

# EXHIBIT 2

**Appeal No. 08-17094**

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**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

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MARIA M. GONZALEZ, *ET AL.*,

*Plaintiffs-Appellants,*

v.

STATE OF ARIZONA, *ET AL.*,

*Defendants-Appellees.*

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Appeal from the United States District Court for the District of Arizona  
Case No. CV 06-01268-PHX-ROS

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**DECLARATION OF SEVAPRIYA BARRIER**

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My name is SevaPriya Barrier. I am over the age of 18 and competent to make this declaration. I make this declaration pursuant to 28 U.S.C. 1746 and under penalty of perjury.

1. I reside at 834 East 9<sup>th</sup> St., Tucson, AZ 85719.
2. I am over the age of 18 and a United States citizen. I was born in Little Rock, Arkansas. I am White, non-Hispanic.
3. I received my undergraduate degree from Eugene Lang College of The New School for Liberal Arts in New York City. I received my law degree

from The Ohio State University and my Masters Degree in Education from the University of Texas at Austin. Before moving to Tucson, I resided in Washington, DC.

4. I moved to Tucson, AZ from Washington, DC with my husband and 22 month-old son on September 22-23, 2010.
5. About a week later, I picked up two Arizona voter registration applications from a campus table offering voter registration at the University of Arizona, where I am employed. I filled out the application, gave the other to my husband to fill out, and mailed both applications on October 4, 2010 to the Pima County Recorder. I understand that I mailed the applications before the deadline to register to vote for the 2010 General Election.
6. At the time that I submitted my voter registration application, I had a driver's license from the District of Columbia but not an Arizona driver's license. For that reason, I did not provide an Arizona driver's license number on my voter registration application.
7. On or about October 9, 2010, I received a letter from the Pima County Recorder. See Attachment A. The letter came in an envelope addressed to me and stamped "Prop 200." *Id.* The letter enclosed a new voter registration form and stated that as a result of Proposition 200, I would

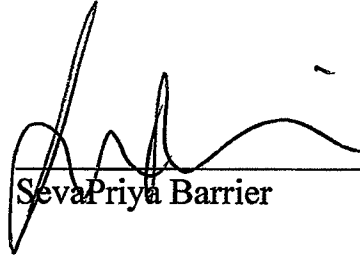
have to submit a document proving my U.S. citizenship to the Recorder's office before I could be added to the voter rolls. *Id.*

8. The letter further stated that the completed registration form must be received no later than 29 days prior to an election. *Id.* Because I received the letter from the County Recorder 24 days before the General Election, I believed that even if I immediately provided documents showing my U.S. citizenship to the County Recorder, I would not be added to the voter rolls. I was very disappointed upon receiving this letter and believed that I would not be allowed to participate in the upcoming General Election.
9. On or about October 26, 2010, I heard a news report that a decision of the Ninth Circuit Court of Appeals had invalidated Prop 200. My husband and I telephoned the Pima County Recorder's Office, the Arizona Secretary of State and the Arizona Attorney General's Office seeking information about whether we would be allowed to vote on November 2. No one at any of these agencies stated that my husband and I could be added to the voter rolls for the General Election.
10. On November 2, 2010 I went to my assigned polling place to vote. I approached the first table inside the polling place and asked for a provisional ballot. The poll worker took my identification, looked up my name, and confirmed that I was not on the voter rolls. The poll worker

sent me to a second, "special situation" table. At the second table, I spoke to two gentlemen who took my identification, wrote down my name and address, and gave me a provisional ballot form. I filled out the form and the ballot, folded the ballot into the envelope and deposited it into the regular ballot box.

11. I am qualified to vote in Pima County. I correctly filled out a voter registration application and timely submitted it to the Pima County Recorder. My registration application was rejected by Pima County on the grounds that it did not satisfy the requirements of Proposition 200.
12. As a former resident of the District of Columbia, I was not able to elect voting members of the U.S. Congress. After moving to Tucson, I was excited to be able to register to vote in Arizona, and looked forward to participating in the federal election on November 2, 2010. Although I submitted a provisional ballot on November 2, I know that my vote won't be counted unless I am added to the voter rolls.
13. I want to exercise my fundamental right to vote and have my ballot counted in this election. I was raised to firmly value and practice participation in civic life and have been an active voter since I turned 18. I am barred from the voter rolls by the continued application of Prop 200's requirements.

