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 13 *Attorney General Kristin K. Mayes*

14 UNITED STATES DISTRICT COURT
 15 DISTRICT OF ARIZONA

16 Mi Familia Vota, et al.,
 17 Plaintiffs,
 18 v.
 19 Adrian Fontes, et al.,
 20 Defendants.

No. CV-22-00509-PHX-SRB (Lead)

**DEFENDANT ATTORNEY
 GENERAL KRISTIN K. MAYES'S
 ANSWER TO COMPLAINT FOR
 DECLARATORY AND INJUNCTIVE
 RELIEF FILED BY PLAINTIFF
 AAANHPIEC**

21
 22 THIS DOCUMENT RELATES TO:

No. CV-22-01381-PHX-SRB

23
 24 Defendant Attorney General Kristin K. Mayes (the "Attorney General") answers
 25 the Complaint filed by Plaintiff Arizona Asian American Native Hawaiian And Pacific
 26 Islander For Equity Coalition ("Plaintiff") on August 16, 2022 in Case No. CV-22-01381-
 27 PHX-SRB as follows:
 28

INTRODUCTION

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1. Deny.

2. The Attorney General admits the Supreme Court concluded that the NVRA preempted prior Arizona law that required “voter-registration officials to ‘reject’ any application for registration, including a Federal Form, that is not accompanied by concrete evidence of citizenship.” *Arizona v. Inter Tribal Council of Ariz., Inc.*, 570 U.S. 1, 5 (2013). The Attorney General lacks sufficient information to admit or deny the remaining allegations in Paragraph 2 and therefore denies the same.

3. The Attorney General admits that the quoted language is accurately reproduced, but she lacks sufficient information to admit or deny the remaining allegations in Paragraph 3 and therefore denies the same.

4. The Attorney General lacks sufficient information to admit or deny the allegations in Paragraph 4 and therefore denies the same.

5. The Attorney General lacks sufficient information to admit or deny the allegations in Paragraph 5 and therefore denies the same.

6. This paragraph includes legal conclusions that require no response. To the extent a response is required, the Attorney General denies the allegations in Paragraph 6.

7. Deny.

8. The Attorney General alleges that the quoted statement speaks for itself and further denies any allegations contained in this paragraph that are inconsistent with or otherwise mischaracterize its language. The Attorney General lacks sufficient information to admit or deny all remaining allegations in Paragraph 8 and therefore denies the same.

9. The Attorney General alleges that the quoted statements speak for themselves and further deny any allegations contained in this paragraph that are inconsistent with or otherwise mischaracterize their language. The Attorney General lacks sufficient information to admit or deny all remaining allegations in Paragraph 9 and therefore denies the same.

10. The Attorney General alleges that the quoted statement speaks for itself and

1 further denies any allegations contained in this paragraph that are inconsistent with or
2 otherwise mischaracterize its language. The Attorney General lacks sufficient information
3 to admit or deny all remaining allegations in Paragraph 10 and therefore denies the same.

4 11. The Attorney General lacks sufficient information to admit or deny the
5 remaining allegations in Paragraph 11 and therefore denies the same.

6 12. This paragraph includes legal conclusions that require no response. To the
7 extent a response is required, the Attorney General lacks sufficient information to admit or
8 deny the remaining allegations in Paragraph 12 and therefore denies the same.

9 13. The Attorney General lacks sufficient information to admit or deny the
10 remaining allegations in Paragraph 13 and therefore denies the same.

11 14. Deny.

12 15. The Attorney General alleges that the quoted statements speak for
13 themselves and further denies any allegations contained in this paragraph that are
14 inconsistent with or otherwise mischaracterize their language. The Attorney General lacks
15 sufficient information to admit or deny all remaining allegations in Paragraph 15 and
16 therefore denies the same.

17 16. The Attorney General lacks sufficient information to admit or deny the
18 remaining allegations in Paragraph 16 and therefore denies the same.

19 17. The Attorney General lacks sufficient information to admit or deny the
20 remaining allegations in Paragraph 17 and therefore denies the same.

21 18. Deny.

22 19. Deny.

23 20. The Attorney General lacks sufficient information to admit or deny the
24 remaining allegations in Paragraph 20 and therefore denies the same.

25 21. Deny.

