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10 Attorneys for Plaintiffs

11 IN THE UNITED STATES DISTRICT COURT

12 FOR THE DISTRICT OF ARIZONA

13 Tohono O’odham Nation  
14 and Gila River Indian Community,

15 Plaintiffs,

16 v.

17 Mark Brnovich in his official capacity as  
18 Attorney General of Arizona; Katie Hobbs,  
19 in her official capacity as Arizona  
20 Secretary of State; Dana Lewis in her  
21 official capacity as Pinal County Recorder;  
22 Gabriella Cázares-Kelly in her official  
23 capacity as Pima County Recorder; Stephen  
24 Richer in his official capacity as Maricopa  
25 County Recorder,

26 Defendants.

No. 2:22-cv-01901-ESW

**UNOPPOSED MOTION TO  
TRANSFER**

27 Plaintiffs Tohono O’odham Nation and Gila River Indian Community  
28 respectfully move this Court to transfer *Tohono O’odham Nation and Gila River Indian  
Community v. Hobbs*, Case No. 2:22-cv-01901-ESW, to the Honorable Judge Susan R.  
Bolton pursuant to LRCiv 42.1, because it is related to *Living United for Change in  
Arizona v. Hobbs*, 2:22-cv-519-SRB (“*LUCHA*”) and challenges the same provision of  
law as *Poder Latinx v. Hobbs, et al.*, 2:22-cv-1003-PHX-SRB (“*Poder*”). Both the  
*LUCHA* and *Poder* cases have been consolidated, along with *United States v. Arizona*,

1 2:22-cv-01124-SRB, and *Democratic National Committee v. Hobbs*, 2:22-cv-01369-  
2 DJH, with *Mi Familia Vota v. Hobbs*, 2:22-cv-509-SRB. The instant case and all of the  
3 consolidated cases concern the same recently enacted Arizona election law, 2022 Ariz.  
4 Sess. Laws, ch. 99, or House Bill 2492 (“HB 2492”) and both the instant case and  
5 *LUCHA* concern overlapping challenges to the documentary proof of residence  
6 requirement in HB 2492.

7 Local Rule LRCiv 42.1(a) provides that when different cases are pending before  
8 different Judges, a party may move to transfer the case to a single Judge when the cases:  
9 “(1) arise from substantially the same transaction or event; (2) involve substantially the  
10 same parties or property; ... (4) call for determination of substantially the same  
11 questions of law; or (5) for any other reason would entail substantial duplication of  
12 labor if heard by different Judges.”

13 The instant case is substantially similar to the other challenges listed above. It  
14 challenges the same law and is filed against overlapping parties. Arizona Secretary of  
15 State Katie Hobbs, Arizona Attorney General Mark Brnovich, and Arizona County  
16 Recorders have been named as defendants in several of the cases consolidated with *Mi*  
17 *Familia Vota*, 2:22-cv-509-SRB. The instant case is the most similar to *LUCHA*, which  
18 will necessitate the adjudication of substantially similar factual and legal questions,  
19 specifically a new voter registration requirement to provide documentary proof of  
20 physical location of residence. Additionally, there will be significant overlap regarding  
21 discovery and possible future briefing in the related cases. Transfer of this related case  
22 is appropriate to avoid both the substantial duplication of labor and the risk of  
23 inconsistent rulings on the same factual and legal questions.

24 Accordingly, Plaintiffs respectfully request that this case be transferred to the  
25 Honorable Judge Susan R. Bolton, for adjudication with cases consolidated under the  
26 lead case number 2:22-cv-509-SRB.

1 Counsel for Plaintiffs have conferred with counsel for Defendants and have  
2 confirmed that none takes a position opposing this motion. Counsel for the Arizona  
3 Attorney General states that the Attorney General believes this case should be  
4 consolidated with the others pending.

5 DATED this 11 day of November, 2022.

6 OSBORN MALEDON, P.A.

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Practice limited to matters before federal  
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