Executed this 4<sup>th</sup> day of November, 2010 in Tucson, Arizona:



Seva Priya Barrier

# Attachment A

**F. Ann Rodriguez**  
Pima County Recorder  
PO Box 3145  
Tucson, Arizona 85702-3145

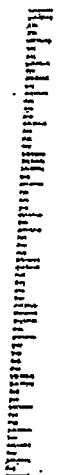
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P. O. Box 3145  
Tucson, AZ 85702-3145

Located in the Old Courthouse at:  
115 North Church Avenue, Tucson, AZ

<http://www.recorder.pima.gov>

**F. Ann Rodriguez**  
**Pima County Recorder**

*Recording history one document at a time.*

**Christopher J. Roads**  
**Chief Deputy Recorder**  
**Registrar of Voters**

Document Recording: (520) 740-4350  
Voter Registration: (520) 740-4330  
Fax: (520) 623-1785

October, 2010

Dear Pima County Registrant:

The Pima County Recorder's Office recently received your voter registration form. To be in compliance with Arizona State Law, §A.R.S.16-166 we will need more information before we can process your application. Please complete the new enclosed voter registration form and return to our office.

During the 2004 Presidential Election, Proposition 200 was passed by the voters of the State of Arizona and became law effective January 24, 2005. This law now requires that all **NEW** voter registration forms must be accompanied by satisfactory evidence of United States Citizenship, which includes one of the following:

- Your Arizona driver's license number or non-operating identification license number, issued after 10/01/1996. Numbers only, do not send in your license.
- A legible photocopy of your birth certificate that verifies United States Citizenship.
- A legible photocopy of your United States passport containing your name and passport number.
- A legible photocopy of your United States naturalization documents or the number of the certification of naturalization. If only the number is provided, it will need to be verified before your registration is processed.
- Your Bureau of Indian Affairs Card Number, Tribal Treaty Card Number or Tribal Enrollment Number. Numbers only, do not send in your card.

**DO NOT** send originals; only send legible photocopies as outlined above.

Your name will not be added to the voter registration file until we have received the new enclosed voter registration form with the required information. In order to be eligible for an election the completed form must be received no later than 29 days prior to an election.

If you have further questions, please contact our office at 740-4330 or visit our web page at [www.recorder.pima.gov](http://www.recorder.pima.gov) for a list of upcoming elections.

Thanks in advance for your prompt attention to this matter.

05LTR014

To comply with the Federal Voting Rights Acts, this letter has been prepared in both English and Spanish.

# EXHIBIT 3

**Appeal No. 08-17094**

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**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

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MARIA M. GONZALEZ, *ET AL.*,

*Plaintiffs-Appellants,*

v.

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Appeal from the United States District Court for the District of Arizona  
Case No. CV 06-01268-PHX-ROS

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**DECLARATION OF JAI NITAI HOLZMAN**

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My name is Jai Nitai Holzman. I am over the age of 18 and competent to make this declaration. I make this declaration pursuant to 28 U.S.C. 1746 and under penalty of perjury.

1. I reside at 834 East 9<sup>th</sup> St., Tucson, AZ 85719.
2. I am over the age of 18 and a United States citizen. I was born in Richmond, Virginia. I am White, non-Hispanic.
3. I received my undergraduate degree and law degree from the University of Texas at Austin. Before moving to Tucson, I resided in Washington, DC.

4. I moved to Tucson, AZ from Washington, DC with my wife and 22 month-old son on September 22-23, 2010.
5. About a week later, my wife brought me an Arizona voter registration application that she had picked up at the University of Arizona, where she is employed. I filled out the application and gave it to my wife to mail with her application to the Pima County Recorder. I understand that my wife mailed my voter registration application on October 4, 2010 which was before the deadline to register to vote for the 2010 General Election.
6. At the time that I submitted my voter registration application, I had a driver's license from the District of Columbia but not an Arizona driver's license. For that reason, I did not provide an Arizona driver's license number on my voter registration application.
7. On or about October 9, 2010, I received a letter from the Pima County Recorder. See Attachment A. The letter came in an envelope addressed to me and stamped "Prop 200." The letter enclosed a new voter registration form and stated that as a result of Proposition 200, I would have to submit a document proving my U.S. citizenship to the Recorder's office before I could be added to the voter rolls. Id.
8. The letter further stated that the completed registration form must be received no later than 29 days prior to an election. Id. Because I received

the letter from the County Recorder 24 days before the General Election, I believed that even if I immediately provided documents showing my U.S. citizenship to the County Recorder, I would not be added to the voter rolls. I was very disappointed upon receiving this letter and believed that I would not be allowed to participate in the upcoming General Election.


9. On or about October 26, 2010, I heard a news report that a decision of the Ninth Circuit Court of Appeals had invalidated Prop 200. Hoping that we would be able to vote in the General Election, my wife and I telephoned the Pima County Recorder's Office, the Arizona Secretary of State and the Arizona Attorney General's Office. No one at any of these agencies stated that my wife and I could be added to the voter rolls for the General Election.
10. I learned from Arizona Attorney General's Office that voters who do not appear on the voter roll may still cast a provisional ballot in the election. Afterwards, I called the Pima County Recorder's Office and asked if they were encouraging voters in my situation to vote a provisional ballot on Election Day. The staff person at the Recorder's Office said no.
11. On November 2, 2010 I went to my assigned polling place to vote. I approached the first table inside the polling place and asked for a provisional ballot. The poll worker took my identification, looked up my

name, and confirmed that I was not on the voter rolls. That poll worker sent me to a second, "special situation" table. At the second table, I spoke to two gentlemen who took my identification, wrote down my name and address, and gave me a provisional ballot form. I filled out the form and the ballot, folded the ballot into the envelope and deposited it into the regular ballot box.

