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21 **IN THE UNITED STATES DISTRICT COURT**
22 **FOR THE DISTRICT OF ARIZONA**

23 Mi Familia Vota, et al.,

24 Plaintiffs,

25 v.

26 Adrian Fontes, in his official capacity as
27 Arizona Secretary of State, et al.,

28 Defendants.

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

**INTERVENOR-DEFENDANT’S
ANSWER TO LUCHA PLAINTIFFS’
FIRST AMENDED COMPLAINT**

AND CONSOLIDATED CASES

1 Intervenor the Republican National Committee now answers LUCHA Plaintiffs'
2 first amended complaint (Doc. 67). Unless expressly admitted below, every allegation in
3 the complaint is denied. When Intervenor says something “speaks for itself,” it means that
4 it lacks sufficient information to admit or deny the allegation. Because Plaintiffs often cite
5 nothing, Intervenor do not know whether the referenced factual material exists, is
6 accurate, or is placed in proper context. Accordingly, Intervenor state:

- 7 1. Admit the date Governor Ducey signed HB 2492; the rest is legal argument
8 requiring no response.
- 9 2. Deny the first sentence; Intervenor lacks sufficient information to admit or
10 deny the remaining allegations.
- 11 3. Legal argument requiring no response.
- 12 4. Legal argument requiring no response.
- 13 5. Legal argument requiring no response.
- 14 6. Legal argument requiring no response.
- 15 7. Legal argument requiring no response.
- 16 8. Legal argument requiring no response.
- 17 9. Legal argument requiring no response.
- 18 10. Legal argument requiring no response.
- 19 11. Legal argument requiring no response.
- 20 12. After Plaintiffs filed their amended complaint, Adrian Fontes assumed the
21 role of Secretary of State of Arizona, and Kris Mayes assumed the role of
22 Attorney General of Arizona; the rest is legal argument requiring no
23 response.
- 24 13. Legal argument requiring no response.
- 25 14. Legal argument requiring no response.
- 26 15. Legal argument requiring no response.
- 27 16. Admit.
- 28 17. Admit.

- 1 18. Admit.
- 2 19. Admit.
- 3 20. Legal argument requiring no response.
- 4 21. Legal argument requiring no response.
- 5 22. Legal argument requiring no response.
- 6 23. Legal argument requiring no response.
- 7 24. Legal argument requiring no response.
- 8 25. Legal argument requiring no response.
- 9 26. Legal argument requiring no response.
- 10 27. Legal argument requiring no response.
- 11 28. Legal argument requiring no response.
- 12 29. Intervenor lacks sufficient knowledge to admit or deny.
- 13 30. Intervenor lacks sufficient knowledge to admit or deny.
- 14 31. Intervenor lacks sufficient knowledge to admit or deny.
- 15 32. Intervenor lacks sufficient knowledge to admit or deny.
- 16 33. Intervenor lacks sufficient knowledge to admit or deny.
- 17 34. Intervenor lacks sufficient knowledge to admit or deny.
- 18 35. Legal argument requiring no response.
- 19 36. Legal argument requiring no response.
- 20 37. Intervenor lacks sufficient knowledge to admit or deny; the rest is legal
- 21 argument requiring no response.
- 22 38. Intervenor lacks sufficient knowledge to admit or deny.
- 23 39. Legal argument requiring no response.
- 24 40. Legal argument requiring no response.
- 25 41. Legal argument requiring no response.
- 26 42. Legal argument requiring no response.
- 27 43. Legal argument requiring no response.

