

1 MELVIN R. BOWERS, JR.
2 NAVAJO COUNTY ATTORNEY
3 Lance B. Payette
4 Chief Deputy County Attorney
5 State Bar No. 007556
6 P.O. Box 668
7 Holbrook, Arizona 86025
8 (928) 524-4002
9 Fax: 524-4244
10 e-mail: lance.payette@co.navajo.az.us

11 Attorneys for Defendants Kelly Dastrup and Laurette Justman

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF ARIZONA

14 MARIA M. GONZALES, et al.,)	
)	No. CV06-1268-PHX-ROS (LEAD)
15 Plaintiffs,)	No. CV06-1362-PHX-ROS (CONS)
)	No. CV06-1575-PHX-ROS (CONS)
16 v.)	
)	RESPONSE OF NAVAJO COUNTY
17 STATE OF ARIZONA, et al.,)	DEFENDANTS TO EMERGENCY
)	MOTION PURSUANT TO FRCP 34
18 Defendants.)	TO PERMIT OBSERVERS AT
)	POLLING PLACES ON ELECTION
)	DAY
)	

19
20 Defendants Kelly Dastrup and Laurette Justman (the "Navajo County
21 Defendants") take no position in support of or in opposition to the *Emergency*
22 *Motion Pursuant to FRCP 34 to Permit Observers at Polling Places on Election Day*
23 as filed by the ITCA plaintiffs.

24
25 RESPECTFULLY SUBMITTED October 30, 2006.

26
27 MELVIN R. BOWERS, JR.
28 NAVAJO COUNTY ATTORNEY

1
2 /s/ Lance B. Payette

3 By _____
4 LANCE B. PAYETTE
5 Chief Deputy County Attorney
6 Attorney for Defendants Dastrup and
7 Justman

8 CERTIFICATE OF SERVICE

9 I hereby certify that on October 30, 2006, I caused the attached document to
10 be electronically transmitted to the Clerk's Office using the CM/ECF System for
11 filing and transmittal of a Notice of Electronic Filing to the following CM/EMF

12 Registrants:

13
14 Daniel R. Ortega, Jr. (danny@rmgmoinjurylaw.com)
15 Roush McCracken Guerrero Miller & Ortega
16 650 North 3rd Avenue
Phoenix, Arizona 85003

17 Nina Perales (nperales@maldef.org)
18 Mexican American Legal Defense and Education Fund
19 110 Broadway, Ste. 300
San Antonio, Texas 78205

20 Attorneys for Gonzalez Plaintiffs

21
22 Judith M. Dworkin (Judith.dworkin@sackstierney.com)
23 Marvin S. Cohen (marvin.cohen@sackstierney.com)
24 Patricia Ferguson-Bohnee
25 (patricia.ferguson@sackstierney.com)
26 Sacks Tierney P.A.
4250 North Drinkwater Boulevard
4th Floor
Scottsdale, Arizona 85251

27
28 Dana L. Bobroff (dbobroff@yahoo.com)
The Navajo Nation
Department of Justice

1 P.O. Drawer 2010
2 Window Rock, Arizona 86515

3 Attorneys for Navajo Nation Plaintiffs

4 Mary R. O'Grady (mary.ogrady@azag.gov)
5 Peter Alex Silverman (peter.silverman@azag.gov)
6 William Richards (bill.richards@azag.gov)
7 Office of the Attorney General
8 1275 W. Washington Street
9 Phoenix, Arizona 85007-2926

10 Attorney for Defendants State of Arizona, and Jan Brewer in
11 her official capacity as the Secretary of State of the state of
12 Arizona

13 M. Colleen Connor (connorc@mcao.maricopa.gov)
14 MCAO Division of County Counsel
15 222 N. Central Avenue, Ste. 1100
16 Phoenix, Arizona 85003

17 Dennis I. Wilenchik (diw@wb-law.com)
18 Kathleen Rapp (kathleenr@wb-law.com)
19 Wilenchik and Bartness, P.C.
20 The Wilenchik & Bartness Building
21 2810 North Third Street
22 Phoenix, Arizona 85004

23 Attorneys for County Defendants

24 Jean Wilcox (jwilcox@coconino.az.gov)
25 Coconino County Attorney's Office
26 110 East Cherry Avenue
27 Flagstaff, Arizona 86001

28 Attorneys for Coconino County Defendants

David J. Bodney
Karen J. Hartman-Tellez
Steptoe & Johnson LLP
Collier Center
201 East Washington St., Ste. 1600
Phoenix, Arizona 85004-2382

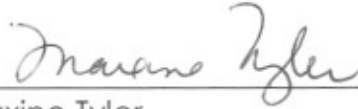
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

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

1 I further certify that I caused a copy of the attached document to be
2 mailed on October 30, 2006, to:

3 Honorable Roslyn O. Silver
4 Sandra Day o"Connor U.S. Courthouse, Ste. 624
5 401 West Washington, SPC 59
6 Phoenix, Arizona 85003-2158

7 

8

9 Maxine Tyler