26 **JURISDICTION AND VENUE**

27 22. The Attorney General admits that Plaintiff generally describes the nature of
28 its claims in this action. The Attorney General denies any remaining allegations in

1 Paragraph 22.

2 23. Admit.

3 24. The Attorney General admits that the Court has authority to grant
4 declaratory and/or injunctive relief, but she denies any remaining allegations in Paragraph
5 24.

6 25. The Attorney General lacks sufficient information to admit or deny the
7 allegations in Paragraph 25 as to whether the “Court has jurisdiction to award Plaintiff’s
8 requested attorneys’ fees and costs” under any authority given that this litigation is still
9 pending and therefore denies the same.

10 26. Admit.

11 27. Admit.

12 28. Admit.

13 29. Admit.

14 **PARTIES**

15 **I. Arizona Asian American Native Hawaiian and Pacific Islander for Equity**
16 **Coalition**

17 30. The Attorney General lacks sufficient information to admit or deny the
18 allegations in Paragraph 30 and therefore denies the same.

19 31. The Attorney General lacks sufficient information to admit or deny the
20 allegations in Paragraph 31 and therefore denies the same.

21 32. The Attorney General lacks sufficient information to admit or deny the
22 allegations in Paragraph 32 and therefore denies the same.

23 33. The Attorney General lacks sufficient information to admit or deny the
24 allegations in Paragraph 32 and therefore denies the same.

25 **II. Defendants**

26 34. The Attorney General admits that the Secretary of State “is the chief
27 election officer” in Arizona and is responsible for certain implementation of H.B. 2492
28 and H.B. 2243, but she lacks sufficient information to admit or deny the remaining

1 allegations in Paragraph 34 and therefore denies the same.

2 35. The Attorney General admits that the Attorney General “is the chief legal
3 officer” in Arizona and has statutory authority relating to H.B. 2492 and H.B. 2243, but
4 she lacks sufficient information to admit or deny the remaining allegations in Paragraph
5 35 and therefore denies the same.

6 36. The Attorney General lacks sufficient information to admit or deny the
7 remaining allegations in Paragraph 36 and therefore denies the same.

8 **FACTUAL ALLEGATIONS**

9 37. Deny.

10 38. The Attorney General lacks sufficient information to admit or deny the
11 remaining allegations in Paragraph 38 and therefore denies the same.

12 39. The Attorney General lacks sufficient information to admit or deny the
13 remaining allegations in Paragraph 39 and therefore denies the same.

14 **I. Arizona’s Bifurcated Voting System**

15 40. The Attorney General admits the quoted language is accurately reproduced,
16 but she lacks sufficient information to admit or deny the remaining allegations in
17 Paragraph 40 and therefore denies the same.

18 41. The Attorney General admits the quoted language is accurately reproduced,
19 but she lacks sufficient information to admit or deny the remaining allegations in
20 Paragraph 41 and therefore denies the same.

21 42. The Attorney General admits the Supreme Court concluded that the NVRA
22 preempted prior Arizona law that required “voter-registration officials to ‘reject’ any
23 application for registration, including a Federal Form, that is not accompanied by concrete
24 evidence of citizenship.” *Arizona v. Inter Tribal Council of Ariz., Inc.*, 570 U.S. 1, 5
25 (2013). The Attorney General lacks sufficient information to admit or deny the remaining
26 allegations in Paragraph 42 and therefore denies the same.

27 43. Admit.

28 44. The Attorney General admits that there are two types of voters in Arizona:

1 federal-only and those who can vote in federal, state, and local elections. The Attorney
2 General lacks sufficient information to admit or deny the remaining allegations in
3 Paragraph 44 and therefore denies the same.

4 45. The Attorney General lacks sufficient information to admit or deny the
5 allegations in Paragraph 45 and therefore denies the same.

6 46. The Attorney General lacks sufficient information to admit or deny the
7 allegations in Paragraph 46 and therefore denies the same.

8 47. The Attorney General lacks sufficient information to admit or deny the
9 allegations in Paragraph 47 and therefore denies the same.

10 **II. Passage and Purpose of H.B. 2492**

11 48. The Attorney General alleges that the quoted statement speaks for itself and
12 further denies any allegations contained in this paragraph that are inconsistent with or
13 otherwise mischaracterize its language. The Attorney General lacks sufficient information
14 to admit or deny all remaining allegations in Paragraph 48 and therefore denies the same.

