organizational
10 goals will be thwarted.

- 11 **2. Identify every injury that you currently are suffering that you contend is
12 caused by the proof of citizenship requirement of Proposition 200 that you
13 contend confers standing upon you to maintain this action.**

14 Answer:

15 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
16 the extent that it is confusing, compound and calls for a legal conclusion.
17 Without waiving any objections, Plaintiff Project Vote directs Defendants to
18 pleadings already filed in the case, including Plaintiffs' First Amended
19 Complaint, for a discussion of injury and standing. Moreover, Plaintiff Project
20 Vote engages in voter education and voter registration efforts as part of its
21 organizational mission. As a result of the proof of citizenship for voter
22 registration requirement of Proposition 200, Project Vote was forced to divert
23 resources to educate the community about the requirements of Proposition 200,
24 modify and scale back its voter registration efforts, and was prevented from fully
25 realizing its organizational goals.

- 26 **3. Identify every member of your organization that you contend would have
27 standing to maintain this action based on the member's inability to comply,
28 or difficulty in complying, with the voting identification requirement of
Proposition 200, including full name, birth date, and address of residence.**

Answer:

N/A

- 4. Identify every member of your organization that you contend would have
standing to maintain this action based on the member's inability to comply,
or difficulty in complying, with the proof of citizenship requirement of
Proposition 200, including full name, birth date, and address of residence.**

Answer:


N/A

1 Dated: November 8, 2007

Respectfully submitted,

2 MEXICAN AMERICAN LEGAL DEFENSE
3 AND EDUCATIONAL FUND

4 By:


5 Diego M. Bernal

6 Attorneys for Plaintiffs
7 Gonzalez, et al.

8 CERTIFICATE OF SERVICE

9 I hereby certify that on the 8th day of November, 2007, I mailed copies of the
10 foregoing document to:

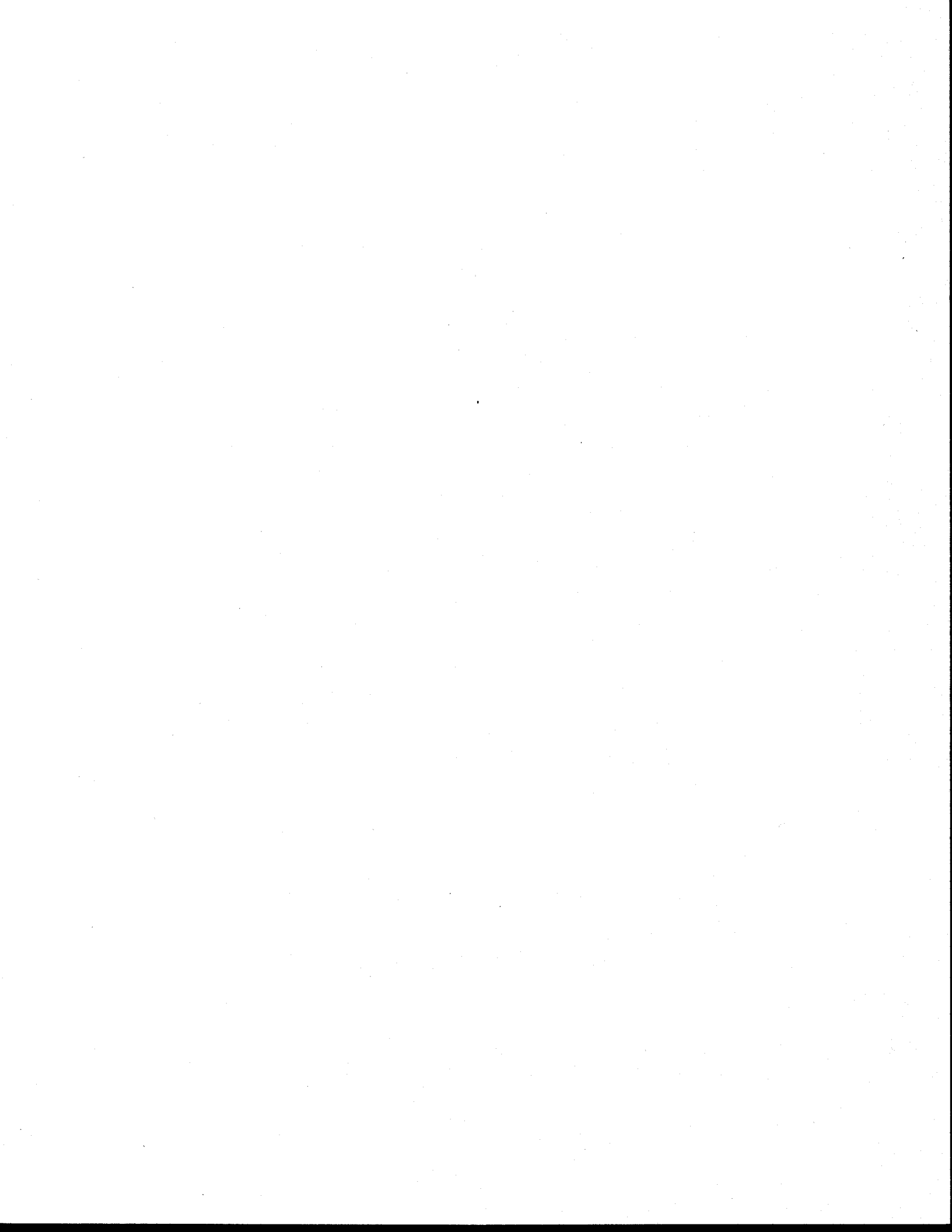
11 Arizona Attorney General
12 Solicitor General's Office
13 Attn: Barbara A. Bailey
14 1275 West Washington Street
Phoenix, AZ 85007-2926

