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

14 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
15) No. CV-06-1362-PCT-JAT(Cons.)
Plaintiffs,) No. CV-06-1575-PHX-EHC(Cons.)
16)
vs.) GONZALEZ PLAINTIFFS'
17) MOTION TO ADMIT EXHIBITS
State of Arizona, et al,) INTO EVIDENCE
18)
Defendants.) (Assigned to the
19) Honorable Roslyn O. Silver)
20)

21 NOW COME Gonzalez Plaintiffs and file this Motion to Admit Exhibits into
22 Evidence. In support of their Motion, Gonzalez Plaintiffs show the following:

1 On July 9, 2008, the Court denied in part Defendants' Motion to Strike Gonzalez
2 Plaintiffs' Factual Submissions in Response to Motion for Summary Judgment. *See* Dkt.
3 Entry No. 938. The Court overruled Defendants' Motion on the following trial
4 exhibits:¹
5 24-29, 37-39, 42, 43, 45, 53, 54, 56, 60, 63, 65, 70, 71, 91, 95, 96, 100, 101, 108, 114,
6 117, 131, 133, 177, 191-193, 203, 204, 210, 214-216, 218, 219, 221, 223, 225, 236, 241,
7 243, 245-247, 249, 252, 257-258, 263-266, 270, 271, 274, 276, 280-284, 292, 294, 311,
8 316, 322, 335, 337, 395, 404, 405, 410, 413, 417, 436, 445-447, 472, 500, 502, 511, 515,
9 518, 528-530, 562, 582, 584-586, 588, 597, 607, 610, 611, 620, 630, 631, 632, 635, 646,
10 647, 670, 671, 700-702, 705, 713, 715, 718, 720, 960, 961

11 Because the Court only rules on admissible evidence in considering a Motion for
12 Summary Judgment, the objections that the Court overruled in its Order relate to
13 admissible trial exhibits and Gonzalez Plaintiffs therefore respectfully request that the
14 Court admit these trial exhibits into evidence. FED. R. CIV. P. 56(e); *Hollingsworth*
15 *Sorderless Terminal Co. v. Turley*, 622 F.2d 1324, 1335 n.9 (9th Cir. 1980) (citations
16 omitted).

17 In addition to the trial exhibits listed above, Defendants did not object to the
18 following exhibits in their Motion to Strike. *See* Dkt. Entry No. 851. Gonzalez
19 Plaintiffs therefore respectfully request that they be admitted into evidence:
20 4, 8, 10, 17, 20, 21, 23, 102, 107, 115, 116, 118, 123, 138, 147, 152, 189, 190, 194, 220,

21 1 The numbering for Gonzalez Plaintiffs' Response to Motion for Summary Judgment differs
22 from the numbering on their Trial Exhibit List. Gonzalez Plaintiffs have converted the
Summary Judgment exhibit numbers to trial exhibit numbers for the Court's reference.

1 291, 304, 305, 309, 312, 317, 319, 333, 338, 339, 344, 350, 357, 358, 359, 360-364, 367,
2 368, 374, 376, 378, 380-384, 484, 521, 526, 575, 576, 580, 581, 590-594, 634, 661-663,
3 665, 667, 668, 672, 674, 675-678, 690-692, 695, 706, 708, 711, 719, 722

3 Gonzalez Plaintiffs have attached a table as Exhibit 1 to this Motion, which is
4 based on the Court's table in Dkt. Entry No. 938, showing the conversion of Gonzalez
5 Plaintiffs' summary judgment to trial exhibit numbers.

6 For the above reasons, Gonzalez Plaintiffs respectfully urge the Court to admit
7 the above listed trial exhibits into evidence.

8

9 **RESPECTFULLY SUBMITTED** this 14th day of July, 2008

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By: s/Nina Perales
Nina Perales

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Counsel for Plaintiffs
Gonzalez, et al.

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14

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By: s/ Nina Perales for
Mary O'Grady
Solicitor Attorney General
Steven La Mar

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of July, 2008, I caused the foregoing document to be electronically transmitted to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to CM/ECF registrants.

COPY of the foregoing filed electronically this 14th day of July, 2008.

COPY of the foregoing mailed with Notice of Electronic Filing this 14th day of July, 2008 to:

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

s/Nina Perales
Nina Perales

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