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Barbara A. Bailey declares:

1. I am one of the attorneys of record in these consolidated cases and represent the State of Arizona and the Arizona Secretary of State, Janice K. Brewer, both of whom are defendants in one or more of these cases. I make this Declaration in support of the Motion for Partial Summary Judgment by Defendants State of Arizona and the Arizona Secretary of State, which is filed herewith.

2. Attached at Tab 1 is a true and correct copy of a letter dated December 9, 2004, from Jessica G. Funkhouser, of the Arizona Attorney General’s Office, to Joseph Rich, of the U.S. Department of Justice, regarding a request for preclearance of Sections 3, 4 and 5 of Proposition 200, and Exhibits A and B to that letter request.

3. Attached at Tab 2 is a true and correct copy of a letter dated January 24, 2005, from Joseph D. Rich, of the U.S. Department of Justice, to Jessica G. Funkhouser, of the Arizona Attorney General’s Office.

4. Attached at Tab 3 is a true and correct copy of the Affidavit of Joseph Kanefield, which was filed in this matter on May 31, 2006.

5. Attached at Tab 4 is a true and correct copy of excerpts of the deposition of Ronald Anthony Sissons, which was taken in this matter on August 11, 2006.

6. Attached at Tab 5 are true and correct copies of documents produced by various county defendants in this matter in response to requests for production by Plaintiffs.

7. Attached at Tab 6 is a true and correct copy of excerpts of the deposition of Karen Osborne, which was taken in this matter on July 31, 2006.

8. Attached at Tab 7 is a true and correct copy of excerpts of the deposition of F. Ann Rodriguez, which was taken in this matter on August 2, 2006.

9. Attached at Tab 8 is a true and correct copy of excerpts of the deposition of Kelly Dastrup, which was taken in this matter on August 1, 2006.

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I declare under penalty of perjury that the foregoing assertions of fact are true and correct.

Executed on June 4, 2007, at Phoenix, Arizona.

TERRY GODDARD
Arizona Attorney General

s/Barbara A. Bailey
Mary O'Grady
Solicitor General
Carrie J. Brennan
Barbara A. Bailey
Assistant Attorneys General
Attorneys for the State of Arizona and the
Arizona Secretary of State

1
2 CERTIFICATE OF SERVICE

3 I hereby certify that on the 4th day of June, 2007, I caused the foregoing
4 document to be electronically transmitted to the Clerk's Office using the CM/ECF
5 System for filing and transmittal of a Notice of Electronic Filing to the following
6

7 CM/ECF Registrants:

8 David J. Bodney
9 Karen J. Hartman-Tellez
10 Steptoe & Johnson LLP
11 201 East Washington St., Ste. 1600
12 Phoenix, Arizona 85004-2382
13 dbodney@steptoe.com
14 khartman@steptoe.com

15 David B. Rosenbaum (**served electronically and hand-delivered**)
16 Thomas L. Hudson
17 Sara S. Greene
18 Osborn Maledon, P.A.
19 2929 N. Central, 21st Floor
20 Phoenix, Arizona 85012-2793
21 drosenbaum@omlaw.com
22 thudson@omlaw.com
23 sgreene@omlaw.com

24 Jon Greenbaum
25 Benjamin Blustein
26 Lawyers' Committee For
27 Civil Rights Under Law
28 1401 New York Avenue, Ste. 400
Washington, D.C. 20005
jgreenbaum@lawyerscommittee.org

Neil Bradley
ACLU Southern Regional Office
2600 Marquis One Tower
245 Peachtree Center Avenue
Atlanta, Georgia 30303
nbradley@aclu.org

1 Elliot M. Mincberg
2 People for the American
3 Way Foundation
4 2600 M Street, NW, Ste. 400
5 Washington, DC 20036
6 eminberg@pfaw.org

7 Luis Roberto Vera, Jr.
8 League of United Latin
9 American Citizens
10 111 Soledad, Ste. 1325
11 San Antonio, Texas 78205-2260
12 Irvlaw@sbcglobal.net

13 Daniel B. Kohrman
14 AARP Foundation Litigation
15 601 E Street, N.W., Ste. A4-240
16 Washington, DC 20049
17 dkohrman@arp.org

18 Joe P. Sparks
19 Susan B. Montgomery
20 Sparks, Tehan & Ryley PC
21 The Inter Tribal Council of Arizona, Inc.
22 7503 First Street
23 Scottsdale, Arizona 85251
24 joe-sparks@qwest.net

25 David J. Becker
26 People for the American Way Foundation
27 2000 M Street, NW, Suite 400
28 Washington, D.C. 20036
dbecker@pfaw.org

Daniel R. Ortega, Jr.
Roush McCracken Guerrero
Miller & Ortega
650 N. 3rd Avenue
Phoenix, Arizona 85003
danny@rmgmoinjurylaw.com

Nina Perales (served electronically and via FedEx)

1 Mexican American Legal Defense and Education Fund
2 110 Broadway, Ste. 300
3 San Antonio, Texas 78205
4 nperales@maldef.org

5 M. Colleen Connor
6 MCAO Division of County Counsel
7 222 N. Central Avenue, Ste. 1100
8 Phoenix, Arizona 85003
9 connorc@mcao.maricopa.gov

10 Dennis I. Wilenchik
11 Kathleen Rapp
12 Wilenchik and Bartness, P.C.
13 2810 N. Third Street
14 Phoenix, Arizona 85004
15 diw@wb-law.com
16 kathleenr@wb-law.com

17 Judith M. Dworkin (**served electronically and hand-delivered**)
18 Marvin S. Cohen
19 Patricia Ferguson-Bohnee
20 SACKS TIERNEY P.A.
21 4250 N. Drinkwater Blvd. 4th
22 Scottsdale, Arizona 85251-3693
23 Judith.Dworkin@sackstierney.com

24 Criss E. Candelaria
25 Bradley Carlyon
26 Apache County Attorneys Office
27 PO Box 637
28 St. Johns, Arizona 86025
29 bcarlyon@apachelaw.net

30 Melvin R. Bowers, Jr.
31 Lance B. Payette
32 Navajo County Attorneys Office
33 PO Box 668
34 Holbrook, Arizona 86025
35 lance.payette@co.navajo.az.us

36 Brenna L. Clani
37 Navajo County Department of Justice

1 PO Box 2010
2 Window Rock, Arizona 86515
3 brennalclani@navajo.org

4 Jean E. Wilcox
5 Coconino County Attorney's Office
6 110 East Cherry Ave.
7 Flagstaff, Arizona 86001
8 jwilcox@coconino.az.gov

9 COPY of the foregoing filed electronically
10 this 4th day of June, 2007.

11 COPY of the foregoing hand-delivered with Notice of
12 Electronic Filing this 4th day of June, 2007 to:

13 The Honorable Roslyn O. Silver
14 United States District Court
15 Sandra Day O'Connor U.S. Courthouse, Suite 624
16 401 West Washington Street, SPC 59
17 Phoenix, AZ 85003-2158

18 _____
19 /s Elizabeth A. Stark

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25
26
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