15 M. Colleen Connor
16 MCAO Division of County Counsel
17 222 N. Central Avenue, Ste. 1100
Phoenix, Arizona 85003

18 Dennis I. Wilenchik
19 Kathleen Rapp
20 Wilenchik and Bartness, P.C.
21 The Wilenchik & Bartness Building
2810 North Third Street
Phoenix, Arizona 85004

22 STEPTOE & JOHNSON LLP
23 David J. Bodney
24 Karen J. Hartman-Tellez
25 Collier Center
201 East Washington St., Ste. 1600
26 Phoenix, Arizona 85004-2382

27
28



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NOV 13 2007

SOLICITOR GENERAL'S OFFICE

1 Nina Perales, TX SBN: 24005046
 2 Diego Bernal, TX SBN: 24048350
 3 MEXICAN AMERICAN LEGAL
 4 DEFENSE AND EDUCATIONAL FUND
 5 110 Broadway, Suite 300
 San Antonio, TX 78205
 Ph: (210) 224-5476
 nperales@maldef.org
 dbernal@maldef.org

6 Daniel R. Ortega, Jr., SBN: 005015
 7 ROUSH, MCCracken, GUERRERO,
 8 MILLER & ORTEGA
 9 650 North Third Avenue
 Phoenix, Arizona 85003
 Ph: (602) 253-3554
 danny@rmgmoinjurylaw.com

10 Karl J. Sandstrom
 11 PERKINS COIE, LLP
 12 607 Fourteenth Street, N.W., Suite 800
 13 Washington, D.C. 20005
 Ph:(202) 434-1639
 ksansdstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

15
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IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ARIZONA

Maria M. Gonzalez, et al.,
 Plaintiffs,
 vs.
 State of Arizona, et al,
 Defendants.

) No. CV-06-1268-PHX-ROS(Lead)
) No. CV-06-1362-PCT-ROS
) No. CV-06-1575-PCT-ROS

) **ANSWERS TO DEFENDANTS**
) **STATE OF ARIZONA AND THE**
) **ARIZONA SECRETARY OF**
) **STATE'S FIRST SET OF**
) **INTERROGATORIES TO**
) **SOUTHWEST VOTER**
) **REGISTRATION EDUCATION**
) **PROJECT**

) (Assigned to the
) Honorable Roslyn O. Silver
)

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Answer:

Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to the extent that it is confusing, compound and calls for a legal conclusion. Without waiving any objections, Plaintiff SVREP directs Defendants to pleadings already filed in the case, including Plaintiffs' First Amended Complaint, for a discussion of injury and standing. Moreover, Plaintiff SVREP engages in voter registration, voter education and voter participation activities. The voter identification provisions of Proposition 200 require Plaintiff SVREP to expend resources to educate voters in Arizona on how to successfully cast their ballots.

2. **Identify every injury that you currently are suffering that you contend is caused by the proof of citizenship requirement of Proposition 200 that you contend confers standing upon you to maintain this action.**

Answer:

Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to the extent that it is confusing, compound and calls for a legal conclusion. Without waiving any objections, Plaintiff SVREP directs Defendants to pleadings already filed in the case, including Plaintiffs' First Amended Complaint, for a discussion of injury and standing. Moreover, Plaintiff SVREP engages in voter registration, voter education and voter participation activities. The voting provisions of Proposition 200 require Plaintiff SVREP to expend more resources to educate and register voters in Arizona. As a result, their organizational mission is thwarted and impeded; Plaintiff SVREP is unable to meet its organizational goals for voter registration in Arizona.

3. **Identify every member of your organization that you contend would have standing to maintain this action based on the member's inability to comply, or difficulty in complying, with the voting identification requirement of Proposition 200, including full name, birth date, and address of residence.**

Answer:

N/A

4. **Identify every member of your organization that you contend would have standing to maintain this action based on the member's inability to comply, or difficulty in complying, with the proof of citizenship requirement of Proposition 200, including full name, birth date, and address of residence.**

Answer:

N/A

1 "diverted." Without waiving any objections, once Proposition 200 passed,
2 Plaintiff SVREP expended time and human resources examining the legislation's
3 voting requirements. The organization determined the voting requirements
4 would force it to expend substantially more financial and human resources in
order to register new Latino voters in Arizona.

5 The financial burden to accomplish their organizational goals amount after the
6 new legal requirements will increase substantially.

7 With the new law, SVREP will be forced to spend resources beyond its means to
8 continue the same voter registration and mobilization work conducted in 2004,
2006 or beyond.

- 9 **11. For each resource identified in Interrogatory 10, identify each and every**
10 **document evidencing such diversion and the amounts thereof, including the**
11 **title, form, content, and location or possessor of the document.**

12 Answer:

13 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory as
14 burdensome to the extent Defendants already posses the responsive documents.
15 Plaintiff also objects to the Interrogatory as vague as it does not define the terms
16 "resource" and "diverted." Without waiving any objections, Plaintiff SVREP
responds that the information discussed in Interrogatory 10 is located in their
Arizona Budget, which is located at Plaintiff's National Office, Kelly USA,
Building 1670, 206 Lombard Street- 1st Floor, San Antonio, TX 78226.

