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11 * *Application for Pro Hac Vice Forthcoming*

12 *Attorneys for Defendant Arizona Secretary of State Katie Hobbs*

13
14 **ARIZONA SUPERIOR COURT**
15 **YAVAPAI COUNTY**

16 MARK BRNOVICH, in his official capacity as
Arizona Attorney General, et al.,

17 Plaintiffs,

18 v.

19 KATIE HOBBS, in her capacity as the
Secretary of State of Arizona,

20 Defendant.
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No. P1300CV202200269

**REPLY IN SUPPORT OF MOTION TO
MODIFY BRIEFING AND ARGUMENT
SCHEDULE**

(Assigned to Hon. John Napper)

(Expedited Consideration Requested)

1 Defendant Katie Hobbs, in her official capacity as Arizona Secretary of State
2 (“Secretary”) replies briefly in support of her Motion to Modify Briefing and Argument Schedule
3 (“Motion”), filed on May 13, 2022.

4 Plaintiffs’ primary objection to the Motion is that the Secretary should have no need to
5 further consult with the election officials in Arizona’s fifteen counties because she worked with
6 them months ago on the draft EPM she submitted by the October 1, 2021 deadline and thereafter.
7 But what Plaintiffs ignore is that nobody – neither the Secretary nor the counties – understood
8 the basis for any of the Attorney General’s proposed revisions to the EPM until just over a week
9 ago when the Attorney General, on the Court’s order, explained himself for the first time.
10 Because the counties are the lifeblood of election administration in Arizona, they should all be
11 given a meaningful opportunity to consider the Attorney General’s position and weigh in before
12 the Secretary responds to the Attorney General’s Supplemental Brief. It’s no exaggeration to say
13 that forcing through last-minute changes to the EPM without a full understanding of how they
14 will impact the counties’ operations could wreak havoc in our elections systems. Beyond that,
15 any alleged concern regarding timing is a problem entirely of Plaintiffs’ own making (they could
16 and should have filed this case months ago), and Plaintiffs’ responses to the Motion prove that
17 this case should be dismissed under both *Purcell* and the laches doctrine.

18 The Motion requested a modest change to the current briefing and argument schedule,
19 and the Attorney General [at 2] has confirmed that his counsel is available for an oral argument
20 on June 8. As a result, the Court should grant the Motion, and re-set the oral argument for June 8
21 at a time convenient for the Court.

22 RESPECTFULLY SUBMITTED this 16th day of May, 2022.

23 **COPPERSMITH BROCKELMAN PLC**

24 By: /s/ Roopali H. Desai

25 Roopali H. Desai

26 D. Andrew Gaona

Kristen Yost

1 **STATES UNITED DEMOCRACY CENTER**

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3 Christine Bass*

4 **Application for Pro Hac Vice Forthcoming*

5 ORIGINAL e-filed and served via electronic
6 means this 16th day of May, 2022, upon:

7 Honorable John Napper
8 c/o Felicia L. Slaton (Div2@courts.az.gov)

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26 /s/ Verna Colwell