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- 1 44. Intervenor lacks sufficient knowledge to admit or deny; the rest is legal
- 2 argument requiring no response.
- 3 45. Intervenor lacks sufficient knowledge to admit or deny.
- 4 46. Intervenor lacks sufficient knowledge to admit or deny.
- 5 47. Legal argument requiring no response.
- 6 48. Legal argument requiring no response.
- 7 49. Legal argument requiring no response.
- 8 50. The case speaks for itself.
- 9 51. Legal argument requiring no response.
- 10 52. Legal argument requiring no response.
- 11 53. Legal argument requiring no response.
- 12 54. Legal argument requiring no response.
- 13 55. Legal argument requiring no response.
- 14 56. Legal argument requiring no response.
- 15 57. Legal argument requiring no response.
- 16 58. Legal argument requiring no response.
- 17 59. Legal argument requiring no response.
- 18 60. Legal argument requiring no response.
- 19 61. Legal argument requiring no response.
- 20 62. Legal argument requiring no response.
- 21 63. Legal argument requiring no response.
- 22 64. Legal argument requiring no response.
- 23 65. Legal argument requiring no response.
- 24 66. Legal argument requiring no response.
- 25 67. Legal argument requiring no response.
- 26 68. Legal argument requiring no response.
- 27 69. Intervenor lacks sufficient information to admit or deny.
- 28 70. Legal argument requiring no response.

- 1 71. Intervenor lacks sufficient information to admit or deny.
- 2 72. Legal argument requiring no response.
- 3 73. Legal argument requiring no response.
- 4 74. Admit that Proposition 200 was enacted in 2004; the rest is legal argument
5 requiring no response.
- 6 75. Intervenor lacks sufficient information to admit or deny.
- 7 76. The case speaks for itself.
- 8 77. Legal argument requiring no response.
- 9 78. Legal argument requiring no response.
- 10 79. Intervenor lacks sufficient information to admit or deny.
- 11 80. Intervenor lacks sufficient information to admit or deny.
- 12 81. The interpretation of a court order is a legal argument requiring no response;
13 Intervenor otherwise lack sufficient information to admit or deny.
- 14 82. The judicial filings speak for themselves.
- 15 83. The judicial filings speak for themselves.
- 16 84. The judicial filings speak for themselves.
- 17 85. Intervenor lacks sufficient information to admit or deny.
- 18 86. Legal argument requiring no response.
- 19 87. Legal argument requiring no response.
- 20 88. Legal argument requiring no response.
- 21 89. Legal argument requiring no response.
- 22 90. Legal argument requiring no response.
- 23 91. Legal argument requiring no response.
- 24 92. Legal argument requiring no response.
- 25 93. Legal argument requiring no response.
- 26 94. Legal argument requiring no response.
- 27 95. Legal argument requiring no response.
- 28 96. Legal argument requiring no response.

- 1 97. Legal argument requiring no response.
- 2 98. Legal argument requiring no response.
- 3 99. Legal argument requiring no response.
- 4 100. Legal argument requiring no response.
- 5 101. Legal argument requiring no response.
- 6 102. Deny.
- 7 103. The quoted portion of the statute speaks for itself.
- 8 104. Deny.
- 9 105. Intervenor lacks sufficient information to admit or deny.
- 10 106. Intervenor lacks sufficient information to admit or deny.
- 11 107. Deny.
- 12 108. Legal argument requiring no response.
- 13 109. Legal argument requiring no response.
- 14 110. Legal argument requiring no response.
- 15 111. Legal argument requiring no response.
- 16 112. Legal argument requiring no response.
- 17 113. The quoted portion of the statute speaks for itself; the rest is legal argument
18 requiring no response.
- 19 114. Legal argument requiring no response.
- 20 115. Legal argument requiring no response.
- 21 116. Deny.
- 22 117. Legal argument requiring no response.
- 23 118. Legal argument requiring no response.
- 24 119. Legal argument requiring no response.
- 25 120. Legal argument requiring no response.
- 26 121. Legal argument requiring no response.
- 27 122. Legal argument requiring no response.
- 28 123. Legal argument requiring no response.

