

1 OSBORN MALEDON, P.A.  
2 2929 North Central Avenue, 21st Floor  
3 Phoenix, Arizona 85012-2793  
4 Telephone: (602) 640-9000

5 David B. Rosenbaum (009819)  
6 drosenbaum@omlaw.com  
7 Thomas L. Hudson (014485)  
8 thudson@omlaw.com  
9 Sara S. Greene (022706)  
10 sgreene@omlaw.com

11 STEPTOE & JOHNSON LLP  
12 Collier Center  
13 201 East Washington Street, Suite 1600  
14 Phoenix, Arizona 85004-2382  
15 Telephone: (602) 257-5200  
16 Facsimile: (602) 257-5299

17 David J. Bodney (006065)  
18 dbodney@steptoe.com  
19 Karen J. Hartman-Tellez (021121)  
20 khartman@steptoe.com

21 Attorneys for The Inter Tribal Council  
22 of Arizona, Inc., et al.

23 UNITED STATES DISTRICT COURT  
24 DISTRICT OF ARIZONA

25 Maria M. Gonzalez, et al., )  
26 ) No. CV06-01268-PHX-ROS (Lead)  
27 ) No. CV06-01362-PCT-JAT (Cons)  
28 )

29 Plaintiffs, )

30 vs. )

31 State of Arizona; Jan Brewer, in her )  
32 official capacity as Secretary of State of )  
33 the State of Arizona, et al., )

34 Defendants. )

35 The Inter Tribal Council of Arizona, )  
36 Inc., et al. )

37 Plaintiffs, )

38 vs. )

39 Jan Brewer, in her official capacity as )  
40 Secretary of State of Arizona, )

41 Defendant. )

**AMENDED NOTICE OF  
DEPOSITION OF THE OFFICE  
OF THE MARICOPA COUNTY  
RECORDER PURSUANT TO  
F.R.C.P. 30(b)(6) BY  
PLAINTIFFS INTER TRIBAL  
COUNCIL OF ARIZONA, INC.,  
ET AL.**

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

TO: Helen Purcell, in her official capacity as Maricopa County Recorder, through her counsel of record, Colleen Connor, Deputy County Attorney, Maricopa County Attorney's Office, Division of County Counsel, 222 North Central Avenue, Suite 1100, Phoenix, Arizona 85004.

Plaintiffs give notice that they will take the deposition pursuant to Fed. R. Civ. P. 30(b)(6) of the Office of the Maricopa County Recorder. Defendant Purcell has a duty pursuant to Rule 30(b)(6) to designate one or more employees of the Office of the Maricopa County Recorder, or other persons who consent to testify on its behalf, and such person(s) shall testify as to the matters known, or reasonably available to the Office of the Maricopa County Recorder, on the topics specified in the attached Schedule A.

The deposition shall take place at the offices of Steptoe and Johnson LLP, Collier Center, 201 East Washington Street, Suite 1600, Phoenix, Arizona 85004 on Monday, July 31, 2006 at 9:00 a.m.

Requests for reasonable accommodations for persons with disabilities must be made at least three judicial days in advance of the deposition.

DATED this 27th day of July, 2006.

STEPTOE & JOHNSON LLP

By /s/ Karen J. Hartman-Tellez  
David J. Bodney  
Karen J. Hartman-Tellez  
Collier Center  
201 East Washington St., Ste. 1600  
Phoenix, Arizona 85004-2382

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

Attorneys for The Inter Tribal Council  
of Arizona, Inc., et al.

1 LAWYERS' COMMITTEE FOR CIVIL  
RIGHTS UNDER LAW  
2 Jon Greenbaum  
Benjamin Blustein  
3 1401 New York Avenue, Suite 400  
Washington, D.C. 20005  
4 Telephone: 202-662-8315  
Fax: (202) 628-2858  
5 E-mail:  
jgreenbaum@lawyerscommittee.org  
6 *Admitted Pro Hac Vice*

7 ACLU Southern Regional Office  
Neil Bradley  
8 2600 Marquis One Tower  
245 Peachtree Center Avenue  
9 Atlanta, Georgia 30303  
Telephone: 404-523-2721  
10 Fax: 404-653-0331  
E-mail: nbradley@aclu.org  
11 *Admitted Pro Hac Vice*

12 PEOPLE FOR THE AMERICAN WAY  
FOUNDATION  
13 Elliot M. Mincberg  
David Becker  
14 2000 M Street, NW, Suite 400  
Washington, DC 20036  
15 Telephone: 202-467-4999  
Fax: 202-293-2672  
16 E-mail: emincberg@pfaw.org  
*Admitted Pro Hac Vice*

THE LEAGUE OF UNITED LATIN  
AMERICAN CITIZENS  
Luis Roberto Vera, Jr.  
(TX SBN 20546740)  
111 Soledad, Suite 1325  
San Antonio, Texas 78205-2260  
Telephone: 210-225-3300  
Fax: 210-225-2060  
E-mail: lrvlaw@sbcglobal.net  
*Pro Hac Vice Application to be Filed*

AARP FOUNDATION LITIGATION  
Daniel B. Kohrman (DC BN 394064)  
601 E Street, N.W., Suite A4-240  
Washington, DC 20049  
Telephone: 202-434-2064  
Fax: 202-434-6424  
E-mail: dkohrman@aarp.org  
*Admitted Pro Hac Vice*

THE INTER TRIBAL COUNCIL OF  
ARIZONA, INC.  
Joe P. Sparks (002383)  
Susan B. Montgomery (020595)  
Sparks, Tehan & Ryley PC  
7503 First Street  
Scottsdale Arizona 85251  
Telephone: 480-949-1339  
Fax: 480-949-7587

Attorneys for the Inter Tribal Council of  
Arizona, Inc., et al.

