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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

Mi Familia Vota, et al.,  
Plaintiffs,

v.

Katie Hobbs, et al.,  
Defendants.

Case No. 2:22-cv-00509-SRB  
(Lead Case)

Case No. 2:22-cv-01003-MTL  
(Consolidated)

**UNOPPOSED MOTION  
REGARDING PENDING MOTION  
TO DISMISS AND SECOND  
AMENDED COMPLAINT**

(Honorable Susan R. Bolton)

Living United for Change in Arizona, et al.,  
Plaintiffs,

v.

1 Katie Hobbs,  
2 Defendant,  
3 and  
4 State of Arizona, et al.,  
5 Intervenor-Defendants.

6 Poder Latinx, Chicanos Por La Causa, and  
7 Chicanos Por La Causa Action Fund,  
8 Plaintiffs,

9 v.

10 Katie Hobbs, in her official capacity as  
11 Secretary of State of Arizona, Mark  
12 Brnovich, in his official capacity as  
13 Attorney General of Arizona, Stephen  
14 Richer, in his official capacity as Maricopa  
15 County Recorder, Gabriella Cazares-Kelly,  
16 in her official capacity as Pima County  
17 Recorder, and Richard Colwell, in his  
18 official capacity as Yuma County Recorder,  
19 Defendants.

20 United States of America,  
21 Plaintiff,

22 v.

23 State of Arizona, et al.,  
24 Defendants.

25 Democratic National Committee, et al.,  
26 Plaintiffs,

27 v.

28 State of Arizona, et al.,  
Defendants,  
and

1 Republican National Committee,  
2 Intervenor-Defendant.  
3 Arizona Asian American Native Hawaiian  
4 and Pacific Islander For Equality Coalition,  
5 Plaintiffs,  
6 v.  
7 Katie Hobbs, et al.,  
8 Defendants.  
9 Promise Arizona, and Southwest Voter  
10 Registration Education Project,  
11 Plaintiffs,  
12 v.  
13 Katie Hobbs, et al.,  
14 Defendants,

15 Plaintiffs Poder Latinx, Chicanos Por La Causa, and Chicanos Por La Causa Action  
16 Fund (“Plaintiffs”) have filed a Second Amended Complaint (“SAC”) pursuant to Federal  
17 Rule of Civil Procedure 15(a)(2) and with the consent of all Defendants named in  
18 Plaintiffs’ action. The SAC amends Count One, which asserts a violation of Section 8(b)  
19 of the National Voter Registration Act (“NVRA”), to reach House Bill 2243 (“HB 2243”)  
20 as well. Plaintiffs filed an NVRA notice letter on July 27, 2022, soon after HB 2243 was  
21 enacted, but could not add this claim to their complaint until the statutory 90-day period  
22 had elapsed. 52 U.S.C. § 20510(b)(2). Plaintiffs also make a technical correction  
23 throughout, as certain provisions enacted as part of HB 2243, specifically Ariz. Rev. Stat.  
24 §§ 16-165(F), 16-165(G), 16-165(H), 16-165(I), and 16-165(J), will in fact be codified as  
25 Ariz. Rev. Stat. §§ 16-165(G), 16-165(H), 16-165(I), 16-165(J), and 16-165(K),  
26 respectively. The SAC does not add any new parties.

1 Plaintiffs respectfully move this Court to deem Defendants Attorney General Mark  
2 Brnovich and the State of Arizona's pending motion to dismiss Plaintiffs' First Amended  
3 Complaint for lack of jurisdiction and failure to state a claim, to be directed against  
4 Plaintiffs' Second Amended Complaint. Given the narrowness of these amendments and  
5 in the interest of an efficient resolution of the legal questions raised in the pending motion  
6 to dismiss, Plaintiffs submit that there is good cause to deem the Motion directed to the  
7 Second Amended Complaint and no need for duplicative briefing. The movants,  
8 Defendants Attorney General Mark Brnovich and the State of Arizona, do not oppose this  
9 Motion.

10 RESPECTFULLY SUBMITTED this 15th day of November, 2022.

11  
12 /s/ Jon Sherman

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