17 Dated: November 8, 2007

18 Respectfully submitted,

19 MEXICAN AMERICAN LEGAL DEFENSE
20 AND EDUCATIONAL FUND

21 By: 

22 Diego M. Bernal

23 Attorneys for Plaintiffs
24 Gonzalez, et al.

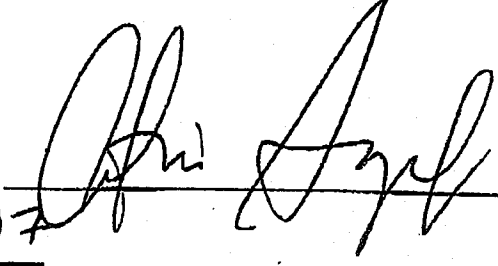
25 CERTIFICATE OF SERVICE

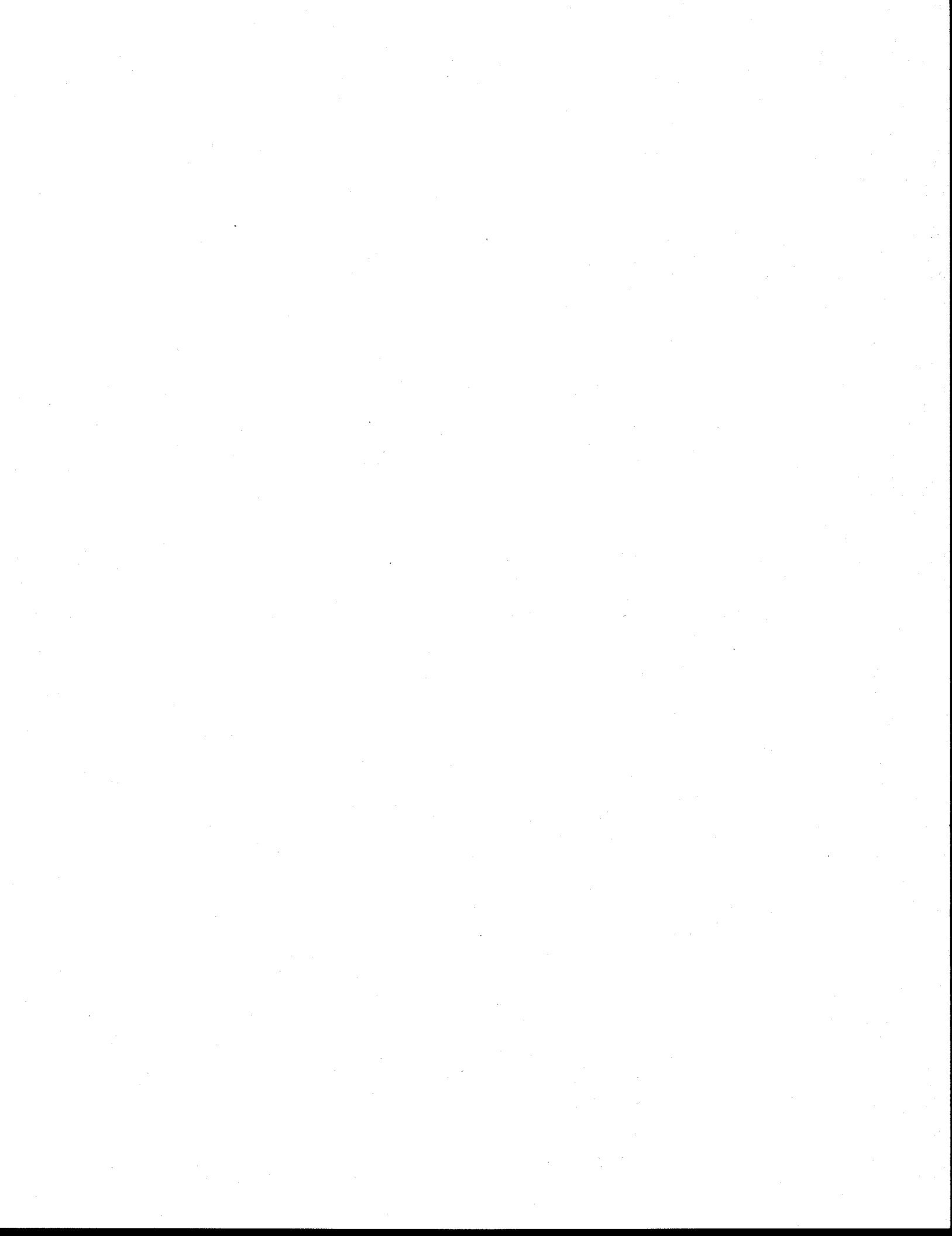
26 I hereby certify that on the 8th day of November, 2007, I mailed copies of the
27 foregoing document to:

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VERIFICATION OF ANSWERS TO INTERROGATORIES

I, Antonio Fausole, declare, under penalty of perjury under the laws of the United States that the facts stated in the foregoing Interrogatories and Answers are true to the best of my knowledge or belief.

Dated: Nov. 5, 2007 



COPY

NOV 13 2007

SOLICITOR GENERAL'S OFFICE

1 Nina Perales, TX SBN: 24005046
 2 Diego Bernal, TX SBN: 24048350
 3 MEXICAN AMERICAN LEGAL
 4 DEFENSE AND EDUCATIONAL FUND
 5 110 Broadway, Suite 300
 San Antonio, TX 78205
 Ph: (210) 224-5476
 nperales@maldef.org
 dbernal@maldef.org

6 Daniel R. Ortega, Jr., SBN: 005015
 7 ROUSH, MCCracken, GUERRERO,
 8 MILLER & ORTEGA
 9 650 North Third Avenue
 Phoenix, Arizona 85003
 Ph: (602) 253-3554
 danny@rmgmoinjurylaw.com

10 Karl J. Sandstrom
 11 PERKINS COIE, LLP
 12 607 Fourteenth Street, N.W., Suite 800
 13 Washington, D.C. 20005
 Ph:(202)434-1639
 ksandsstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

15
 16 IN THE UNITED STATES DISTRICT COURT
 17 FOR THE DISTRICT OF ARIZONA

18	Maria M. Gonzalez, et al.,	)	No. CV-06-1268-PHX-ROS(Lead)
19		)	No. CV-06-1362-PCT-ROS
20	Plaintiffs,	)	No. CV-06-1575-PCT-ROS
21	vs.	)	<u>ANSWERS TO DEFENDANTS</u>
22	State of Arizona, et al,	)	<u>STATE OF ARIZONA AND THE</u>
23		)	<u>ARIZONA SECRETARY OF</u>
24	Defendants.	)	<u>STATE'S FIRST SET OF</u>
25		)	<u>INTERROGATORIES TO</u>
26		)	<u>PLAINTIFF VALLE DEL SOL</u>
27		)	(Assigned to the
28		)	Honorable Roslyn O. Silver)

1 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
2 the extent that it is confusing, compound and calls for a legal conclusion.
3 Without waiving any objections, Plaintiff Valle del Sol directs Defendants to
4 pleadings already filed in the case, including Plaintiffs' First Amended
5 Complaint, for a discussion of injury and standing. Moreover, Plaintiff Valle del
6 Sol engages in voter education efforts as part of its organizational mission. As a
7 result of the voter identification requirements of Proposition 200, Valle del Sol
8 was forced to divert resources to educate the community about these
9 requirements and was thwarted from fully realizing its organizational goals.

