

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 CHICANOS POR LA**
28) **CAUSA, INC.**

(Assigned to the
Honorable Roslyn O. Silver)

1 Comes now, Plaintiff Chicanos Por La Causa, Inc., (CPLC) and submit their
2 Responses to 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 attorney-client
9 privilege, co-party privilege; Constitutional, statutory, or common-law privacy rights, or
10 any other recognized privilege or immunity from disclosure.

11 2. Plaintiff objects to each Interrogatory served by Defendant in this action to the
12 extent that it is extensively broad, burdensome, oppressive, vague or generally
13 unspecified as to what a full and complete answer is.

14 3. Plaintiff objects to the Definitions and Instructions to the extent they may
15 purport to impose any obligation greater than that allowed by the Federal Rules of Civil
16 Procedure.

17 4. Plaintiff asserts these objections without waiving or intending to waive any
18 objections as to competence, relevance, materiality or privilege.

19 5. Plaintiff has not completed investigation or discovery regarding this matter.
20 Plaintiff reserves the right to supplement these responses with subsequently obtained or
21 discovered information.

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

25 **INTERROGATORIES**

26 1. **Identify every injury that you currently are suffering that you contend is
27 caused by the voting identification requirement of Proposition 200 that you
28 contend confers standing upon you to maintain this action.**

Answer:

N/A

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 CPLC directs Defendants to pleadings already filed in the case, including Plaintiffs' First Amended Complaint, for a discussion of injury and standing. Moreover, Plaintiff CPLC engages in voter registration efforts as part of its organizational mission. As a result of the proof of citizenship voter registration requirements of Proposition 200, CPLC was forced to divert resources to educate the community about these requirements and was thwarted in fully realizing its organizational goals.

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

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

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

4 Answer:

5 N/A

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

9 Answer:

10 N/A

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

12 Answer:

13 Plaintiff Chicanos Por La Causa is a community development cooperation
14 committed to building strong, healthy communities as a lead advocate, coalition
15 builder and direct service provider. CPLC promotes positive change and self-
16 sufficiency to enhance the quality of life for the benefit of those its serves.

17 CPLC is a progressive, community based organization recognized locally,
18 nationally and internationally as a model for responsive, integrated human and
19 economic development. CPLC is a benchmark, culturally proficient organization
20 whose unifying voice and advocacy builds alliances, bridges borders and
21 empowers communities.

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

25 Answer:

26 Notwithstanding the General Objections, Plaintiff CPLC objects to the
27 Interrogatory to the extent that it fails to define the terms "resource" and
28 "diverted." Without waving any objections, Plaintiff CPLC expended funds,
time and human resources to provide the community with accurate information
regarding the new voter and voter registration requirements imposed by
Proposition 200. CPLC initiated a state-wide campaign to register new voters
and counteract the new voter registration requirements of Proposition 200. In
that effort CPLC committed staff to create a Voter Registration Project with
emphasis on first time voters and those new to Maricopa County. The
composition of the staff dedicated to the project ranged from Executive Vice
Presidents to hourly employees, with expenditures of approximately \$8,000. The

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:

1 Arizona Attorney General
2 Solicitor General's Office
3 Attn: Barbara A. Bailey
4 1275 West Washington Street
Phoenix, AZ 85007-2926

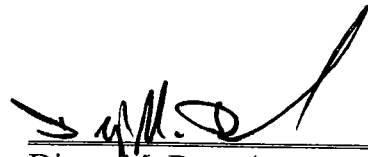
5 M. Colleen Connor
6 MCAO Division of County Counsel
7 222 N. Central Avenue, Ste. 1100
Phoenix, Arizona 85003

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

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

16 OSBORN MALEDON, P.A.
17 David B. Rosenbaum
18 Thomas L. Hudson
19 Sara S. Greene
20 2929 North Central Ave., 21st Floor
Phoenix, Arizona 85012-2793

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

25
26 By: 
27 Diego M. Bernal
28 Counsel for Plaintiffs, Gonzalez, et al.

