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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF ARIZONA**

15 The Arizona Democratic Party; The
16 Democratic National Committee; DSCC,

17 Plaintiffs,

18 v.

19 Katie Hobbs, in her official capacity as
20 Arizona Secretary of State; Edison
21 Wauneka, in his official capacity as
22 Apache County Recorder; David Stevens,
23 in his official capacity as Cochise County
24 Recorder; Patty Hansen, in her official
25 capacity as Coconino County Recorder;
26 Sadie Jo Bingham, in her official capacity
27 as Gila County Recorder; Wendy John, in
28 her official capacity as Graham County
Recorder; Shari Milheiro, in her official
capacity as Greenlee County Recorder;
Richard Garcia, in his official capacity as
La Paz County Recorder; Adrian Fontes, in
his official capacity as Maricopa County
Recorder; Kristi Blair, in her official
capacity as Mohave County Recorder;
Michael Sample, in his official capacity as
Navajo County Recorder; F. Ann
Rodriguez, in her official capacity as Pima
County Recorder; Virginia Ross, in her
official capacity as Pinal County Recorder;
Suzanne Sainz, in her official capacity as

) No. CV-20-01143-PHX-DLR

) **DEFENDANT ARIZONA**
) **SECRETARY OF STATE’S**
) **RESPONSE TO MOTION TO**
) **INTERVENE**

1 Santa Cruz County Recorder; Leslie)
 Hoffman, in her official capacity as)
 2 Yavapai County Recorder; and Robyn)
 Stallworth Pouquette, in her official)
 3 capacity as Yuma County Recorder,)
 4 Defendants.)
 5

6 Defendant Katie Hobbs, in her official capacity as Arizona Secretary of State
 7 (“Secretary”) submits the following response to the State’s Motion to Intervene
 8 (“Motion”) [Dkt. 16], filed by the Arizona Attorney General (“AG”).

9 Immediately after this action was filed and prior to any discussion about the
 10 lawsuit, the merits of the claims, or the relief sought, the AG informed the Secretary that
 11 he would not be representing the Secretary in this matter. Within days, the AG informed
 12 the Secretary of his intent to intervene in this matter and sought her position. The AG did
 13 not share the basis for his desire to intervene, nor did he indicate in any way that his
 14 motion to intervene would be based on his displeasure with the Secretary’s prior positions
 15 in litigation where she, and not he, was the properly named defendant. Based on the
 16 narrow question presented to her, the Secretary informed the AG that she takes no position
 17 on his motion to intervene. That remains her position as to the limited question of whether
 18 the AG, purportedly on behalf of the State of Arizona, should be permitted to intervene
 19 as a Defendant in this matter.

20 However, in light of the shamelessly inflammatory motion filed by the AG, she
 21 wishes to be heard on the issue. Notably, the Secretary does not agree that intervention
 22 by the AG is either necessary or warranted based on his inaccurate and unfounded claims
 23 that the Secretary—his client in a variety of other matters—(1) “has repeatedly refused to
 24 defend Arizona law against legal challenges” [Dkt. 16 at 2], (2) “undermined the State’s
 25 or Attorney General’s efforts to defend Arizona law” [*id.* at 5], and worse yet, (3)
 26 somehow failed to satisfy her “oath to support and defend the laws of the State” [*id.* at 6].

27 The Secretary will not mince words in response to the AG’s baseless allegations;
 28 she has defended Arizona law when appropriate in her role as Arizona’s chief elections