- 10 **2. Identify every injury that you currently are suffering that you contend is
11 caused by the proof of citizenship requirement of Proposition 200 that you
12 contend confers standing upon you to maintain this action.**

13 Answer:

14 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to
15 the extent that it is confusing, compound and calls for a legal conclusion.
16 Without waiving any objections, Plaintiff Valle del Sol directs Defendants to
17 pleadings already filed in the case, including Plaintiffs' First Amended
18 Complaint, for a discussion of injury and standing. Moreover, Plaintiff Valle del
19 Sol engages in voter registration efforts as part of its organizational mission. As
20 a result of the proof of citizenship requirements of Proposition 200, Valle del Sol
21 was forced to divert resources to educate the community about these
22 requirements, significantly modify its voter registration efforts, and was impeded
23 from fully realizing its organizational goals.

- 24 **3. Identify every member of your organization that you contend would have
25 standing to maintain this action based on the member's inability to comply,
26 or difficulty in complying, with the voting identification requirement of
27 Proposition 200, including full name, birth date, and address of residence.**

28 Answer:

N/A

- 4. Identify every member of your organization that you contend would have
standing to maintain this action based on the member's inability to comply,
or difficulty in complying, with the proof of citizenship requirement of
Proposition 200, including full name, birth date, and address of residence.**

Answer:

N/A

- 5. For each person identified in response to Interrogatory 4, state whether such
person currently is registered to vote in Arizona.**

1 11. For each resource identified in Interrogatory 10, identify each and every
2 document evidencing such diversion and the amounts thereof, including the
3 title, form, content, and location or possessor of the document.

4 Answer:

5 Notwithstanding the General Objections, Plaintiff objects to the Interrogatory as
6 burdensome to the extent Defendants already posses the responsive documents.
7 Plaintiff also objects to the Interrogatory as vague as it does not define the terms
8 "resource" and "diverted." Without waiving any objections, Plaintiff Valle del
9 Sol directs Defendants to the following documents:

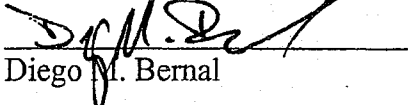
- 10 ■ Educational flier on Proposition 200 voter and voter registration
11 requirements
- 12 ■ Voter Outreach Plan
- 13 ■ Voter Outreach Report
- 14 ■ Institute Curriculum

15 Plaintiff Valle del Sol is in possession of these documents. They are stored in
16 Plaintiff's Phoenix, AZ office located at 4117 North 17th Street, Phoenix, AZ
17 85016.

18 Dated: November 8, 2007

19 Respectfully submitted,

20 MEXICAN AMERICAN LEGAL DEFENSE
21 AND EDUCATIONAL FUND

22 By: 
23 Diego M. Bernal

24 Attorneys for Plaintiffs
25 Gonzalez, et al.

26 CERTIFICATE OF SERVICE

27 I hereby certify that on the 8th day of November, 2007, I mailed copies of the
28 foregoing document to:

Arizona Attorney General
Solicitor General's Office
Attn: Barbara A. Bailey
1275 West Washington Street
Phoenix, AZ 85007-2926

VERIFICATION OF ANSWERS TO INTERROGATORIES

I, Luz Samina declare, under penalty of perjury under the laws of the United States that the facts stated in the foregoing Interrogatories and Answers are true to the best of my knowledge or belief.

Dated: 11/8/07 Luz Samina

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TAB 10

1 Nina Perales, TX SBN: 24005046
2 Diego Bernal, TX SBN: 24048350
3 MEXICAN AMERICAN LEGAL
4 DEFENSE AND EDUCATIONAL FUND
5 110 Broadway, Suite 300
6 San Antonio, TX 78205
7 Ph: (210) 224-5476
8 nperales@maldef.org
9 dbernal@maldef.org

6 Daniel R. Ortega, Jr., SBN: 005015
7 ROUSH, MCCrackEN, GUERRERO,
8 MILLER & ORTEGA
9 650 North Third Avenue
10 Phoenix, Arizona 85003
11 Ph: (602) 253-3554
12 danny@rmgmoinjurylaw.com

10 Karl J. Sandstrom
11 PERKINS COIE, LLP
12 607 Fourteenth Street, N.W., Suite 800
13 Washington, D.C. 20005
14 Ph:(202)434-1639
15 ksansdstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE DISTRICT OF ARIZONA

18 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
19) No. CV-06-1362-PCT-ROS
20 Plaintiffs,) No. CV-06-1575-PCT-ROS
21)

21 vs.) **ANSWERS TO DEFENDANTS**
22) **STATE OF ARIZONA AND THE**
23 State of Arizona, et al,) **ARIZONA SECRETARY OF**
24) **STATE'S FIRST SET OF**
25 Defendants.) **INTERROGATORIES TO**
26) **PLAINTIFF MARIA M.**
27) **GONZALEZ**

25) (Assigned to the
26) Honorable Roslyn O. Silver
27)
28)