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 CERTIFICATE OF SERVICE

2 I hereby certify that on the 27th day of July, 2006, I caused the foregoing  
3 document to be electronically transmitted to the Clerk's Office using the CM/ECF  
4 System for filing and transmittal of a Notice of Electronic Filing to the following  
5 CM/ECF Registrants:

6 Daniel R. Ortega, Jr. (danny@rmgmoinjurylaw.com)  
7 Roush McCracken Guerrero Miller & Ortega  
8 650 N. 3rd Avenue  
9 Phoenix, Arizona 85003

10 Nina Perales (nperales@maldef.org)  
11 Mexican American Legal Defense and Education Fund  
12 110 Broadway, Ste. 300  
13 San Antonio, Texas 78205

14 Attorneys for Plaintiffs

15 Mary O'Grady (mary.ograde@azag.gov)  
16 Peter Alex Silverman (peter.silverman@azag.gov)  
17 Office of the Attorney General  
18 1275 W. Washington Street  
19 Phoenix, Arizona 85007-2926

20 Attorney for Defendants State of Arizona, and Jan Brewer in  
21 her official capacity as the Secretary of State of the state of  
22 Arizona

23 M. Colleen Connor (connorc@mcao.maricopa.gov)  
24 MCAO Division of County Counsel  
25 222 N. Central Avenue, Ste. 1100  
26 Phoenix, Arizona 85003

27 Dennis I. Wilenchik (diw@wb-law.com)  
28 Kathleen Rapp (kathleenr@wb-law.com)  
Wilenchik and Bartness, P.C.  
The Wilenchik & Bartness Building  
2810 North Third Street  
Phoenix, Arizona 85004

Attorneys for County Defendants, except Coconino County

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

Jean E. Wilcox (jwilcox@coconino.az.gov)  
Deputy County Attorney  
110 East Cherry Avenue  
Flagstaff, Arizona 86001

Attorney for Coconino County Defendants

Also on the 27th day of July, 2006, I caused a copy of the foregoing document to be mailed to:

Paul Grossman  
Court Reporter  
14601 North 10th Way  
Phoenix, Arizona 85022-3790

/s/ Michele L. Galvez  
Michele L. Galvez, Legal Secretary

1  
2 **SCHEDULE A**

3 Pursuant to Fed. R. Civ. P. 30(b)(6), Plaintiffs Inter Tribal Council of Arizona,  
4 Inc., et al. set forth below the following subject matter areas for the deposition of  
5 defendant Helen Purcell and the Office of the Maricopa County Recorder (the “County  
6 Recorder”):

7 1. The County Recorder’s implementation of the voting-related  
8 provisions of the Arizona Taxpayer and Citizen Protection Act (amending A.R.S. §§ 16-  
9 152, 16-166 and 16-579) (“the Act”), including but not limited to (a) the development  
10 and promulgation of implementing regulations; (b) communications with the Arizona  
11 Secretary of State and other county recorders’ offices regarding implementation of, and  
12 compliance with, the Act (including instructions, recommendations and directives  
13 regarding the Act); (c) efforts to educate voters regarding the requirements of the Act;  
14 and (d) efforts to train poll workers and other election officials regarding the Act.

15 2. The degree to which Arizona citizens in Maricopa County are  
16 unable to register to vote as a result of the amendment to A.R.S. § 16-152 (requiring that  
17 voter registration forms contain proof of United States citizenship) including, but not  
18 limited to: (a) the numbers and rates of rejection of voter registration forms since the  
19 date of implementation of the Arizona Taxpayer and Citizen Protection Act due to  
20 failure to provide satisfactory proof of citizenship as required by the Act; and (b) any  
21 analyses, reports or studies conducted by or for, or in the possession of, the County  
22 Recorder regarding the above.

23 3. The impact upon the ability of Arizona citizens to cast a regular  
24 ballot at a polling place in elections conducted in Maricopa County since the  
25 implementation of the amendment to A.R.S. § 16-579 (requiring voters to present  
26 certain forms of identification at the polling place) including, but not limited to: (a) the  
27 number of registered voters who were not permitted to cast a regular ballot at the polling  
28 place during each such election due to the failure to provide identification required by

1 A.R.S. § 16-579; (b) the number of voters who cast a provisional ballot due to the  
2 failure to provide identification required by A.R.S. § 16-579, and of those voters, the  
3 number who subsequently provided satisfactory proof of identification to the County  
4 Recorder; and (c) any analyses, reports or studies conducted by or for, or in the  
5 possession of, the County Recorder regarding the above.

6           5. Any and all information in the possession of the County Recorder  
7 relating to any incident since January 1, 1996, involving allegations that a non-United  
8 States citizen was registered to vote in Maricopa County.

9           6. Any and all information in the possession of the County Recorder  
10 relating to any incident since January 1, 1996, involving allegations that a non-United  
11 States citizen voted at a polling place in Maricopa County.

12           7. Any and all information in the possession of the County Recorder  
13 relating to any incident since January 1, 1996, involving allegations that a non-United  
14 States citizen voted in Maricopa County by early ballot pursuant to A.R.S. § 16-542(A).

15           8. Any and all information in the possession of the County Recorder  
16 relating to any incident since January 1, 1996, involving allegations that an individual  
17 impersonated a registered voter at a polling place in Maricopa County.

18           9. The forms of identification that have been deemed acceptable by  
19 the County Recorder to establish the identity of electors in Maricopa County in  
20 accordance with the requirements of A.R.S. § 16-579(A).