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Nos. 08-17094, 08-17115

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

JESUS M. GONZALEZ; BERNIE
ABEYTIA; DEBBIE LOPEZ;
SOUTHWEST VOTER
REGISTRATION EDUCATION
PROJECT; VALLE DEL SOL;
FRIENDLY HOUSE; CHICANOS POR
LA CAUSA, INC.; PROJECT VOTE;
and ARIZONA HISPANIC
COMMUNITY FORUM,

Plaintiffs-Appellants,

and

INTER TRIBAL COUNCIL OF
ARIZONA, INC.; LEAGUE OF
WOMEN VOTERS OF ARIZONA;

On appeal from the United States
District Court for the District of
Arizona

No. CV-06-01268-PHX-ROS
No. CV-06-01362-PHX-ROS

**UNOPPOSED MOTION FOR
EXTENSION OF TIME FOR
RESPONDING TO GONZALEZ
APPELLANTS' APPLICATION
FOR ATTORNEYS' FEES**

HOPI TRIBE; ARIZONA ADVOCACY NETWORK; LEAGUE OF UNITED LATIN AMERICAN CITIZENS; and STEVE M. GALLARDO,

Plaintiffs-Appellants,

v.

STATE OF ARIZONA; KEN BENNETT, in his official capacity as Secretary of State of Arizona; SHELLY BAKER, La Paz County Recorder; BERTA MANUZ, Greenlee County Recorder; CANDACE OWENS, Coconino County Recorder; LYNN CONSTABILE, Yavapai County Election Director; KELLY DASTRUP, Navajo County Election Director; LAURA DEAN-LYTLE, Pinal County Recorder; JUDY DICKERSON, Graham County Election Director; DONNA HALE, La Paz County Election Director; SUSAN HIGHTOWER MARLAR, Yuma County Recorder; GILBERTO HOYOS, Pinal County Election Director; LAURETTE JUSTMAN, Navajo County Recorder; PATTY HANSEN, Coconino County Election Director; CHRISTINE RHODES, Cochise County Recorder; LINDA HAUGHT ORTEGA, Gila County Recorder; DIXIE MUNDY, Gila County Election Director; BRAD NELSON, Pima County Election Director; KAREN OSBORNE, Maricopa County Election Director; YVONNE PEARSON, Greenlee County Election Director; PENNY PEW, Apache County Election Director; HELEN PURCELL, Maricopa County Recorder; F. ANN

RODRIGUEZ, Pima County Recorder,
Defendants-Appellees.

Defendants-Appellees State of Arizona and Arizona Secretary of State Ken Bennett, (“the State”) respectfully request that the Court extend the deadline for the State to respond to the application for attorneys’ fees and costs on appeal filed by Plaintiffs-Appellants Jesus N. Gonzalez, et al. (“Gonzalez Plaintiffs”) to account for the State’s petition for certiorari.

The State intends to petition for certiorari between now and mid-July, 2012. Because of this, it is not efficient to address the Gonzalez Plaintiffs’ application for attorneys’ fees now. Rather, to account for the petition, the parties suggest that the Court grant Gonzalez time to amend his application such that a revised application, if appropriate, would be due on one of the following:

- if certiorari is denied, thirty days after such denial, or
- if certiorari is granted and a decision is rendered, thirty days after the mandate of the Supreme Court issues.

The State thereafter shall have thirty days after the filing of the amended application to respond to the application.

This motion is in the interests of justice and judicial economy, as it permits resolution of the contemplated Supreme Court action prior to resolving

the Gonzalez Plaintiffs' claims. The State has conferred with the Gonzalez Plaintiffs and Gonzalez Plaintiffs do not oppose the motion.

For the foregoing reasons, the State requests the Court extend the deadlines for amending and responding to the Gonzalez Plaintiffs' application for attorneys' fees and costs as set forth above.

Respectfully submitted this 25th day of May, 2012.

THOMAS C. HORNE

/s Thomas M. Collins

Paula Bickett

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Thomas M. Collins

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Attorneys for Defendants-

Appellees State of Arizona and

Arizona Secretary of State Ken

Bennett

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of May, 2012, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed a copy of the foregoing document by First-Class Mail, postage prepaid, to the following participants on the 22nd day of May, 2012, to:

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By: /s Elizabeth Gordon