1 Comes now, Plaintiff Maria M. Gonzalez and submits her Responses to
2 Defendant's First Set of Interrogatories.

3
4 **GENERAL OBJECTIONS**

5 The following General Objections are applicable to and incorporated into each
6 Interrogatory response:

- 7 1. Plaintiff objects to each Interrogatory to the extent that it calls for trial
8 preparation material or work product, or for information protected by the
9 attorney-client privilege, co-party privilege; Constitutional, statutory, or
10 common-law privacy rights, or any other recognized privilege or immunity from
11 disclosure.
12 2. Plaintiff objects to each Interrogatory served by Defendant in this action to the
13 extent that it is extensively broad, burdensome, oppressive, vague or generally
14 unspecific as to what a full and complete answer is.
15 3. Plaintiff objects to the Definitions and Instructions to the extent they may
16 purport to impose any obligation greater than that allowed by the Federal Rules
17 of Civil Procedure.
18 4. Plaintiff asserts these objections without waiving or intending to waive any
19 objections as to competence, relevance, materiality or privilege.
20 5. Plaintiff has not completed investigation or discovery regarding this matter.
21 Plaintiff reserves the right to supplement these responses with subsequently
22 obtained or discovered information.

23 Subject to and without waiving the foregoing objections, and incorporating them
24 by reference into each of the responses provided below, Plaintiff responds to
25 Defendant's First Set of Interrogatories as follow.

26 **INTERROGATORIES**

- 27 1. Identify every address at which you have resided from the time Proposition
28 200 was passed by voters in 2004 to the present, indicating the dates on
which you resided at each such address.

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Answer:
Plaintiff Maria M. Gonzalez has resided at 727 Huron Court, Somerton, AZ 86350 from the time Proposition 200 was passed by voters in 2004 to the present.

2. **Identify every injury that you have suffered or currently are suffering that you contend is caused by the proof of citizenship requirement of Proposition 200 that you contend confers standing upon you to maintain this action.**

Answer:
Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to the extent that it is confusing, compound, and calls for a legal conclusion. Without waiving any objections, Plaintiff Maria Gonzalez directs Defendants to pleadings already filed in the case, including Plaintiffs' First Amended Complaint, for a discussion of injury and standing. Moreover, Plaintiff Maria Gonzalez is a U.S. citizen and is qualified to register to vote, but her voter registration application was denied by the Yuma County Recorder for failure to fulfill the documentary proof of citizenship requirements of Proposition 200.

3. **State whether you are currently registered to vote in Arizona.**

Answer:
Plaintiff Maria Gonzalez is currently registered to vote in Arizona.

4. **State whether you currently possess proof of citizenship sufficient to satisfy the proof of citizenship requirement in Proposition 200.**

Answer:
Plaintiff Maria Gonzalez possesses the proof of citizenship necessary to satisfy the proof of citizenship requirement in Proposition 200.

5. **If you do not possess such proof of citizenship, describe what you would have to do to obtain each proof of citizenship document that would satisfy the proof of citizenship requirement in Proposition 200.**

Answer:
N/A

6. **What was your income from all sources for the years 2005, 2006, and 2007?**

Answer:
Notwithstanding the General Objections, Plaintiff also objects to this Interrogatory as unnecessary, unduly burdensome and harassing. Without waiving any objections, for the years 2005, 2006 and 2007 Plaintiff Maria Gonzalez had no personal income.

1 7. What was your spouse's income for the years 2005, 2006, and 2007?

2 Answer:

3 Notwithstanding the General Objections, Plaintiff also objects to this
4 Interrogatory as unnecessary, unduly burdensome and harassing. Without
5 waiving any objections, Plaintiff Maria Gonzalez's spouse, Plaintiff Jesus M.
6 Gonzalez, earned an annual income of approximately \$26,000 for the years 2005,
7 2006 and 2007.

8 8. Identify each and every occasion on which you have registered to vote or
9 attempted to register to vote and in which county.

10 Answer:

11 Notwithstanding the General Objections, Plaintiff also objects to this
12 Interrogatory as unnecessary, unduly burdensome and harassing. Defendants
13 possess all the records and documentation necessary to fully respond to and
14 satisfy this Interrogatory. Without waiving any objections, Plaintiff Maria
15 Gonzalez's best recollection is that in 2005 she attempted to register to vote in
16 Yuma County, AZ , and in 2006 registered to vote in Yuma County, AZ.

17 Dated: November 8, 2007

18 Respectfully submitted,

19 MEXICAN AMERICAN LEGAL DEFENSE
20 AND EDUCATIONAL FUND

21 By:

22 
23 Diego M. Bernal

24 Attorneys for Plaintiffs
25 Gonzalez, et al.

26 CERTIFICATE OF SERVICE

27 I hereby certify that on the 8th day of November, 2007, I mailed copies of the
28 foregoing document to:

Arizona Attorney General
Solicitor General's Office
Attn: Barbara A. Bailey
1275 West Washington Street
Phoenix, AZ 85007-2926

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

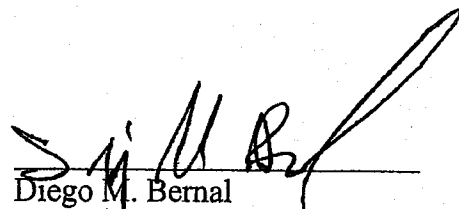
4 Dennis I. Wilenchik
5 Kathleen Rapp
6 Wilenchik and Bartness, P.C.
7 The Wilenchik & Bartness Building
8 2810 North Third Street
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10 Karen J. Hartman-Tellez
11 Collier Center
12 201 East Washington St., Ste. 1600
13 Phoenix, Arizona 85004-2382

13 OSBORN MALEDON, P.A.
14 David B. Rosenbaum
15 Thomas L. Hudson
16 Sara S. Greene
17 2929 North Central Ave., 21st Floor
18 Phoenix, Arizona 85012-2793

17 SACKS TIERNEY P.A.
18 Marvin S. Cohen
19 Judith M. Dworkin
20 Patricia Furgeson-Bohnee
21 4250 N. Drinkwater Blvd., 4TH Floor
22 Scottsdale, AZ 85251-3693

23 By:



Diego M. Bernal
Counsel for Plaintiffs, Gonzalez, et al.