- 1 124. The U.S. Census Bureau statistics speak for themselves; Intervenor
2 otherwise lacks sufficient information to admit or deny.
- 3 125. The statistics speak for themselves; Intervenor otherwise lacks sufficient
4 information to admit or deny.
- 5 126. Legal argument requiring no response.
- 6 127. Legal argument requiring no response.
- 7 128. Intervenor lacks sufficient knowledge to admit or deny.
- 8 129. Legal argument requiring no response; Intervenor otherwise lacks sufficient
9 knowledge to admit or deny.
- 10 130. Intervenor lacks sufficient knowledge to admit or deny.
- 11 131. The U.S. State Department sources speak for themselves; Intervenor
12 otherwise lacks sufficient information to admit or deny.
- 13 132. The U.S. Census Bureau statistics speak for themselves; Intervenor
14 otherwise lacks sufficient information to admit or deny.
- 15 133. Deny.
- 16 134. Legal argument requiring no response.
- 17 135. Intervenor lacks sufficient knowledge to admit or deny.
- 18 136. Intervenor lacks sufficient knowledge to admit or deny.
- 19 137. Legal argument requiring no response.
- 20 138. Legal argument requiring no response.
- 21 139. Legal argument requiring no response.
- 22 140. Intervenor lacks sufficient knowledge to admit or deny.
- 23 141. Intervenor lacks sufficient knowledge to admit or deny.
- 24 142. The U.S. Department of Housing and Urban Development statistics speak
25 for themselves; Intervenor otherwise lacks sufficient information to admit or
26 deny.
- 27 143. Intervenor lacks sufficient knowledge to admit or deny.
- 28

- 1 144. The U.S. Department of Housing and Urban Development statistics speak
- 2 for themselves; Intervenor otherwise lacks sufficient information to admit or
- 3 deny.
- 4 145. The U.S. Department of Housing and Urban Development statistics speak
- 5 for themselves; Intervenor otherwise lacks sufficient information to admit or
- 6 deny.
- 7 146. Intervenor lacks sufficient knowledge to admit or deny.
- 8 147. Legal argument requiring no response.
- 9 148. Legal argument requiring no response.
- 10 149. Intervenor lacks sufficient knowledge to admit or deny.
- 11 150. Deny.
- 12 151. Intervenor lacks sufficient knowledge to admit or deny.
- 13 152. The lawsuits speak for themselves; Intervenor otherwise lacks sufficient
- 14 knowledge to admit or deny.
- 15 153. The lawsuits speak for themselves; Intervenor otherwise lacks sufficient
- 16 knowledge to admit or deny.
- 17 154. Legal argument requiring no response.
- 18 155. Legal argument requiring no response.
- 19 156. Legal argument requiring no response.
- 20 157. Legal argument requiring no response.
- 21 158. Intervenor lacks sufficient knowledge to admit or deny.
- 22 159. Intervenor lacks sufficient knowledge to admit or deny.
- 23 160. Legal argument requiring no response.
- 24 161. Deny.
- 25 162. Intervenor lacks sufficient knowledge to admit or deny.
- 26 163. Intervenor lacks sufficient knowledge to admit or deny.
- 27 164. The cases speak for themselves; Intervenor otherwise lacks sufficient
- 28 knowledge to admit or deny.

- 1 165. The cases speak for themselves; Intervenor otherwise lacks sufficient
- 2 knowledge to admit or deny.
- 3 166. Deny.
- 4 167. Intervenor lacks sufficient knowledge to admit or deny.
- 5 168. The cases speak for themselves; Intervenor otherwise lacks sufficient
- 6 knowledge to admit or deny.
- 7 169. Deny as to the first sentence; Intervenor otherwise lacks sufficient
- 8 knowledge to admit or deny.
- 9 170. Legal argument requiring no response.
- 10 171. Legal argument requiring no response.
- 11 172. Intervenor lacks sufficient knowledge to admit or deny.
- 12 173. Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 13 174. Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 14 175. Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 15 176. Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 16 177. Legal argument requiring no response.
- 17 178. Intervenor lacks sufficient knowledge to admit or deny.
- 18 179. Intervenor lacks sufficient knowledge to admit or deny.
- 19 180. The cases speak for themselves; Intervenor otherwise lacks sufficient
- 20 knowledge to admit or deny.
- 21 181. Legal argument requiring no response.
- 22 182. Intervenor lacks sufficient knowledge to admit or deny.
- 23 183. Legal argument requiring no response.
- 24 184. Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 25 185. Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 26 186. Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 27 187. Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 28 188. Intervenor otherwise lacks sufficient knowledge to admit or deny.