15 49. The Attorney General lacks sufficient information to admit or deny the
16 allegations in Paragraph 49 and therefore denies the same.

17 50. The Attorney General alleges that the quoted statements speak for
18 themselves and further denies any allegations contained in this paragraph that are
19 inconsistent with or otherwise mischaracterize their language. The Attorney General lacks
20 sufficient information to admit or deny all remaining allegations in Paragraph 50 and
21 therefore denies the same.

22 51. The Attorney General admits that H.B. 2492 was signed into law on March
23 30, 2022.

24 52. The Attorney General alleges that the quoted statement speaks for itself and
25 further denies any allegations contained in this paragraph that are inconsistent with or
26 otherwise mischaracterize its language. The Attorney General lacks sufficient information
27 to admit or deny all remaining allegations in Paragraph 52 and therefore denies the same.

28 53. The Attorney General lacks sufficient information to admit or deny the

1 allegations in Paragraph 53 and therefore denies the same.

2 54. The Attorney General lacks sufficient information to admit or deny the
3 allegations in Paragraph 54 and therefore denies the same.

4 55. The Attorney General lacks sufficient information to admit or deny the
5 allegations in Paragraph 55 and therefore denies the same.

6 56. This paragraph includes legal conclusions that require no response. To the
7 extent a response is required, the Attorney General lacks sufficient information to admit or
8 deny the allegations in Paragraph 56 and therefore denies the same.

9 **III. Passage and Purpose of H.B. 2243**

10 57. The Attorney General alleges that the quoted statements speak for
11 themselves and further denies any allegations contained in this paragraph that are
12 inconsistent with or otherwise mischaracterize their language. The Attorney General lacks
13 sufficient information to admit or deny all remaining allegations in Paragraph 57 and
14 therefore denies the same.

15 58. The Attorney General alleges that the quoted statement speaks for itself and
16 further denies any allegations contained in this paragraph that are inconsistent with or
17 otherwise mischaracterize its language. The Attorney General lacks sufficient information
18 to admit or deny all remaining allegations in Paragraph 58 and therefore denies the same.

19 59. The Attorney General alleges that the quoted statement speaks for itself and
20 further denies any allegations contained in this paragraph that are inconsistent with or
21 otherwise mischaracterize its language. The Attorney General lacks sufficient information
22 to admit or deny all remaining allegations in Paragraph 59 and therefore denies the same.

23 60. The Attorney General lacks sufficient information to admit or deny the
24 allegations in Paragraph 60 and therefore denies the same.

25 61. The Attorney General alleges that the quoted statements speak for
26 themselves and further denies any allegations contained in this paragraph that are
27 inconsistent with or otherwise mischaracterize their language. The Attorney General
28 denies that H.B. 2243 impermissibly interferes with and unduly burdens voting rights and

1 lacks sufficient information to admit or deny all remaining allegations in Paragraph 61
2 and therefore denies the same.

3 **IV. The Onerous and Discriminatory Provisions of H.B. 2492 and H.B. 2243**

4 **A. H.B. 2492's Birthplace Requirement for Voter Registration**

5 62. This paragraph includes legal conclusions that require no response. The
6 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
7 further denies any allegations contained in this paragraph that are inconsistent with or
8 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
9 information to admit or deny all remaining allegations in Paragraph 62 and therefore
10 denies the same.

11 63. This paragraph includes legal conclusions that require no response. To the
12 extent a response is required, the Attorney General denies that an applicant's place of
13 birth is immaterial and lacks sufficient information to admit or deny the remaining
14 allegations in Paragraph 63 and therefore denies the same.

15 **B. H.B. 2492's Proof of Citizenship for Voter Registration**

16 64. This paragraph includes legal conclusions that require no response. To the
17 extent a response is required, the Attorney General denies the allegations in Paragraph 64.

18 65. This paragraph includes legal conclusions that require no response. The
19 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
20 further denies any allegations contained in this paragraph that are inconsistent with or
21 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
22 information to admit or deny all remaining allegations in Paragraph 65 and therefore
23 denies the same.

24 66. This paragraph includes legal conclusions that require no response. To the
25 extent a response is required, the Attorney General lacks sufficient information to admit or
26 deny the allegations in Paragraph 66 and therefore denies the same.