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Verification of Answers to Interrogatories

I, Maria M. Gonzalez, declare, under penalty of perjury under the laws of the United States that the foregoing Interrogatories and Answers have been read to me in my native language and the facts stated therein are true to the best of my knowledge or belief.

Maria Magdalena Gonzalez
Maria M. Gonzalez

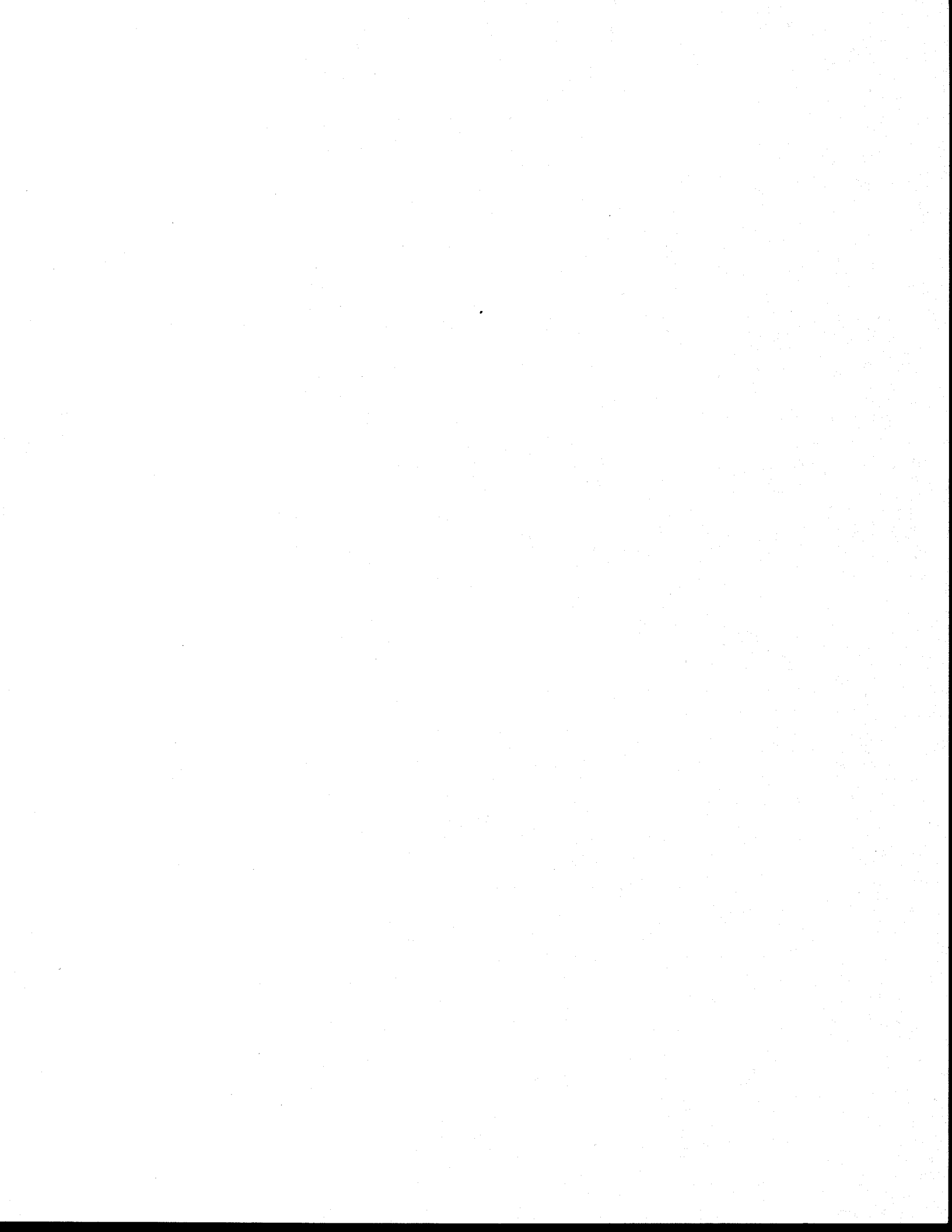
Dated: 11-07-07

Translator's Certificate

I declare, under penalty of perjury under the laws of the United States, that I have translated the interrogatories and responses to Maria M. Gonzalez and that the foregoing translations are a complete and accurate reflections of her responses.

Carmen M. Leija
Carmen M. Leija

Dated: 11-07-07



1 Nina Perales, TX SBN: 24005046
Diego Bernal, TX SBN: 24048350
2 MEXICAN AMERICAN LEGAL
DEFENSE AND EDUCATIONAL FUND
3 110 Broadway, Suite 300
San Antonio, TX 78205
4 Ph: (210) 224-5476
nperales@maldef.org
5 dbernal@maldef.org

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7 MILLER & ORTEGA
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10 Karl J. Sandstrom
PERKINS COIE, LLP
11 607 Fourteenth Street, N.W., Suite 800
Washington, D.C. 20005
12 Ph:(202)434-1639
13 ksansdstrom@perkinscoie.com

14 Attorneys for Gonzalez Plaintiffs

15
16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE DISTRICT OF ARIZONA

18 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
19) No. CV-06-1362-PCT-ROS
Plaintiffs,) No. CV-06-1575-PCT-ROS

20)
21 vs.) **ANSWERS TO DEFENDANTS**
22) **STATE OF ARIZONA AND THE**
State of Arizona, et al,) **ARIZONA SECRETARY OF**
23) **STATE'S FIRST SET OF**
Defendants.) **INTERROGATORIES TO**
24) **PLAINTIFF JESUS M.**
25) **GONZALEZ**