- 1 189. Legal argument requiring no response.
- 2 190. Legal argument requiring no response.
- 3 191. Legal argument requiring no response.
- 4 192. Legal argument requiring no response.
- 5 193. Legal argument requiring no response.
- 6 194. Legal argument requiring no response.
- 7 195. Legal argument requiring no response.
- 8 196. Legal argument requiring no response.
- 9 197. Legal argument requiring no response.
- 10 198. Legal argument requiring no response.
- 11 199. The cases speak for themselves.
- 12 200. The Maricopa County Elections Department report speaks for itself;
- 13 Intervenor otherwise lacks sufficient knowledge to admit or deny.
- 14 201. The congressional testimony speaks for itself; Intervenor otherwise lacks
- 15 sufficient knowledge to admit or deny.
- 16 202. Legal argument requiring no response; to the extent otherwise, Intervenor
- 17 lacks sufficient knowledge to admit or deny.
- 18 203. Deny.
- 19 204. Legal argument requiring no response.
- 20 205. Legal argument requiring no response.
- 21 206. Legal argument requiring no response.
- 22 207. Legal argument requiring no response.
- 23 208. The legislative materials speak for themselves; the rest is legal argument
- 24 requiring no response.
- 25 209. The legislative materials speak for themselves; Intervenor otherwise lacks
- 26 sufficient knowledge to admit or deny.
- 27 210. Intervenor lacks sufficient knowledge to admit or deny.
- 28 211. Intervenor lacks sufficient knowledge to admit or deny.

- 1 212. Intervenor lacks sufficient knowledge to admit or deny.
- 2 213. Legal argument requiring no response.
- 3 214. Intervenor lacks sufficient knowledge to admit or deny.
- 4 215. Intervenor lacks sufficient knowledge to admit or deny.
- 5 216. Intervenor lacks sufficient knowledge to admit or deny.
- 6 217. Legal argument requiring no response.
- 7 218. Legal argument requiring no response.
- 8 219. Intervenor lacks sufficient knowledge to admit or deny.
- 9 220. Intervenor lacks sufficient knowledge to admit or deny.
- 10 221. Intervenor lacks sufficient knowledge to admit or deny.
- 11 222. Legal argument requiring no response.
- 12 223. Legal argument requiring no response.
- 13 224. Intervenor lacks sufficient knowledge to admit or deny.
- 14 225. Intervenor lacks sufficient knowledge to admit or deny.
- 15 226. Intervenor lacks sufficient knowledge to admit or deny.
- 16 227. Intervenor lacks sufficient knowledge to admit or deny.
- 17 228. Legal argument requiring no response.
- 18 229. Intervenor lacks sufficient knowledge to admit or deny.
- 19 230. Legal argument requiring no response.
- 20 231. Legal argument requiring no response.
- 21 232. Legal argument requiring no response.
- 22 233. Intervenor lacks sufficient knowledge to admit or deny.
- 23 234. Intervenor lacks sufficient knowledge to admit or deny.
- 24 235. Legal argument requiring no response.
- 25 236. Legal argument requiring no response.
- 26 237. Legal argument requiring no response.
- 27 238. Legal argument requiring no response.
- 28 239. Intervenor lacks sufficient knowledge to admit or deny.

- 1 240. Legal argument requiring no response.
- 2 241. Intervenor lacks sufficient knowledge to admit or deny.
- 3 242. Intervenor lacks sufficient knowledge to admit or deny.
- 4 243. Legal argument requiring no response.
- 5 244. Legal argument requiring no response.
- 6 245. Intervenor lacks sufficient knowledge to admit or deny.
- 7 246. Legal argument requiring no response.
- 8 247. Intervenor lacks sufficient knowledge to admit or deny.
- 9 248. Intervenor lacks sufficient knowledge to admit or deny.
- 10 249. Legal argument requiring no response.
- 11 250. Legal argument requiring no response.
- 12 251. Intervenor lacks sufficient knowledge to admit or deny.
- 13 252. Intervenor lacks sufficient knowledge to admit or deny.
- 14 253. Legal argument requiring no response.
- 15 254. Intervenor lacks sufficient knowledge to admit or deny.
- 16 255. Intervenor lacks sufficient knowledge to admit or deny.
- 17 256. Intervenor lacks sufficient knowledge to admit or deny.
- 18 257. Intervenor lacks sufficient knowledge to admit or deny.
- 19 258. Intervenor lacks sufficient knowledge to admit or deny.
- 20 259. Intervenor lacks sufficient knowledge to admit or deny.
- 21 260. Intervenor lacks sufficient knowledge to admit or deny.
- 22 261. Legal argument requiring no response.
- 23 262. Legal argument requiring no response.
- 24 263. Intervenor lacks sufficient knowledge to admit or deny.
- 25 264. Legal argument requiring no response.
- 26 265. Legal argument requiring no response.
- 27 266. Legal argument requiring no response.
- 28 267. Legal argument requiring no response.

