

Exhibit A

**Connor Colleen**

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**From:** Nina Perales [nperales@MALDEF.org]  
**Sent:** Friday, July 04, 2008 11:18 AM  
**To:** Carrie Brennan; Steven Lamar; Diego Bernal; Connor Colleen; KathleenR@wb-law.com  
**Cc:** Barbara Bailey; Marisa Bono; Marisol Perez; Sara Greene; Karen Hartman; Nicholas Espiritu  
**Subject:** RE: Trial witness lineup

Carrie, et al.

To gather together the information we have sent previously over a series of emails, here is a summary of our planned lineup for witnesses at trial.

1. Expert witnesses

Chapa  
Engstrom  
Lanier  
Espino  
Rosales

2. Plaintiffs (current and former)

Mr. Gonzalez  
Mrs. Gonzalez  
Georgia Morrison Flores (by deposition because of unavailability to testify)  
Debbie Lopez  
CPLC  
Valle Del Sol

3. 3rd party witnesses (internal order subject to change because of lay witness schedules)

Barbara Corke  
Herta Weber  
Marta Higuera  
Brenda Rogers  
Karen Lewsader  
Mr. Fulton  
Mrs. Fulton  
Alfredo Gutierrez  
Rep. Pete Rios  
Randall Pullen  
Kathy McKee  
Kat Rodriguez

4. State 30(b)(6) witnesses

Joe Kanefield  
Craig Stender  
Ann Yanofsky  
Cindy Gage  
Donna Collins

5. County officials

Karen Osborne  
Ann Rodriguez

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Kristy Marin

Other officials as necessary to lay foundation and authenticate Pls. trial exhibits (absent stips)

Depending on time, we may decide to present certain defendants/designees by deposition designation in lieu of live testimony

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**From:** Carrie Brennan [mailto:Carrie.Brennan@azag.gov]  
**Sent:** Tue 7/1/2008 2:52 PM  
**To:** Steven Lamar; Diego Bernal; Nina Perales  
**Cc:** Barbara Bailey; Marisa Bono; Marisol Perez; Sara Greene; Karen Hartman  
**Subject:** RE: Trial witness lineup

Nina--

Thank you. I know that you cannot know with absolute certainty this far out the time of day you will call them, and I anticipate that we will have a running dialogue with you once trial starts and the case takes shape as to what day/time they will be called. I appreciate your giving us 48 hours notice for witnesses and we of course will work with you to have the 30(b)(6) witnesses there if/when you need to call them. I just want to make sure I am understanding you correctly--I hear you saying the order will be this:

1. Plaintiffs' experts
2. Named party plaintiffs (and former plaintiffs)
3. 3rd party witnesses (Rogers through McKee)
4. State 30(b)(6) witnesses

If I have misunderstood, please let me know. If this is indeed the order, then it seems that the very earliest the 30(b)(6) witnesses would need to be there would be Wednesday, true?

--Carrie

>>> "Nina Perales" <nperales@MALDEF.org> 7/1/2008 2:14 PM >>>  
 Carrie,

No, as described below, we plan to call the 30b6 witnesses after the plaintiffs and the experts. However, we do not plan to conduct lengthy direct examinations. Because I do not know how long Defendants will take on cross, the best information I can give you is that I will call them the first day after the plaintiffs testify.

Nina Perales

Southwest Regional Counsel

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RE: Trial witness lineup

purpose, nor disclose all or any part of the contents to any other person. Thank you.

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

From: Carrie Brennan [mailto:Carrie.Brennan@azag.gov]  
 Sent: Tuesday, July 01, 2008 4:10 PM  
 To: Steven Lamar; Diego Bernal; Nina Perales  
 Cc: Barbara Bailey; Marisa Bono; Marisol Perez; Sara Greene; Karen Hartman  
 Subject: RE: Trial witness lineup

Nina--

I guess my question is, assuming we do not stipulate to the admissibility of documents produced by State Defendants, when will you call the 30(b)(6) witnesses? Tuesday, Wednesday, or Thursday? I recall that you committed to giving us 48 hours advance notice of when you would call a particular witness, and you have since indicated your line-up in the e-mail below (starting with your 5 experts, then plaintiffs, then other listed witnesses), and the 30(b)(6) witnesses are not listed. Are you going to call them before you call your experts first thing on Tuesday morning?

>>> "Nina Perales" <nperales@MALDEF.org> 7/1/2008 1:59 PM >>>  
 If the State is willing to stipulate to the admissibility of the documents produced by State Defendants in discovery, we can have these witnesses testify through deposition designations. If not, then we will ask the State's 30b6 witnesses to come the first morning of trial and be available to call to the stand after the plaintiffs testify.