26) (Assigned to the
27) Honorable Roslyn O. Silver)
28)

1 Comes now, Plaintiff Jesus M. Gonzalez and submits his Responses to
2 Defendant's First Set of Interrogatories.

3
4 **GENERAL OBJECTIONS**

5 The following General Objections are applicable to and incorporated into each
6 Interrogatory response:

- 7 1. Plaintiff objects to each Interrogatory to the extent that it calls for trial
8 preparation material or work product, or for information protected by the
9 attorney-client privilege, co-party privilege; Constitutional, statutory, or
10 common-law privacy rights, or any other recognized privilege or immunity from
11 disclosure.
- 12 2. Plaintiff objects to each Interrogatory served by Defendant in this action to the
13 extent that it is extensively broad, burdensome, oppressive, vague or generally
14 unspecific as to what a full and complete answer is.
- 15 3. Plaintiff objects to the Definitions and Instructions to the extent they may
16 purport to impose any obligation greater than that allowed by the Federal Rules
17 of Civil Procedure.
- 18 4. Plaintiff asserts these objections without waiving or intending to waive any
19 objections as to competence, relevance, materiality or privilege.
- 20 5. Plaintiff has not completed investigation or discovery regarding this matter.
21 Plaintiff reserves the right to supplement these responses with subsequently
22 obtained or discovered information.

23 Subject to and without waiving the foregoing objections, and incorporating them
24 by reference into each of the responses provided below, Plaintiff responds to
25 Defendant's First Set of Interrogatories as follow.

26 **INTERROGATORIES**

- 27 1. Identify every address at which you have resided from the time Proposition
28 200 was passed by voters in 2004 to the present, indicating the dates on
which you resided at each such address.

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Answer:

Plaintiff Jesus M. Gonzalez has resided at 727 Huron Court, Somerton, AZ 86350 from the time Proposition 200 was passed by voters in 2004 to the present.

- 2. Identify every injury that you have suffered or currently are suffering that you contend is caused by the proof of citizenship requirement of Proposition 200 that you contend confers standing upon you to maintain this action.**

Answer:

Notwithstanding the General Objections, Plaintiff objects to the Interrogatory to the extent that it is confusing, compound, and calls for a legal conclusion. Without waiving any objections, Plaintiff Jesus M. Gonzalez directs Defendants to pleadings already filed in the case, including Plaintiffs' First Amended Complaint, for a discussion of injury and standing. Moreover, Plaintiff Jesus M. Gonzalez is a U.S. citizen and is qualified to register to vote, but his voter registration application was denied by the Yuma County Recorder for failure to fulfill the documentary proof of citizenship requirements of Proposition 200.

- 3. State whether you are currently registered to vote in Arizona.**

Answer:

Plaintiff Jesus M. Gonzalez is not a registered voter.

- 4. State whether you currently possess proof of citizenship sufficient to satisfy the proof of citizenship requirement in Proposition 200.**

Answer:

Plaintiff Jesus M. Gonzalez possesses the proof of citizenship necessary to satisfy the proof of citizenship requirement in Proposition 200.

- 5. If you do not possess such proof of citizenship, describe what you would have to do to obtain each proof of citizenship document that would satisfy the proof of citizenship requirement in Proposition 200.**

Answer:

N/A

- 6. What was your income from all sources for the years 2005, 2006, and 2007?**

Answer:

Notwithstanding the General Objections, Plaintiff also objects to this Interrogatory as unnecessary, unduly burdensome and harassing. Without waiving any objections, for the years 2005 and 2006 Plaintiff Jesus M.

1 Gonzalez's annual income was approximately \$26,000. He expects to earn
2 approximately \$26,000 by the end of 2007.

3 7. What was your spouse's income for the years 2005, 2006, and 2007?

4 Answer:

5 Notwithstanding the General Objections, Plaintiff also objects to this
6 Interrogatory as unnecessary, unduly burdensome and harassing. Without
7 waiving any objections, Plaintiff Jesus M. Gonzalez's spouse, Plaintiff Maria
8 Gonzalez, had no personal income for the years 2005, 2006 and 2007.

8 8. Identify each and every occasion on which you have registered to vote or
9 attempted to register to vote and in which county.

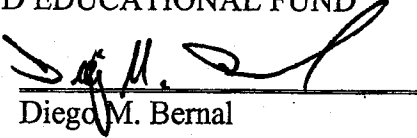
10 Answer:

11 Notwithstanding the General Objections, Plaintiff also objects to this
12 Interrogatory as unnecessary, unduly burdensome and harassing. Defendants
13 possess all the records and documentation necessary to fully respond to and
14 satisfy this Interrogatory. Without waiving any objections, Plaintiff Jesus M.
15 Gonzalez's best recollection is that in both 2005 and 2006 he attempted to
16 register to vote in Yuma County, AZ.

15 Dated: November 8, 2007

Respectfully submitted,

17 MEXICAN AMERICAN LEGAL DEFENSE
18 AND EDUCATIONAL FUND

19 By: 
Diego M. Bernal

20 Attorneys for Plaintiffs
21 Gonzalez, et al.

22 CERTIFICATE OF SERVICE

23 I hereby certify that on the 8th day of November, 2007, I mailed copies of the
24 foregoing document to:

25 Arizona Attorney General
26 Solicitor General's Office
27 Attn: Barbara A. Bailey
28 1275 West Washington Street
Phoenix, AZ 85007-2926

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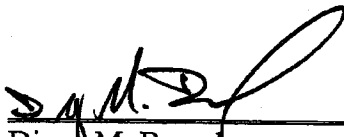
M. Colleen Connor
MCAO Division of County Counsel
222 N. Central Avenue, Ste. 1100
Phoenix, Arizona 85003

Dennis I. Wilenchik
Kathleen Rapp
Wilenchik and Bartness, P.C.
The Wilenchik & Bartness Building
2810 North Third Street
Phoenix, Arizona 85004

STEPTOE & JOHNSON LLP
David J. Bodney
Karen J. Hartman-Tellez
Collier Center
201 East Washington St., Ste. 1600
Phoenix, Arizona 85004-2382

OSBORN MALEDON, P.A.
David B. Rosenbaum
Thomas L. Hudson
Sara S. Greene
2929 North Central Ave., 21st Floor
Phoenix, Arizona 85012-2793

SACKS TIERNEY P.A.
Marvin S. Cohen
Judith M. Dworkin
Patricia Furgeson-Bohnee
4250 N. Drinkwater Blvd., 4TH Floor
Scottsdale, AZ 85251-3693

By: 
Diego M. Bernal
Counsel for Plaintiffs, Gonzalez, et al.

