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23 **IN THE UNITED STATES DISTRICT COURT**  
24 **FOR THE DISTRICT OF ARIZONA**

25 The Arizona Democratic Party, *et al.*,

26 Plaintiffs,

27 v.

28 Katie Hobbs, *et al.*,

Defendants,

and

State of Arizona, *et al.*

Intervenor-Defendants.

No. 2:20-cv-01143-DLR

**ANSWER OF REPUBLICAN  
NATIONAL COMMITTEE,  
ARIZONA REPUBLICAN PARTY  
AND DONALD J. TRUMP FOR  
PRESIDENT, INC. TO THE  
COMPLAINT**

1 The Republican National Committee, Arizona Republican Party, and Donald J.  
2 Trump for President, Inc. (collectively, “Intervenors”) submit this Answer to Plaintiffs’  
3 complaint (Doc. 1):

4 **NATURE OF THE CASE**

5 1. This paragraph states legal conclusions to which no response is required.

6 2. Intervenors lack sufficient information to admit or deny Plaintiffs’ motives  
7 for bringing the lawsuit. The remaining allegations of this paragraph are denied.

8 3. Intervenors lack sufficient information to admit or deny the factual  
9 allegations in this paragraph. This paragraph states legal conclusions to which no response  
10 is required.

11 4. Intervenors admit that Arizona is suffering from the COVID-19 pandemic.  
12 Intervenors lack sufficient information to admit or deny Plaintiffs’ other allegations in this  
13 paragraph.

14 5. Intervenors lack sufficient information to admit or deny the factual  
15 allegations in this paragraph. This paragraph states legal conclusions to which no response  
16 is required.

17 6. Intervenors lack sufficient information to admit or deny Plaintiffs’  
18 allegations in this paragraph.

19 7. Denied.

20 8. Intervenors lack sufficient information to admit or deny the factual  
21 allegations in this paragraph. This paragraph states legal conclusions to which no response  
22 is required.

23 **JURISDICTION AND VENUE**

24 9. This paragraph states legal conclusions to which no response is required.

25 10. This paragraph states legal conclusions to which no response is required.

26 11. This paragraph states legal conclusions to which no response is required.

27 12. Intervenors lack sufficient information to admit or deny the factual  
28 allegations in this paragraph. This paragraph states legal conclusions to which no response

1 is required.

2 13. This paragraph states legal conclusions to which no response is required.

3 14. This paragraph states legal conclusions to which no response is required.

4 **PARTIES**

5 15. Intervenors lack sufficient information to admit or deny the factual  
6 allegations in this paragraph.

7 16. Intervenors lack sufficient information to admit or deny the factual  
8 allegations in this paragraph. This paragraph states legal conclusions to which no response  
9 is required.

10 17. Intervenors lack sufficient information to admit or deny the factual  
11 allegations in this paragraph. This paragraph states legal conclusions to which no response  
12 is required.

13 18. Intervenors lack sufficient information to admit or deny the factual  
14 allegations in this paragraph. This paragraph states legal conclusions to which no response  
15 is required.

16 19. Intervenors lack sufficient information to admit or deny the factual  
17 allegations in this paragraph. This paragraph states legal conclusions to which no response  
18 is required.

19 20. Denied.

20 21. Intervenors lack sufficient information to admit or deny Plaintiffs'  
21 representations as to DNC's alleged activities. The remaining allegations of this paragraph  
22 are denied.

23 22. Denied.

24 23. Intervenors lack sufficient information to admit or deny the factual  
25 allegations in this paragraph. This paragraph states legal conclusions to which no response  
26 is required.

27 24. Denied.

28 25. Denied.

1           26.       Intervenors admit that Katie Hobbs is the Secretary of State for the State of  
2 Arizona. This paragraph states legal conclusions to which no response is required.

3           27.       Admitted.

4           28.       Admitted.

5           29.       Admitted.

6           30.       Admitted.

7           31.       Admitted.

8           32.       Admitted.

9           33.       Admitted.

10          34.       Admitted.

11          35.       Admitted.

12          36.       Admitted.

13          37.       Admitted.

14          38.       Admitted.

15          39.       Admitted.

16          40.       Admitted.

17          41.       Admitted.