Nina Perales

Southwest Regional Counsel

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

From: Carrie Brennan [mailto:Carrie.Brennan@azag.gov]  
 Sent: Tuesday, July 01, 2008 2:43 PM  
 To: Steven Lamar; Diego Bernal  
 Cc: Barbara Bailey; Marisa Bono; Marisol Perez; Nina Perales; Sara Greene; Karen Hartman  
 Subject: RE: Trial witness lineup

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RE: Trial witness lineup

When will you be calling the State's 30(b)(6) witnesses?

>>> "Diego Bernal" <dbernal@maldef.org> 7/1/2008 12:07 PM >>>

Dear Counsel,

Please find below a slightly revised lay witness list, which now includes Kat Rodriguez.

Thank you.

Diego

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We will definitely call our five experts the first day of trial. We then plan to follow with these party (and former party) witnesses

Debbie Lopez  
Maria Gonzalez  
Jesus Gonzalez  
Georgia Morrison Flores  
Chicanos Por La Causa  
Valle Del Sol  
AHCF (possible)

We will then follow with our lay witnesses. Here the order is a little unpredictable because some are coming from out of town. This is the order of lay witnesses right now. We may add or remove witnesses from this portion of the case but will give you 48 hours notice of the lineup in any event.

Brenda Rogers  
Alfredo Gutierrez  
Herta Weber  
Kat Rodriguez  
Marta Higuera  
Barbara Corke  
Rep. Pete Rios  
Karen Lewsader  
Randall Pullen  
Kathy McKee

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Exhibit B

**Connor Colleen**

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**From:** Kathleen E. Rapp [KathleenR@wb-law.com]  
**Sent:** Monday, July 07, 2008 2:14 PM  
**To:** Diego Bernal; Nina Perales  
**Cc:** Connor Colleen; Dennis Wilenchik  
**Subject:** County Stipulations

Counsel,

Upon reviewing the stipulations sent this morning, the 12 Counties will agree to stipulate to the authenticity of the documents produced by the County Defendants, such that no custodians of record need to be called. I will take a look at the exhibit numbers that you provided today to determine whether any other stipulations can be reached. We do not plan on waiving any objections on hearsay within hearsay, however.

Thanks!  
Katie

Very truly yours,

Kathleen E. Rapp, Esq.  
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Exhibit C

**Connor Colleen**

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**From:** dbernal@maldef.org  
**Sent:** Monday, July 07, 2008 10:50 AM  
**To:** Connor Colleen  
**Subject:** Re: Witness Lineup

Colleen,

Thank you for your email. We still plan to call Ann Rodriguez, Karen Osborne and probably Kristy MarinN but are very willing work with you on when to call them. To accomplish this we would need a stipulation from all Defendants, not just County Defs.

Thanks.

Diego

Sent from my BlackBerry? smartphone with SprintSpeed

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**From:** "Connor Colleen" <connorc@mcao.maricopa.gov>  
**Date:** Mon, 7 Jul 2008 10:28:44 -0700  
**To:** Diego Bernal<dbernal@maldef.org>; Carrie Brennan<Carrie.Brennan@azag.gov>; Steven Lamar<Steven.Lamar@azag.gov>; <KathleenR@wb-law.com>; <bkengle@lawyerscommittee.org>  
**CC:** Barbara Bailey<Barbara.Bailey@azag.gov>; Marisa Bono<mbono@MALDEF.org>; Marisol Perez<mperez@MALDEF.org>; Sara Greene<sgreene@omlaw.com>; Karen Hartman<KHartman@steptoe.com>; Nina Perales<nperales@MALDEF.org>  
**Subject:** RE: Witness Lineup

Diego- If the County witnesses stipulate to the authenticity/admission of the exhibits as proposed, do you still plan to call any of the County witnesses?

Thank you,  
Colleen Connor

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**From:** Diego Bernal [mailto:dbernal@maldef.org]  
**Sent:** Monday, July 07, 2008 12:19 AM  
**To:** Carrie Brennan; Steven Lamar; Connor Colleen; KathleenR@wb-law.com; bkengle@lawyerscommittee.org  
**Cc:** Barbara Bailey; Marisa Bono; Marisol Perez; Sara Greene; Karen Hartman  
**Subject:** Witness Lineup

Dear Counsel,

Please note that Gonzalez Plaintiffs are adding the following lay witnesses to their witness lineup. Gonzalez Plaintiffs intent to call Vivian Juan-Sanders on June 9 after Kat Rodriguez, and also intend to call Tammy Patrick following Kristy Marin. Please advise us at your earlier opportunity of Defendants' planned witness lineup.

Thank you.

Diego

Diego M. Bernal

7/8/2008

Staff Attorney

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