27 67. This paragraph includes legal conclusions that require no response. The
28 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and

1 further denies any allegations contained in this paragraph that are inconsistent with or
2 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
3 information to admit or deny any remaining allegations in Paragraph 67 and therefore
4 denies the same.

5 68. This paragraph includes legal conclusions that require no response. The
6 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
7 further denies any allegations contained in this paragraph that are inconsistent with or
8 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
9 information to admit or deny any remaining allegations in Paragraph 68 and therefore
10 denies the same.

11 69. This paragraph includes legal conclusions that require no response. To the
12 extent a response is required, the Attorney General lacks sufficient information to admit or
13 deny the allegations in Paragraph 69 and therefore denies the same.

14 70. This paragraph includes legal conclusions that require no response. To the
15 extent a response is required, the Attorney General lacks sufficient information to admit or
16 deny the allegations in Paragraph 70 and therefore denies the same.

17 71. This paragraph includes legal conclusions that require no response. The
18 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
19 further denies any allegations contained in this paragraph that are inconsistent with or
20 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
21 information to admit or deny any remaining allegations in Paragraph 71 and therefore
22 denies the same.

23 72. This paragraph includes legal conclusions that require no response. To the
24 extent a response is required, the Attorney General lacks sufficient information to admit or
25 deny the allegations in Paragraph 72 and therefore denies the same.

26 73. This paragraph includes legal conclusions that require no response. To the
27 extent a response is required, the Attorney General denies that H.B. 2492 violates federal
28 law and lacks sufficient information to admit or deny the allegations in Paragraph 73 and

1 therefore denies the same.

2 **C. H.B. 2492's Proof of Residency for Voter Registration**

3 74. This paragraph includes legal conclusions that require no response. To the
4 extent a response is required, the Attorney General lacks sufficient information to admit or
5 deny the allegations in Paragraph 74 and therefore denies the same.

6 75. This paragraph includes legal conclusions that require no response. The
7 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
8 further denies any allegations contained in this paragraph that are inconsistent with or
9 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
10 information to admit or deny any remaining allegations in Paragraph 75 and therefore
11 denies the same.

12 76. This paragraph includes legal conclusions that require no response. The
13 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
14 further denies any allegations contained in this paragraph that are inconsistent with or
15 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
16 information to admit or deny any remaining allegations in Paragraph 76 and therefore
17 denies the same.

18 77. The Attorney General lacks sufficient information to admit or deny the
19 allegations in Paragraph 77 and therefore denies the same.

20 78. Deny.

21 **D. H.B. 2492's Attorney General Investigation Report**

22 79. This paragraph includes legal conclusions that require no response. The
23 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
24 further denies any allegations contained in this paragraph that are inconsistent with or
25 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
26 information to admit or deny any remaining allegations in Paragraph 79 and therefore
27 denies the same.

28 80. This paragraph includes legal conclusions that require no response. To the

1 extent a response is required, the Attorney General lacks sufficient information to admit or
2 deny the allegations in Paragraph 80 and therefore denies the same.

3 **V. H.B. 2492's and H.B. 2243's Cancellation of Voter Registration**

4 81. This paragraph includes legal conclusions that require no response. To the
5 extent a response is required, the Attorney General lacks sufficient information to admit or
6 deny the allegations in Paragraph 81 and therefore denies the same.

7 82. This paragraph includes legal conclusions that require no response. The
8 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
9 further denies any allegations contained in this paragraph that are inconsistent with or
10 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient
11 information to admit or deny all remaining allegations in Paragraph 82 and therefore
12 denies the same.

13 83. The Attorney General lacks sufficient information to admit or deny the
14 allegations in Paragraph 83 and therefore denies the same.

15 84. This paragraph includes legal conclusions that require no response. The
16 Attorney General alleges that H.B. 2243 speaks for itself and is accurately quoted, and
17 further denies any allegations contained in this paragraph that are inconsistent with or
18 otherwise mischaracterize H.B. 2243's language. The Attorney General lacks sufficient
19 information to admit or deny any remaining allegations in Paragraph 84 and therefore
20 denies the same.

21 85. This paragraph includes legal conclusions that require no response. The
22 Attorney General alleges that H.B. 2243 speaks for itself and is accurately quoted, and
23 further denies any allegations contained in this paragraph that are inconsistent with or
24 otherwise mischaracterize H.B. 2243's language. The Attorney General lacks sufficient
25 information to admit or deny any remaining allegations in Paragraph 85 and therefore
26 denies the same.

