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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)

Plaintiffs,)

vs.)

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

Defendants.)

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

Plaintiffs,)

vs.)

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

Defendant.)

**STIPULATION FOR ENTRY OF
DISCOVERY AND BRIEFING
SCHEDULE FOR
PRELIMINARY INJUNCTION**

1 Pursuant to this Court's direction during the June 29, 2006 telephonic
2 scheduling conference, the parties in this consolidated action have conferred about the
3 schedule for discovery and briefing of plaintiffs' requests for preliminary injunctive
4 relief. Accordingly, the parties, through undersigned counsel, hereby stipulate and agree
5 that the Court may enter the Order submitted herewith, which sets the following
6 schedule:

- 7 1. July 17, 2006: last day to serve written discovery requests;
- 8 2. August 1, 2006: last day for Plaintiffs to disclose expert reports;
- 9 3. August 2, 2006: last day to complete fact discovery;
- 10 4. August 3, 2006: last day for Plaintiffs to file briefs;
- 11 5. August 9, 2006: last day to depose Plaintiffs' experts;
- 12 6. August 11, 2006: last day for Defendants to disclose expert reports;
- 13 7. August 11, 2006: last day for Defendants to file response briefs;
- 14 8. August 16, 2006: last day to depose Defendants' experts; and
- 15 9. August 18, 2006: last day for Plaintiffs to file reply briefs.

16 The parties agree that the limited discovery conducted in connection with
17 the preliminary injunction hearing will not preclude any party from conducting
18 additional discovery following the preliminary injunction hearing, including the
19 resumption of depositions and disclosure of additional expert witnesses.

20 The parties differ over the manner of presenting evidence to the Court
21 during the preliminary injunction hearing. Plaintiffs request that the Court conduct a
22 preliminary injunction hearing that includes the opportunity to present testimony and
23 evidence, including cross-examination (which plaintiffs believe may be critical on some
24 issues). Plaintiffs estimate that the hearing will last approximately two days, and
25 request that the Court schedule three days in the event it is not completed in two days.
26 Defendants believe that the Court may decide whether plaintiffs are entitled to a
27 preliminary injunction based on the papers submitted by the parties, supplemented by
28 oral argument at the preliminary injunction hearing. If the Court conducts an

1 evidentiary hearing, the parties have agreed that they shall exchange witness lists no
2 fewer than three days before the preliminary injunction hearing.

3 During the June 29 scheduling conference, the Court informed the parties
4 that the preliminary injunction hearing would be set for the last week in August 2006.
5 The parties stipulate and agree that the hearing, whether it be a full evidentiary hearing
6 or oral argument, be scheduled for the week of August 21, 2006, if compatible with the
7 Court's calendar. Beginning the week of August 28, 2006, the Office of the Secretary of
8 State must travel to each county in Arizona to test voting equipment and ensure
9 compliance with election procedures. As such, potential witnesses may be unavailable
10 that week and into the first week of September.

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RESPECTFULLY SUBMITTED this 5th day of July, 2006.

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