- 1 268. Legal argument requiring no response.
- 2 269. Intervenor lacks sufficient knowledge to admit or deny.
- 3 270. Intervenor lacks sufficient knowledge to admit or deny.
- 4 271. Intervenor lacks sufficient knowledge to admit or deny.
- 5 272. Intervenor lacks sufficient knowledge to admit or deny.
- 6 273. Legal argument requiring no response.
- 7 274. Intervenor lacks sufficient knowledge to admit or deny.
- 8 275. Intervenor lacks sufficient knowledge to admit or deny.
- 9 276. Intervenor lacks sufficient knowledge to admit or deny.
- 10 277. Intervenor lacks sufficient knowledge to admit or deny.
- 11 278. Intervenor lacks sufficient knowledge to admit or deny.
- 12 279. Intervenor lacks sufficient knowledge to admit or deny.
- 13 280. Intervenor lacks sufficient knowledge to admit or deny.
- 14 281. Intervenor lacks sufficient knowledge to admit or deny.
- 15 282. Legal argument requiring no response.
- 16 283. Intervenor lacks sufficient knowledge to admit or deny.
- 17 284. Intervenor lacks sufficient knowledge to admit or deny.
- 18 285. Legal argument requiring no response.
- 19 286. Legal argument requiring no response; Intervenor otherwise lacks sufficient
20 knowledge to admit or deny.
- 21 287. Legal argument requiring no response.
- 22 288. Legal argument requiring no response.
- 23 289. Intervenor lacks sufficient knowledge to admit or deny.
- 24 290. Intervenor lacks sufficient knowledge to admit or deny.
- 25 291. Intervenor lacks sufficient knowledge to admit or deny.
- 26 292. Legal argument requiring no response.
- 27 293. Legal argument requiring no response; Intervenor otherwise lacks sufficient
28 knowledge to admit or deny.

- 1 294. Legal argument requiring no response.
- 2 295. Legal argument requiring no response; Intervenor otherwise lacks sufficient
- 3 knowledge to admit or deny.
- 4 296. Legal argument requiring no response.
- 5 297. Legal argument requiring no response.
- 6 298. Legal argument requiring no response.
- 7 299. Legal argument requiring no response.
- 8 300. Intervenor lacks sufficient knowledge to admit or deny.
- 9 301. Legal argument requiring no response.
- 10 302. Legal argument requiring no response.
- 11 303. After Plaintiffs filed their first amended complaint, Adrian Fontes assumed
- 12 the role of Secretary of State of Arizona.
- 13 304. Legal argument requiring no response.
- 14 305. After Plaintiffs filed their first amended complaint, Kris Mayes assumed the
- 15 role of Attorney General of Arizona.
- 16 306. Legal argument requiring no response.
- 17 307. Legal argument requiring no response.

18 **CLAIMS**

19 **Count 1: Undue Burden on the Right to Vote, First and Fourteenth Amendment**
20 **(42 U.S.C. §1983)**

- 21 308. Intervenor incorporates by reference all foregoing responses to Plaintiffs'
- 22 allegations as though fully set forth in this paragraph.
- 23 309. Legal argument requiring no response.
- 24 310. Legal argument requiring no response.
- 25 311. Legal argument requiring no response.
- 26 312. Legal argument requiring no response.
- 27 313. Legal argument requiring no response.
- 28 314. Legal argument requiring no response.

