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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' TRIAL
17) MOTION TO ADMIT PUBLIC
State of Arizona, et al,) RECORD EXHIBITS INTO
18) EVIDENCE
Defendants.)
19) (Assigned to the
Honorable Roslyn O. Silver)
20)

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

1 following:

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3 Gonzalez Plaintiffs have proposed various trial exhibits that are authentic and
4 meet the public record exception of Fed. R. Evid. 803. Specifically Fed. R. Evid. 803(8)
5 excepts "[r]ecords, reports, statements, or data compilations, in any form, of public
6 offices or agencies, setting forth. . .the activities of the office or agency" from the
7 hearsay rule. Courts have also extended this exception to emails. *See, e.g., Lester v.*
8 *Natsios*, 290 F. Supp. 2d 11, 26 (D.D.C. 2003).

9 Gonzalez Plaintiffs' Trial Exhibits that meet these criteria are the following: 7,
10 12, 13, 15, 16, 18, 22, 26, 27, 28, 41, 46, 47, 48, 49, 50, 57, 58, 61, 64, 68, 72, 74, 75,
11 84, 85, 88, 90, 93, 94, 97, 98, 122, 124, 130, 136, 139, 140, 141, 142, 144, 156, 157,
12 158, 174, 211, 212, 213, 233, 254, 256, 260, 267, 296, 297, 298, 299, 300, 301, 302,
13 303, 306, 310, 323, 342, 349, 352, 354, 355, 356, 359, 365, 369, 370, 371, 375, 379,
14 385, 388, 396, 397, 409, 414, 414, 416, 427, 428, 429, 439, 431, 432, 434, 435, 437,
15 456, 464, 465, 466, 496, 498, 499, 501, 503, 504, 505, 507, 508, 509, 520, 523, 574,
16 596, 617, 618, 619, 636, 638, 640, 653, 654, 655, 656, 657, 658, 659, 660, 664, 672,
17 679-687, 689, 693, 694, 698, 699, 701, 774, 796, 814, 820, 954, 955, 956, 962.

18 For the above reasons, Gonzalez Plaintiffs respectfully request that the Court
19 admit the above listed trial exhibits into evidence.

20 **RESPECTFULLY SUBMITTED** this 16th day of July, 2008

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By: s/Nina Perales

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Nina Perales

**Counsel for Plaintiffs
Gonzalez, et al.**

CERTIFICATE OF SERVICE

I hereby certify that on the 16th 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 16th day of July, 2008.

COPY of the foregoing mailed with Notice of Electronic Filing this 16th 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