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Verification of Answers to Interrogatories

I, Jesus M. Gonzalez, declare, under penalty of perjury under the laws of the United States that the foregoing Interrogatories and Answers have been read to me in my native language and the facts stated therein are true to the best of my knowledge or belief.

Jesus M. Gonzalez
Jesus M. Gonzalez

Dated: 11-07-07

Translator's Certificate

I declare, under penalty of perjury under the laws of the United States, that I have translated the interrogatories and responses to Jesus M. Gonzalez and that the foregoing translations are a complete and accurate reflections of his responses.

Carmen M. Leija
Carmen M. Leija

Dated: 11-07-07

TAB 11

Proof of Citizenship Requirement

Arizona voters approved Proposition 200 at the November 2, 2004 general election. The Proposition requires that voters prove United States citizenship prior to registering to vote. The County Recorder must reject any registration that is not accompanied by satisfactory evidence of United States citizenship.

Satisfactory evidence of citizenship is specified in A.R.S. § 16-166(F) and includes the applicant's driver license number or nonoperating identification license number issued after October 1, 1996 by the department of transportation or the equivalent governmental agency of another state within the United States, if the agency indicates on the applicant's license that the person has provided satisfactory proof of United States citizenship.

[Ariz. Atty. Gen. Op. No. 105-001]

The other "satisfactory evidence" of citizenship specified in A.R.S. § 16-166(F) includes:

- a copy of a birth certificate. Supporting legal documentation shall be provided if the name on the birth certificate is not the same as registrant's current name (i.e. marriage certificate, court documented name change).

The counties shall also accept a United States birth certificate as proof of citizenship where the name on the birth certificate is different from the voter registration if the following five fields match on both the voter registration form and the birth certificate:

- 1) First Name,
 - 2) Middle Name,
 - 3) Place of Birth,
 - 4) Date of Birth, and
 - 5) Parents' Name.
- in the event a United States citizen is born abroad in a non-military installation, they should have registered with the Department of State and obtained a "Certificate of Birth Abroad." This document counts as a birth certificate.
 - pertinent pages of a United States passport identifying the registrant
 - United States naturalization documents or the number of the certificate of naturalization (Alien Registration Number).
 - a driver license or nonoperating license from another state within the United States if the license indicates that the applicant has provided satisfactory proof of citizenship
 - the registrant's Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, Tribal Enrollment Number, or Census Number

TAB 12

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Maria M. Gonzalez, et al.,)

Plaintiffs,)

vs.)

State of Arizona, et al.,)

Defendants.)

COPY

CV 06-1268 PHX-ROS
(lead)

CV 06-1362 PHX-ROS
CV 06-1575-PHX-ROS

DEPOSITION OF RONALD ANTHONY SISSONS

Phoenix, Arizona
August 11, 2006
10:08 a.m.

(Original)

Prepared by:
JoAnn Klemm, RPR
Certified Reporter #50022

KLEMM REPORTING SERVICES
23425 North 39th Drive, Suite 104-182
Glendale, Arizona 85310
(623) 581-8503

Klemm Reporting Services
623-581-8503

1 Phoenix, Arizona
2 August 11, 2006
3 10:08 a.m.

4 RONALD ANTHONY SISSONS,
5 a witness herein, having been first duly sworn by the
6 Certified Reporter to speak the truth and nothing but the
7 truth, was examined and testified as follows:

8
9 EXAMINATION

10 BY MS. STEWART:

11 Q Can you state your full name for the record,
12 please?

13 A Yes, my full name is Ronald Anthony Sissons,
14 and that's spelled S-i-s-s-o-n-s.

10:08 15 Q Thank you. May I call you Mr. Sissons?

16 A Or Tony.

17 Q Or Tony. I introduced myself before we got
18 started. My name is Cathy Stewart. I'm Assistant
19 Attorney General representing the Secretary of State in
10:08 20 matters that have been consolidated in District Court
21 concerning claims regarding the implementation of
22 Proposition 200.

23 You are familiar with that litigation, I
24 assume?

10:08 25 A Yes.

1 actual number of registered voters --

2 MS. HARTMAN: Objection; form.

3 Q BY MS. STEWART: -- without a license or
4 operator ID?

12:48 5 A I'm tripping on "intent" there. I was given
6 instructions that the figure from Mr. Richards' report
7 was the figure to use in terms of the number of people
8 who were registered to vote but didn't have a driver's
9 license.

12:49 10 Q But you understood -- and I'm sure I just
11 heard you concede that you recognize that that is not
12 what they were able to produce given the limitations on
13 matching two databases?

14 A I understand that.

12:49 15 Q So to the extent that you used a 12.6 figure
16 stated as the number of registered voters -- I'm
17 sorry -- what did you use that 12.6 percent figure for?

18 A That of the calculated number of voting age
19 citizens eligible to register today, about 12.6 percent
12:50 20 lack a driver's license or nonoperator identification
21 card.

22 Q And you're citing that as, I guess, a
23 scientifically based conclusion based on the
24 information in --

12:50 25 A I would not characterize it as a

