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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Maria M. Gonzalez, et al.,	)	No. CV 06-1268-PHX-ROS
Plaintiffs,	)	<b>ORDER</b>
vs.	)	
State of Arizona, et al.,	)	
Defendants.	)	

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Pending before the Court is a motion by the State of Arizona asking the Court to vacate the preliminary injunction hearing scheduled for November 2, 2006. The motion will be granted.

In Purcell v. Gonzales, Nos. 06-532 and 06-533, 549 U.S. \_\_\_\_ (2006), the Supreme Court recognized that injunctions in election cases present unique considerations: "Court orders affecting elections, especially conflicting orders, can themselves result in voter confusion and consequent incentive to remain away from the polls. As an election draws closer, that risk will increase." The election is now only one week away and any further court order would present a serious risk of voter confusion. The hearing on the Navajo Nation's claims will be vacated and reset for a date after the election when historical evidence of Proposition 200's impact can be presented.

Accordingly,

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**IT IS ORDERED** the hearing set for November 2, 2006 is **VACATED** and **RESET**  
for February 8, 2007 at 9:00 a.m.

DATED this 31<sup>st</sup> day of October, 2006.



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Roslyn O. Silver  
United States District Judge