

Kathleen E. Rapp

From: Nina Perales [nperales@MALDEF.org]
Sent: Monday, June 16, 2008 6:11 PM
To: Kathleen E. Rapp; Carrie Brennan; Bob Kengle; Sara Greene; KHartman@steptoe.com
Cc: Barbara Bailey; Steven Lamar; Nicole.weber@co.pinal.az.us; connorc@mcao.maricopa.gov; Dennis Wilenchik
Subject: RE: RE JOINT_PROPOSED_PRETRIAL_ORDER'

We are not withdrawing the exhibits but will not argue that you can't raise the issue with the Court, even if the motion in limine deadline has passed.

Nina Perales

Southwest Regional Counsel

MALDEF

110 Broadway Suite 300

San Antonio, TX 78205

(210) 224-5476 ph

(210) 224-5382 fax

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-----Original Message-----

From: Kathleen E. Rapp [mailto:KathleenR@wb-law.com]
Sent: Monday, June 16, 2008 8:09 PM
To: Nina Perales; Carrie Brennan; Bob Kengle; Sara Greene; KHartman@steptoe.com
Cc: Barbara Bailey; Steven Lamar; Nicole.weber@co.pinal.az.us; connorc@mcao.maricopa.gov; Dennis Wilenchik
Subject: RE: RE JOINT_PROPOSED_PRETRIAL_ORDER'

Nina,

We object to the addition of additional Exhibits at this late hour, especially considering our Motions in Limine were due today. Please withdraw these late exhibits immediately.

Thanks!
Katie

Very truly yours,

Kathleen E. Rapp, Esq.
Wilenchik & Bartness, P.C.
Attorneys at Law
The Wilenchik & Bartness Bldg.
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Phoenix, Arizona 85004
Tel: (602) 606-2810; Fax: (602) 606-2811
E-Mail: kathleenr@wb-law.com

-----Original Message-----

From: Nina Perales [mailto:nperales@MALDEF.org]
Sent: Monday, June 16, 2008 5:48 PM
To: Carrie Brennan; Bob Kengle; Sara Greene; KHartman@steptoe.com
Cc: Barbara Bailey; Steven Lamar; Nicole.weber@co.pinal.az.us; connorc@mcao.maricopa.gov; Kathleen E. Rapp
Subject: RE JOINT_PROPOSED_PRETRIAL_ORDER'

Pls find attached our exhibit list, which is the same list served on you June 13 with the addition of two additional documents at the end.

Nina Perales

Southwest Regional Counsel

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-----Original Message-----

From: Carrie Brennan [mailto:Carrie.Brennan@azag.gov]
Sent: Monday, June 16, 2008 7:34 PM
To: Bob Kengle; Nina Perales; Sara Greene; KHartman@steptoe.com
Cc: Barbara Bailey; Steven Lamar; Nicole.weber@co.pinal.az.us; connorc@mcao.maricopa.gov; KathleenR@wb-law.com
Subject: RE: Please review
'PHX-#226419-v1-GONZALEZ_JOINT_PROPOSED_PRETRIAL_ORDER'

Once again, this was a change made by Colleen, so I would defer to her. Given the late hour, on any change that you cannot agree to, please put the whole statement into the disputed facts. In addition, we cannot at this late hour go through 237 pages of your proposed stipulated facts, sent to us at 4:35 p.m. Therefore, any of those facts you wish to include, please list in plaintiffs' disputed facts. We have sent you our portions, as well as a separate e-mailed document with our comparatively short list of proposed stipulated facts--as I mentioned before, any of our proposed stipulated facts you agree to, please put them in the stipulated portion. Any of those you do not agree to, please paste them into Defendants' disputed facts section.

Thanks

>>> "Nina Perales" <nperales@MALDEF.org> 6/16/2008 5:23 PM >>>

Carrie, we have no information that would allow us to stipulate to the text you added to this paragraph. Can you agree to the paragraph as written and we can add your text as a disputed fact?

10. During the November 7, 2006 general election, the County Defendants were ordered to "track the number of prospective voters that do not have appropriate identification and

choose to leave the polling location rather than cast a conditional provisional ballot." [Doc. 241] At least 2,422 voters exited polling places without casting any type of ballot at all after being asked to present Polling ID. Ex. 77-78. There was no way to track the number of those individuals who later returned to the polling location with identification.

Nina Perales

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From: Carrie Brennan [mailto:Carrie.Brennan@azag.gov]
Sent: Monday, June 16, 2008 6:55 PM
To: Bob Kengle; Nina Perales; Sara Greene; KHartman@steptoe.com
Cc: Barbara Bailey; Steven Lamar; Nicole.weber@co.pinal.az.us; connorc@mcao.maricopa.gov; KathleenR@wb-law.com
Subject: Please review
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Please find attached Defendants' portions of the joint proposed pretrial order.

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