

**TAB 3**

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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MARIA M. GONZALEZ, et al.,	)	
	)	
Plaintiffs,	)	CV 06-1268 PHX-ROS
	)	CV 06-1362 PHS-ROS
vs.	)	CV 06-1575 PHX-ROS
	)	
STATE OF ARIZONA, et al.,	)	Phoenix, Arizona
	)	August 30, 2006
Defendant.	)	9:25 a.m.

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REPORTER'S TRANSCRIPT OF PROCEEDINGS  
(Preliminary Injunction Hearing - Day One)  
BEFORE THE HONORABLE ROSLYN O. SILVER

Court Reporter: David M. Lee, CSR 9543, RMR, CRR  
Sandra Day O'Connor U.S. Courthouse  
401 W. Washington Street  
Phoenix, Arizona 85003  
(602) 322-7245

Proceedings taken by stenographic court reporter  
Transcript prepared by computer-aided transcription

1 A. I went to the University of Arizona and have a 11:00:11  
2 bachelor's degree from there. 11:00:15  
3 Q. In what field? 11:00:16  
4 A. In the field of political science, with an emphasis 11:00:18  
5 on Indian policies. 11:00:21  
6 Q. And how are you employed, Mr. Gorman? 11:00:23  
7 A. I am presently employed by the Navajo Nation as the 11:00:25  
8 legislative chief of staff in the office of the speaker of 11:00:30  
9 the legislative branch of the Navajo government. 11:00:33  
10 Q. And how long have you held that position? 11:00:35  
11 A. I have held the legislative chief of staff position 11:00:37  
12 -- I believe I'm in my eighth year. 11:00:40  
13 Q. And how many years have you been employed by the 11:00:44  
14 Navajo Nation? 11:00:45  
15 A. Over 15 years of employment with the Navajo Nation. 11:00:46  
16 Q. You mentioned that you are a certified court 11:00:49  
17 interpreter. Can you tell us or describe the Navajo 11:00:55  
18 language? Is this a written, oral language? What's the 11:00:58  
19 history of it, briefly? 11:01:01  
20 A. The Navajo Nation is an oral language. The Navajo 11:01:05  
21 people have never written their language in any text form. 11:01:08  
22 Until just recently, there is effort, I believe in the 19th 11:01:15  
23 century by non-Navajos that have attempted to write the 11:01:19  
24 Navajo language, and have actually produced a dictionary of 11:01:22  
25 the Navajo language. 11:01:25

1 Q. Is the Navajo language the written version of that, 11:01:26  
2 are the Navajos commonly fluent in that? 11:01:32

3 A. No. To my knowledge, Navajos are not fluent in 11:01:34  
4 reading or writing of the Navajo language. 11:01:38

5 Q. Could you describe just briefly the -- the 11:01:40  
6 character -- the government of the Navajo Nation, how it's 11:01:48  
7 governed. 11:01:51

8 A. The Navajo Nation, when the development occurred in 11:01:54  
9 the early 1900s, it was essentially a one-branch 11:02:01  
10 government, so to speak, in comparison to let's say the 11:02:07  
11 State of Arizona governmental structure. We had a 11:02:12  
12 legislature, the Navajo Tribal Council, and in the 1970s, 11:02:14  
13 there was a separation between the Tribal Council and the 11:02:21  
14 establishment of the judicial branch. 11:02:24

15 More recently, in the 1980s, the Navajo Nation 11:02:26  
16 Council established the position of the president of the 11:02:30  
17 Navajo Nation, so presently there are three branches in the 11:02:33  
18 Navajo government, the executive branch, which is headed by 11:02:37  
19 the president of the Navajo Nation, the legislative branch, 11:02:40  
20 of which I am employed, headed by the speaker of the Navajo 11:02:44  
21 Nation Council and where the legislature is housed, and the 11:02:47  
22 third branch is the judicial branch, which is headed by the 11:02:50  
23 chief justice of the Navajo Nation. 11:02:54

24 Q. Could you describe very briefly the geography of the 11:02:56  
25 Navajo Nation, and you might turn to Exhibit 116, which I 11:02:59

1 Q. With regard to mail deliveries, do Navajos get mail 11:12:20  
2 delivered to their home by the U.S. postal service? 11:12:26  
3 A. No. I don't -- to my knowledge -- 11:12:28  
4 Q. Where is the mail delivered, Mr. Gorman? 11:12:32  
5 A. It's mail delivered to the actual post offices. 11:12:34  
6 There are structures in various communities. 11:12:39  
7 Q. Now, in order to have a post office box, do you have 11:12:41  
8 to pay money? 11:12:44  
9 A. Yes, you have to pay a fee. I believe it's on an 11:12:44  
10 annual basis. 11:12:49  
11 Q. And then if the fee is not paid for a post office 11:12:49  
12 box, is the mail just sent for general delivery somewhere? 11:12:58  
13 A. Generally, as I understand from the post office, 11:13:01  
14 that once your postal box is closed, that they would be 11:13:04  
15 collected and then after that, they would notify -- 11:13:08  
16 continue to notify you that you have mail that's collected. 11:13:12  
17 I would suppose at some point in time, they would just send 11:13:16  
18 it back, because of noncollection. When those type of 11:13:18  
19 circumstances occur, I know a number of Navajos have 11:13:23  
20 general delivery services either directly to the post 11:13:28  
21 office, or the post -- or, I mean, the trading posts 11:13:33  
22 throughout the Navajo Nation. 11:13:37  
23 Q. To your knowledge and with your -- in your 11:13:38  
24 experience with some 40-plus percent of the Navajos living 11:13:41  
25 below the poverty line, is it common for some Navajos to 11:13:46

1 Q. And are there any official translation services 11:22:28  
2 provided for early voting? 11:22:35  
3 A. To my knowledge, none. 11:22:36  
4 Q. So is that another factor in your thinking as to why 11:22:37  
5 so many of the Navajo voters vote at the polls, rather than 11:22:45  
6 early voting? 11:22:51  
7 A. Yes. 11:22:52  
8 Q. Does the Navajo Nation issue identification cards, 11:22:52  
9 Mr. Gorman? 11:22:56  
10 A. The Navajo government does issue identification 11:22:59  
11 cards, like, for example, for my employment, when I use the 11:23:01  
12 Navajo government vehicle, yes, it does. 11:23:05  
13 Q. Oh, for its employees, you mean? 11:23:08  
14 A. Yes, for its employees. 11:23:17  
15 Q. But for the Navajo people as a whole? 11:23:18  
16 A. No, there is no services in the Navajo government 11:23:20  
17 that provides ID cards to all members of the Navajo people, 11:23:23  
18 no. 11:23:27  
19 Q. And are you aware of such a thing as a treaty card 11:23:27  
20 or a census card on the Navajo Nation? 11:23:31  
21 A. I have never heard of a treaty card. I have never 11:23:35  
22 seen a census card. 11:23:37  
23 Q. Now the nation does issue something called a 11:23:40  
24 certificate of Navajo Indian blood; is that correct? 11:23:43  
25 A. Yes. 11:23:47