27 86. This paragraph includes legal conclusions that require no response. The
28 Attorney General alleges that H.B. 2243 speaks for itself and further denies any

1 allegations contained in this paragraph that are inconsistent with or otherwise
2 mischaracterize H.B. 2243's language. The Attorney General lacks sufficient information
3 to admit or deny all remaining allegations in Paragraph 86 and therefore denies the same.

4 87. This paragraph includes legal conclusions that require no response. To the
5 extent a response is required, the Attorney General lacks sufficient information to admit or
6 deny the allegations in Paragraph 87 and therefore denies the same.

7 **VI. The Effects of H.B. 2492's and H.B. 2243's Onerous and Discriminatory**

8 **Provisions**

9 88. Deny.

10 89. The Attorney General lacks sufficient information to admit or deny the
11 allegations in Paragraph 89 and therefore denies the same.

12 90. The Attorney General lacks sufficient information to admit or deny the
13 allegations in Paragraph 90 and therefore denies the same.

14 91. The Attorney General lacks sufficient information to admit or deny the
15 allegations in Paragraph 91 and therefore denies the same.

16 92. The Attorney General lacks sufficient information to admit or deny the
17 allegations in Paragraph 92 and therefore denies the same.

18 93. The Attorney General lacks sufficient information to admit or deny the
19 allegations in Paragraph 93 and therefore denies the same.

20 94. The Attorney General alleges that the quoted statements speaks for
21 themselves and further denies any allegations contained in this paragraph that are
22 inconsistent with or otherwise mischaracterize their language. The Attorney General lacks
23 sufficient information to admit or deny all remaining allegations in Paragraph 94 and
24 therefore denies the same.

25 95. This paragraph includes legal conclusions that require no response. The
26 Attorney General alleges that H.B. 2492 speaks for itself and is accurately quoted, and
27 further denies any allegations contained in this paragraph that are inconsistent with or
28 otherwise mischaracterize H.B. 2492's language. The Attorney General lacks sufficient

1 information to admit or deny all remaining allegations in Paragraph 95 and therefore
2 denies the same.

3 96. This paragraph includes legal conclusions that require no response. The
4 Attorney General alleges that H.B. 2243 speaks for itself and further denies any
5 allegations contained in this paragraph that are inconsistent with or otherwise
6 mischaracterize H.B. 2243's language. The Attorney General lacks sufficient information
7 to admit or deny all remaining allegations in Paragraph 96 and therefore denies the same.

8 97. This paragraph includes legal conclusions that require no response. To the
9 extent a response is required, the Attorney General denies that H.B. 2492 and H.B. 2243
10 impermissibly interfere with and unduly burden the right to vote, and the Attorney
11 General lacks sufficient information to admit or deny the allegations in Paragraph 97 and
12 therefore denies the same.

13 98. This paragraph includes legal conclusions that require no response. To the
14 extent a response is required, the Attorney General lacks sufficient information to admit or
15 deny the allegations in Paragraph 98 and therefore denies the same.

16 99. The Attorney General admits that she intends to implement H.B. 2492 and
17 2243 at an appropriate time if they go into effect.

18 **VII. Harm to Plaintiff**

19 100. The Attorney General incorporates by reference all preceding paragraphs as
20 if fully set forth herein.

21 101. The Attorney General lacks sufficient information to admit or deny the
22 allegations in Paragraph 101 and therefore denies the same.

23 102. The Attorney General lacks sufficient information to admit or deny the
24 allegations in Paragraph 102 and therefore denies the same.

25 103. The Attorney General lacks sufficient information to admit or deny the
26 allegations in Paragraph 103 and therefore denies the same.

27 104. The Attorney General lacks sufficient information to admit or deny the
28 allegations in Paragraph 104 and therefore denies the same.

1 105. The Attorney General lacks sufficient information to admit or deny the
2 allegations in Paragraph 105 and therefore denies the same.

3 106. The Attorney General lacks sufficient information to admit or deny the
4 allegations in Paragraph 106 and therefore denies the same.

5 107. The Attorney General lacks sufficient information to admit or deny the
6 allegations in Paragraph 107 and therefore denies the same.

7 108. The Attorney General lacks sufficient information to admit or deny the
8 allegations in Paragraph 108 and therefore denies the same.