**STATEMENT OF FACTS**

18  
19          42.       This paragraph states legal conclusions to which no response is required.

20          43.       This paragraph states legal conclusions to which no response is required.

21          44.       Denied.

22          45.       This paragraph states legal conclusions to which no response is required.

23          46.       This paragraph states legal conclusions to which no response is required.

24          47.       This paragraph states legal conclusions to which no response is required.

25          48.       The referenced documents speak for themselves. Plaintiffs’ remaining  
26 allegations in this paragraph are denied. This paragraph states legal conclusions to which  
27 no response is required.

28          49.       The referenced documents speak for themselves.

1 50. This paragraph states legal conclusions to which no response is required.

2 51. Intervenors deny the first sentence and lack sufficient information to admit  
3 or deny the second.

4 52. Intervenors lack sufficient information to admit or deny the allegations in  
5 this paragraph.

6 53. Intervenors lack sufficient information to admit or deny the allegations in  
7 this paragraph.

8 54. Intervenors lack sufficient information to admit or deny the allegations in  
9 this paragraph.

10 55. Denied.

11 56. Intervenors lack sufficient information to admit or deny the allegations in  
12 this paragraph. This paragraph states legal conclusions to which no response is required.

13 57. Denied.

14 58. Denied.

15 **COUNT I**

16 **(Undue Burden on the Right to Vote in Violation of the First Amendment and the  
17 Equal Protection Clause of the Fourteenth Amendment)**

18 59. Intervenors reallege and incorporate by reference all prior paragraphs of this  
19 Answer and the paragraphs in the counts below as though fully set forth herein.

20 60. This paragraph states legal conclusions to which no response is required.

21 61. This paragraph states legal conclusions to which no response is required.

22 62. Denied.

23 63. Denied.

24 **COUNT II**

25 **(Denial of Procedural Due Process in Violation of the Fourteenth Amendment)**

26 64. Intervenors reallege and incorporate by reference all prior paragraphs of this  
27 Answer and the paragraphs in the counts below as though fully set forth herein.

28 65. This paragraph states legal conclusions to which no response is required.

1 66. This paragraph states legal conclusions to which no response is required.

2 67. Denied.

3 68. Denied.

4 69. Denied.

5 **GENERAL DENIAL**

6 70. Intervenors deny each and every allegation not expressly admitted herein.

7 **AFFIRMATIVE DEFENSES**

8 1. The Complaint fails, in whole or in part, to state a claim upon which relief  
9 can be granted.

10 2. The counts are barred in whole or in part by the doctrine of abstention.

11 3. Plaintiffs' claims are barred under the political question or justiciability  
12 doctrine.

13 4. Plaintiffs are estopped from bringing some or all of the claims asserted in  
14 this action.

15 5. Plaintiffs are equitably estopped from bringing some or all of the claims  
16 asserted in this action.

17 6. Plaintiffs' unclean hands preclude the relief they seek herein.

18 7. Plaintiffs have waived their right to bring some or all of the claims asserted  
19 in this action.

20 8. Plaintiffs' claims are barred in whole or in part by the doctrine of res  
21 judicata.

22 9. Plaintiffs' claims are barred in whole or in part by the doctrine of illegality.

23 10. The Complaint fails, in whole or in part, because Plaintiffs have failed to  
24 take reasonable steps to avoid harm.

25 11. Plaintiffs' claims for equitable relief are barred to the extent they seek an  
26 affirmative or mandatory injunction.

27 12. Additional facts may be revealed by discovery that support affirmative  
28 defenses presently available to but unknown by Intervenors. Accordingly, Intervenors

1 hereby reserve the right to amend this Answer at a later time to assert any matters  
2 constituting an avoidance or affirmative defense, including those set forth in Fed. R. Civ.  
3 P. 8(c) and 12(b).

4 **PRAYER FOR RELIEF**

5 Intervenor deny that Plaintiffs are entitled to their requested relief. They request  
6 that:

- 7 A. The claims in the Complaint be fully dismissed with prejudice;  
8 B. The Court otherwise enter judgment against Plaintiffs with prejudice;  
9 C. The Plaintiffs take nothing;  
10 D. Intervenor be awarded their fees and costs; and  
11 E. The Court grant such further relief as it deems just and proper.

12 Dated: July 17, 2020

13  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2020, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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