

Arizona Supreme Court
Civil Election Appeal

CV-24-0084-AP/EL

ROGERS v COOK et al

Appellate Case Information

Case Filed: 26-Apr-2024
Case Closed:

Dept/Composition

Side 1. WENDY ROGERS, individually, Plaintiff/Appellant
(Litigant Group) WENDY ROGERS, individually

- Wendy Rogers

Attorneys for: Plaintiff/Appellant
Timothy A LaSota, Esq. (AZ Bar No. 20539)

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Side 2. DAVID COOK, individually, PATTY HANSEN, in her official capacity as Coconino County Recorder, PATRICE HORSTMAN, in her official capacity as Coconino County Supervisor, JERONIMO VASQUEZ, in his official capacity as Coconino County Supervisor, ADAM HESS, in his official capacity as Coconino County Supervisor, JUDY BEGAY, in her official capacity as Coconino County Supervisor, LENA FOWLER, in her official capacity as Coconino County Supervisor, SADIE JO BINGHAM, in her official capacity as Gila County Recorder; STEVE CHRISTENSEN, in his official capacity as Gila County Supervisor; TIM R. HUMPHREY, in his official capacity as Gila County Supervisor; WOODY CLINE, in his official capacity as Gila County Supervisor, MICHAEL SAMPLE, in his official capacity as Navajo County Recorder, FERN BENALLY, in her official capacity as Navajo County Supervisor, ALBERTO L. PESHLAKAI, in his official capacity as Navajo County Supervisor, DARYL SEYMORE, in his official capacity as Navajo County Supervisor, DAWNAFE WHITESINGER, in her official capacity as Navajo County Supervisor JASON WHITING, in his official capacity as Pinal County Supervisor, MIKE GOODMAN, in his official capacity as Pinal County Supervisor, STEPHEN Q. MILLER, in his official capacity as Pinal County Supervisor, JEFFREY McCLURE, in his official capacity as Pinal County Supervisor, JEFF SERDY, in his official capacity as Pinal County Supervisor, ADRIAN FONTES, in his official capacity as Arizona Secretary of State, Defendant/Appellee

(Litigant Group) DAVID COOK, individually

- David Cook

Attorneys for: Defendant/Appellee

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(Litigant Group) PATTY HANSEN, in her official capacity as Coconino County Recorder, PATRICE HORSTMAN, in her official capacity as Coconino County Supervisor, JERONIMO VASQUEZ, in his official capacity as Coconino County Supervisor, ADAM HESS, in his official capacity as Coconino County Supervisor, JUDY BEGAY, in her official capacity as Coconino County Supervisor, LENA FOWLER, in her official capacity as Coconino County Supervisor

- Patty Hansen, Coconino County Recorder's Office
- Patrice Horstman
- Jeronimo Vasquez
- Adam Hess
- Judy Begay

Attorneys for: Defendant/Appellee

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(Litigant Group) SADIE JO BINGHAM, in her official capacity as Gila County Recorder; STEVE CHRISTENSEN, in his official capacity as Gila County Supervisor; TIM R. HUMPHREY, in his official capacity as Gila County Supervisor; WOODY CLINE, in his official capacity as Gila County Supervisor

- Sadie Jo Bingham, Gila County Recorder's Office
- Steve Christensen
- Tim R Humphrey, Gila County Board of Supervisors
- Woody Cline, Gila County Board of Supervisors

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(Litigant Group) MICHAEL SAMPLE, in his official capacity as Navajo County Recorder, FERN BENALLY, in her official capacity as Navajo County Supervisor, ALBERTO L. PESHLAKAI, in his official capacity as Navajo County Supervisor, DARYL SEYMORE, in his official capacity as Navajo County Supervisor, DAWNAFE WHITESINGER, in her official capacity as Navajo County Supervisor JASON WHITING, in his official capacity as Navajo County Supervisor

- Michael Sample, Navajo County Recorder's Office
- Fern Benally
- Alberto L. Peshlakai
- Daryl Seymore
- Dawnafe Whitesinger
- Jason E Whiting

Attorneys for: Defendant/Appellee

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(Litigant Group) DANA LEWIS, in her official capacity as Pinal County Recorder, KEVIN CAVANAUGH, in his official capacity as Pinal County Supervisor, MIKE GOODMAN, in his official capacity as Pinal County Supervisor, STEPHEN Q. MILLER, in his official capacity as Pinal County Supervisor, JEFFREY McCLURE, in his official capacity as Pinal County Supervisor, JEFF SERDY, in his official capacity as Pinal County Supervisor