9 109. The Attorney General lacks sufficient information to admit or deny the
10 allegations in Paragraph 109 and therefore denies the same.

11 110. The Attorney General lacks sufficient information to admit or deny the
12 allegations in Paragraph 110 and therefore denies the same.

13 111. The Attorney General lacks sufficient information to admit or deny the
14 allegations in Paragraph 111 and therefore denies the same.

15 112. The Attorney General lacks sufficient information to admit or deny the
16 allegations in Paragraph 112 and therefore denies the same.

17 **CLAIMS FOR RELIEF**

18 **FIRST CLAIM FOR RELIEF**

19 **(Undue Burden on the Right to Vote in Violation of the**
20 **First and Fourteenth Amendments to the U.S. Constitution)**

21 113. The Attorney General incorporates by reference all preceding paragraphs as
22 if fully set forth herein.

23 114. This paragraph includes legal conclusions that require no response. To the
24 extent a response is required, the Attorney General lacks sufficient information to admit or
25 deny the allegations in Paragraph 114 and therefore denies the same.

26 115. This paragraph includes legal conclusions that require no response. To the
27 extent a response is required, the Attorney General lacks sufficient information to admit or
28 deny the allegations in Paragraph 115 and therefore denies the same.

1 116. Deny.

2 117. Deny.

3 118. Deny.

4 **SECOND CLAIM FOR RELIEF**

5 **(Arbitrary and Disparate Treatment of Voter Registration Applicants Using the**
6 **State Form in Violation of the Equal Protection Clause of the Fourteenth**
7 **Amendment to the U.S. Constitution)**

8 119. The Attorney General incorporates by reference all preceding paragraphs as
9 if fully set forth herein.

10 120. This paragraph includes legal conclusions that require no response. To the
11 extent a response is required, the Attorney General admits the quoted language is
12 accurately reproduced.

13 121. This paragraph includes legal conclusions that require no response. To the
14 extent a response is required, the Attorney General admits the quoted language is
15 accurately reproduced.

16 122. Deny.

17 123. Deny.

18 124. Deny.

19 **THIRD CLAIM FOR RELIEF**

20 **(National Origin Discrimination in Violation of the Equal Protection Clause of the**
21 **Fourteenth Amendment to the U.S. Constitution)**

22 125. The Attorney General incorporates by reference all preceding paragraphs as
23 if fully set forth herein.

24 126. This paragraph includes legal conclusions that require no response. To the
25 extent a response is required, the Attorney General admits the quoted material is
26 accurately reproduced, but she lacks sufficient information to admit or deny any
27 remaining allegations in Paragraph 126 and therefore denies the same.

28 127. This paragraph includes legal conclusions that require no response. To the
extent a response is required, the Attorney General lacks sufficient information to admit or

1 deny the allegations in Paragraph 127 and therefore denies the same.

2 128. Deny.

3 129. Deny.

4 130. Deny.

5 131. Deny.

6 132. Deny.

7 133. Deny.

8 **FOURTH CLAIM FOR RELIEF**

9 **(Violation of Procedural Due Process Rights under the**
10 **Fourteenth Amendment to the U.S. Constitution)¹**

11 134. The Attorney General incorporates by reference all preceding paragraphs as
12 if fully set forth herein.

13 135. This paragraph includes legal conclusions that require no response. To the
14 extent a response is required, the Attorney General admits the quoted material is
15 accurately reproduced.

16 136. This paragraph includes legal conclusions that require no response. To the
17 extent a response is required, the Attorney General lacks sufficient information to admit or
18 deny the allegations in Paragraph 136 and therefore denies the same.

19 137. Deny.

20 138. Deny.

21 139. Deny.

22 140. Deny.

23 141. Deny.

24 142. Deny.

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¹ The Court dismissed any “freestanding procedural due process claims.” (Doc. 304 at 1.) Accordingly, the Attorney General only answers this claim to the extent it asserts an undue burden on the right to vote under the *Anderson-Burdick* framework.

FIFTH CLAIM FOR RELIEF

(Race Discrimination in Violation of the Fourteenth & Fifteenth Amendment to the U.S. Constitution)

143. The Attorney General incorporates by reference all preceding paragraphs as if fully set forth herein.

144. This paragraph includes legal conclusions that require no response. To the extent a response is required, the Attorney General admits the quoted material is accurately reproduced.