12. I am qualified to vote in Pima County. I correctly filled out a voter registration application and timely submitted it to the Pima County Recorder. My registration application was rejected by Pima County on the grounds that it did not satisfy the requirements of Proposition 200.
13. As a former resident of the District of Columbia, I was not able to elect voting members of the U.S. Congress. After moving to Tucson, I was excited to be able to register to vote in Arizona, and looked forward to participating in the federal election on November 2, 2010. Although I submitted a provisional ballot on November 2, I know that my vote won't be counted unless I am added to the voter rolls.
14. I want to exercise my fundamental right to vote and have my ballot counted in this election. As a new resident of Arizona, I had hoped to join not just the community, but also electorate, which is the decision-making

body of the state. Instead I am barred from the voter rolls by the continued application of Prop 200's requirements.

Executed this 4<sup>th</sup> day of November, 2010 in Tucson, Arizona:

  
\_\_\_\_\_  
Jai Nitai Holzman

# Attachment A



P. O. Box 3145  
Tucson, AZ 85702-3145

Located in the Old Courthouse at:  
115 North Church Avenue, Tucson, AZ

<http://www.recorder.pima.gov>

**F. Ann Rodriguez**  
**Pima County Recorder**

*Recording history one document at a time.*

**Christopher J. Roads**  
**Chief Deputy Recorder**  
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Thanks in advance for your prompt attention to this matter.

To comply with the Federal Voting Rights Acts, this letter has been prepared in both English and Spanish.

05LTR014

# EXHIBIT 4

**Appeal No. 08-17094**

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**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

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MARIA M. GONZALEZ, *ET AL.*,

*Plaintiffs-Appellants,*

v.

STATE OF ARIZONA, *ET AL.*,

*Defendants-Appellees.*

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Appeal from the United States District Court for the District of Arizona  
Case No. CV 06-01268-PHX-ROS

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**DECLARATION OF LYDIA CAMARILLO**

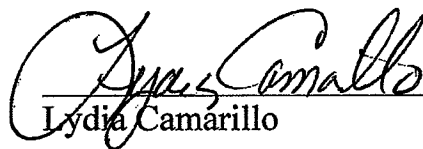
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I, Lydia Camarillo, declare that the following is true and correct to the best of my knowledge:

1. I am employed as the Vice President of the Southwest Voter Registration Education Project (SVREP), a plaintiff-appellant in this case.
2. I have served as Vice President of SVREP since August 2003. From December 1994 through September 1999 I served as Executive Director of SVREP, and from September 1, 2005 to March, 2006 I was Acting President. During my employment with SVREP, I have been responsible for supervising the voter registration, education and voter turnout efforts of SVREP.

3. Plaintiff SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT (SVREP) is a non-profit and non-partisan organization committed to improving the participation of Latino and other minority communities across the United States in the democratic process, through voter registration, voter education and voter participation activities. Since its founding in 1974, SVREP has conducted more than 2,200 voter registration campaigns in 15 states, including Arizona. SVREP conducts its voter registration activities at community-based sites such as school campuses, malls and fairs. Proposition 200 has limited the number of persons that SVREP can register to vote and impaired the ability of SVREP to conduct voter registration and turnout efforts.
4. SVREP is the nation's largest and oldest non-profit organization focused on increasing Latino voter registration and participation and has registered 2.5 million voters since its founding. SVREP conducts its voter registration and voter mobilization campaigns in a similar fashion across the United States, including Arizona.
5. During the period leading up to the November 2, 2010 General Election, SVREP conducted Get Out the Vote activities in Arizona. SVREP trained and equipped volunteers to conduct phone-banking, *i.e.* calling registered voters to urge them to participate in the upcoming election.
6. I have spoken to Mr. Jai Nitai Holzman regarding the continued application of Proposition 200 to his and his wife's voter registration applications. I spoke to Mr. Holzman as part of SVREP's efforts to mobilize voters and ensure that their votes are counted. I have expended the resources of my organization, and have committed to continue to expend the resources of my organization, to assist Mr. Holzman and Ms. Barrier in having their votes counted in the November 2, 2010 election.

I declare pursuant to 28 U.S.C. 1746 and under penalty of perjury that the foregoing is true and correct and that this declaration was executed in the City of San Antonio, TX on November 4, 2010.

  
Lydia Camarillo