- Dana Lewis
- Kevin Cavanaugh, Pinal County Board of Supervisors
- Mike Goodman, Pinal County Board of Supervisors
- Stephen Q Miller, Pinal County Board of Supervisors
- Jeffrey McClure, Pinal County Board of Supervisors
- Jeff Serdy, Pinal County Board of Supervisors

Attorneys for: Defendant/Appellee
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(Litigant Group) ADRIAN FONTES, in his official capacity as Arizona Secretary of State

- Adrian P Fontes, Arizona Secretary of State

Attorneys for: Defendant/Appellee
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Karen J Hartman-Tellez, Esq. (AZ Bar No. 21121)
Kara Karlson, Esq. (AZ Bar No. 29407)
Kyle R Cummings, Esq. (AZ Bar No. 32228)

CASE STATUS

Apr 26, 2024.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2024-008715			Scott A Blaney, Judge on PC		

9 PROCEEDING ENTRIES

1. 26-Apr-2024 FILED: Notice of Filing of Notice of Appeal and Designation of Case an Expedited Election Matter; Certificate of Service; Plaintiff-Appellant's Request to Set Initial Telephonic Conference; Plaintiff-Appellant's Notice of Designation of Transcript (Appellant Rogers)
2. 26-Apr-2024 FILED: Notice of Filing of Court Time Stamped Copy of Notice of Appeal and Signed Final Judgment by the Trial Court; Certificate of Service (Appellant Rogers)
3. 26-Apr-2024 FILED: Notice of Errata-Notice of Filing of Court Time Stamped Copy of Notice of Appeal and Signed Final Judgment by the Trial Court; Certificate of Service; Notice of Filing of Court Time Stamped Copy of Notice of Appeal and Signed Final Judgment by the Trial Court (Appellant Rogers)
4. 26-Apr-2024 FILED: Notice of Filing of the Superior Court Transcript; Certificate of Service (Appellant Rogers)

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5. 29-Apr-2024 Appellant Rogers filed a Notice of Appeal in this expedited election matter on April 26, 2024, pursuant to Rule 10(g), Arizona Rules of Civil Appellate Procedure.
- In lieu of a telephonic scheduling conference, Court staff has consulted with Appellant, Defendant/Appellee David Cook, and representatives from the counties.
- Counsel for the Coconino County has advised that Coconino County's ballot printing deadline is May 10, 2024.
- IT IS ORDERED Coconino County shall file this information forthwith.
- IT IS FURTHER ORDERED if either party wishes to use transcripts, such party shall file authorized transcripts as soon as possible. If no authorized transcript can be prepared and filed timely, the parties are encouraged to stipulate to the pertinent facts or testimony or provide pertinent segments of unauthorized transcripts along with their opening and answering briefs.
- IT IS FURTHER ORDERED Appellant shall file the opening brief no later than 4:00 p.m. on Wednesday, May 1, 2024. The opening brief shall be no more than 3500 words.
- IT IS FURTHER ORDERED Appellee may file an answering brief no later than 12:00 p.m. on Monday, May 6, 2024. The answering brief shall be no more than 3500 words.
- IT IS FURTHER ORDERED Appellant may file a reply brief no later than 4:00 p.m. on Tuesday, May 7, 2024. The reply brief shall be no more than 1500 words.
- IT IS FURTHER ORDERED the counties may file a brief either when the answering brief is due (to address the opening brief) or a response when the reply brief is due (to address the answering brief) and these briefs shall be no more than 3500 words.
- IT IS FURTHER ORDERED that briefs will be in a legible 14-point font, double-spaced, and will include all arguments the parties wish to present to the Court. They may be filed in memorandum format (no tables of contents or authorities).
- IT IS FURTHER ORDERED that copies of all filings must be delivered as required under Rule 10(h).
- IT IS FURTHER ORDERED that in addition to filing briefs with the Clerk of the Supreme Court (with filing and service through AZTurboCourt) all filings are also to be sent by email to all the parties and court staff and to SACrtdocs@courts.az.gov when filed.
- This matter will be decided without oral argument. (Hon. John R. Lopez IV)
6. 26-Apr-2024 FILED: Electronic Record From MCSC
7. 29-Apr-2024 FILED: Notice of Coconino County's Ballot Printing Deadline; Certificate of Service (Appellees Hansen, et al.)
8. 1-May-2024 FILED: Plaintiff-Appellant's Opening Brief; Certificate of Service; Certificate of Compliance (Appellant Rogers)
9. 3-May-2024 RECEIPT No.: 2024-00097 ; \$280.00, Authorization: 8387675309746845, Applied to: WENDY ROGERS, individually - Class A Filing Fee (\$280.00) Paid for: WENDY ROGERS, individually - By nCourt LLC