- 1 315. Legal argument requiring no response.
- 2 316. Legal argument requiring no response.
- 3 317. Legal argument requiring no response.
- 4 318. Legal argument requiring no response.
- 5 319. Legal argument requiring no response.
- 6 320. Legal argument requiring no response.
- 7 321. Legal argument requiring no response.
- 8 322. Legal argument requiring no response.
- 9 323. Legal argument requiring no response.
- 10 324. Legal argument requiring no response.
- 11 325. Legal argument requiring no response.
- 12 326. Legal argument requiring no response.
- 13 327. Legal argument requiring no response.
- 14 328. Legal argument requiring no response.

15 **Count 2: National Origin Discrimination, Fourteenth Amendment**
16 **(42 U.S.C. § 1983)**

- 17 329. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
18 allegations as though fully set forth in this paragraph.
- 19 330. Legal argument requiring no response.
- 20 331. Legal argument requiring no response.
- 21 332. Legal argument requiring no response.
- 22 333. Legal argument requiring no response.
- 23 334. Legal argument requiring no response.
- 24 335. Legal argument requiring no response.

25 **Count 3: Unlawful Discrimination, Fourteenth Amendment**
26 **(42 U.S.C. §1983)**

- 27 336. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
28 allegations as though fully set forth in this paragraph.
- 337. Legal argument requiring no response.

- 1 338. Legal argument requiring no response.
- 2 339. Legal argument requiring no response.
- 3 340. Legal argument requiring no response.
- 4 341. Legal argument requiring no response.

5 **Count 4: Immaterial Omission on Voter Registration Form**
6 **(42 U.S.C. §1983; 52 U.S.C. §10101(a)(2)(B))**

- 7 342. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
8 allegations as though fully set forth in this paragraph.
- 9 343. Legal argument requiring no response.
- 10 344. Legal argument requiring no response.
- 11 345. Legal argument requiring no response.
- 12 346. Legal argument requiring no response.
- 13 347. Legal argument requiring no response.
- 14 348. Legal argument requiring no response.
- 15 349. Legal argument requiring no response.
- 16 350. Legal argument requiring no response.

17 **Count 5: Preemption Under the NVRA**
18 **(42 U.S.C. § 1983; 52 U.S.C. §§ 20501, et seq.)**

- 19 351. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
20 allegations as though fully set forth in this paragraph.
- 21 352. Legal argument requiring no response.
- 22 353. Legal argument requiring no response.
- 23 354. Legal argument requiring no response.
- 24 355. Legal argument requiring no response.
- 25 356. Legal argument requiring no response.
- 26 357. Legal argument requiring no response.
- 27 358. Legal argument requiring no response.
- 28 359. Legal argument requiring no response.
- 360. Legal argument requiring no response.

1 361. Legal argument requiring no response.

2 362. Legal argument requiring no response.

3 **Count 6: Discriminatory Effects in Violation of Section 2 of the Voting Rights Act**
4 **(42 U.S.C. § 1983; 52 U.S.C. §§ 10301)**

5 363. Intervenor incorporates by reference all foregoing responses to Plaintiffs'
6 allegations as though fully set forth in this paragraph.

7 364. Legal argument requiring no response.

8 365. Legal argument requiring no response.

9 366. Legal argument requiring no response.

10 367. Legal argument requiring no response.

11 368. Legal argument requiring no response.

12 369. Legal argument requiring no response.

13 370. Legal argument requiring no response.

14 371. Legal argument requiring no response.

15 **RESPONSE TO PRAYER FOR RELIEF**

16 Intervenor denies that Plaintiffs are entitled to any relief.

17 **AFFIRMATIVE DEFENSES**

- 18 1. The allegations in the complaint fail to state a claim.
19 2. Plaintiffs lack a cause of action for one or more of their claims.
20 3. Plaintiffs lack standing for one or more of their claims.
21 4. Plaintiffs' requested relief is barred by the *Purcell* principle.
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RESPECTFULLY SUBMITTED this 17th day of March, 2023.

By: /s/ Thomas Basile

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