145. This paragraph includes legal conclusions that require no response. To the extent a response is required, the Attorney General admits the quoted material is accurately reproduced, but she lacks sufficient information to admit or deny any remaining allegations in Paragraph 145 and therefore denies the same.

146. This paragraph includes legal conclusions that require no response. To the extent a response is required, the Attorney General lacks sufficient information to admit or deny the allegations in Paragraph 146 and therefore denies the same.

147. Deny.

148. Deny.

149. Deny.

150. Deny.

151. Deny.

SIXTH CLAIM FOR RELIEF

(Denial of Right to Vote Based on Immaterial Omission on Voter Registration Form in Violation of the Civil Rights Act, 52 U.S.C. § 10101)

152. The Attorney General incorporates by reference all preceding paragraphs as if fully set forth herein.

153. This paragraph includes legal conclusions that require no response. To the extent a response is required, the Attorney General admits the quoted material is accurately reproduced, but she lacks sufficient information to admit or deny any

1 remaining allegations in Paragraph 153 and therefore denies the same.

2 154. Deny.

3 155. Deny.

4 **SEVENTH CLAIM FOR RELIEF**

5 **(Violation of the National Voter Registration Act of 1993)**

6 156. The Attorney General incorporates by reference all preceding paragraphs as
7 if fully set forth herein.

8 157. The Attorney General admits that Plaintiff's Complaint attached a copy of
9 Plaintiff's July 22, 2022 notice of the purported NVRA violations. The Attorney General
10 denies any remaining allegations in Paragraph 157.

11 158. Deny. The Attorney General affirmatively alleges that Plaintiff did not give
12 sufficient or timely pre-suit notice on H.B. 2492 as required by the NVRA.

13 159. This paragraph includes legal conclusions that require no response. To the
14 extent a response is required, the Attorney General admits the quoted material is
15 accurately reproduced, but she lacks sufficient information to admit or deny the remaining
16 allegations in Paragraph 159 and therefore denies the same.

17 160. This paragraph includes legal conclusions that require no response. To the
18 extent a response is required, the Attorney General admits the quoted material is
19 accurately reproduced, but she lacks sufficient information to admit or deny the remaining
20 allegations in Paragraph 160 and therefore denies the same.

21 161. This paragraph includes legal conclusions that require no response. To the
22 extent a response is required, the Attorney General admits the quoted material is
23 accurately reproduced, but she lacks sufficient information to admit or deny the remaining
24 allegations in Paragraph 161 and therefore denies the same.

25 162. This paragraph includes legal conclusions that require no response. To the
26 extent a response is required, the Attorney General admits the quoted material is
27 accurately reproduced, but she lacks sufficient information to admit or deny the remaining
28 allegations in Paragraph 162 and therefore denies the same.

1 163. This paragraph includes legal conclusions that require no response. To the
2 extent a response is required, the Attorney General admits the quoted material is
3 accurately reproduced, but she lacks sufficient information to admit or deny the remaining
4 allegations in Paragraph 163 and therefore denies the same.

5 164. Deny.

6 165. Deny.

7 166. Deny.

8 167. Deny.

9 168. Deny.

10 169. Deny.

11 170. Deny.

12 171. Deny.

13 172. Deny.

14 173. Deny.

15 174. Deny.

16 **AFFIRMATIVE DEFENSES**

17 1. The Court lacks jurisdiction for lack of standing.

18 2. Plaintiff's claims fail because they are not ripe, and thus, not yet fit for
19 judicial review.

20 3. Plaintiff fails to state a claim upon which relief can be granted.

21 4. Plaintiff fails to meet the requirements for declaratory relief or preliminary
22 or permanent injunctive relief.

23 WHEREFORE, having fully answered Plaintiff's Complaint, the Attorney General
24 respectfully requests that the Court dismiss the remaining counts of Plaintiff's Complaint
25 with prejudice, deny Plaintiff's request for injunctive relief, deny Plaintiff's request for
26 declaratory relief, order that Plaintiff take nothing, and award the Attorney General any
27 such other and further relief as the Court deems appropriate.
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DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, the Attorney General hereby demands a trial by jury in this action of all issues so triable.

DATED this 17th day of March, 2023.

**KRISTIN K. MAYES
ATTORNEY GENERAL**

By: /s/ Hayleigh S. Crawford
Hayleigh S. Crawford (No. 032326)
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