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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
27 Plaintiffs,

28 vs.

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

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

36 Plaintiffs,

37 vs.

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

40 Defendant.

) No. CV06-01268-PHX-ROS (Lead)
) No. CV06-01362-PCT-JAT (Cons)

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

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TO: LeNora Johnson, in her official capacity as Apache 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 85003.

Plaintiffs give notice that they will take the deposition pursuant to Fed. R. Civ. P. 30(b)(6) of the Office of the Apache County Recorder. Defendant Johnson has a duty pursuant to Rule 30(b)(6) to designate one or more employees of the Office of the Apache 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 Apache 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 July 28, 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 21st day of July, 2006.

STEPTOE & JOHNSON LLP

By /s/ Karen J. Hartman-Tellez
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Karen J. Hartman-Tellez
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THE INTER TRIBAL COUNCIL OF
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Attorneys for the Inter Tribal Council of
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1 CERTIFICATE OF SERVICE

2 I hereby certify that on the 21st 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:

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Attorneys for County Defendants, except Coconino County

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Jean E. Wilcox (jwilcox@coconino.az.gov)
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Attorney for Coconino County Defendants

Also on the 21st 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

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

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

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