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26 UNITED STATES DISTRICT COURT
 27 DISTRICT OF ARIZONA

28 Mi Familia Vota, et al.,
 Plaintiffs,

v.

Adrian Fontes, et al.,
 Defendants.

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

**JOINT MOTION FOR REVISED
 SUMMARY JUDGMENT BRIEFING
 SCHEDULE AND PAGE LIMIT
 EXTENSION**

(Before the Hon. Susan R. Bolton)

AND CONSOLIDATED CASES.

No. CV-22-00519-PHX-SRB
 No. CV-22-01003-PHX-SRB
 No. CV-22-01124-PHX-SRB
 No. CV-22-01369-PHX-SRB
 No. CV-22-01381-PHX-SRB
 No. CV-22-01602-PHX-SRB
 No. CV-22-01901-PHX-SRB

1 Pursuant to Fed. R. Civ. P. 16(b)(4), the parties jointly ask the Court to revise the
2 summary judgment briefing schedule in the case management order (Doc. 338, ¶ 7(a)).

3 The Court decided to allow summary judgment motions while discovery is
4 underway, so that issues of law may be considered and decided at a relatively early stage.
5 The parties do not seek to alter this approach. However, the parties have discussed their
6 plans for summary judgment briefing and propose that a revised schedule would result in
7 a clearer presentation to the Court.

8 Here is the current summary judgment briefing schedule:

- 9 • **May 1:** Deadline to file dispositive motions.
- 10 • **June 1:** Deadline to file responses.
- 11 • **July 1:** Deadline to file replies.

12 (Doc. 338, ¶ 7(a).) Under this schedule, parties on each side would file simultaneous cross-
13 motions for partial summary judgment (and simultaneous responses and replies). This
14 process is likely to result in a large number of briefs, some of which may talk past each
15 other because parties on each side will not know exactly what the other side plans to say.

16 In contrast, the following proposed revised schedule would result in fewer briefs, a
17 clearer presentation because parties on each side will know where the other side stands,
18 and an organized, non-duplicative, sequential structure helping frame for the Court the
19 issues to be addressed by at least three defendants and eight plaintiffs currently planning
20 to file or join motions for summary judgment:

- 21 • **May 8:** Deadline for the State and Attorney General to file a dispositive motion.
- 22 • **May 15:** Deadline for any other defendant, including Intervenor Defendant
23 Republican National Committee (the “RNC”), to file separate dispositive motions.¹

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26 ¹ At the motion to dismiss stage, the RNC simply joined the motion to dismiss filed
27 by the State and Attorney General. (Doc. 179.) But the State and Attorney General’s views
28 have developed since then and now differ somewhat from the RNC’s views. Allowing the
State and Attorney General to file a summary judgment motion and then allowing the RNC
to file its own motion, which would be generally limited to arguments not already made by
the State and Attorney General, would clarify positions and reduce duplication.

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- **June 5:** Deadline for any plaintiff to file a dispositive motion *and* to respond to defendants’ dispositive motions. Any plaintiff that seeks to both move and respond must do so in one combined brief, not two. The seven non-US plaintiffs’ groups may file a combined motion and response of up to 45 pages long.²
- **July 5:** Deadline for any defendant to file replies in support of their dispositive motions *and* to respond to plaintiffs’ dispositive motions. Any defendant that seeks to both reply and respond must do so in one combined brief, not two.
- **July 19:** Deadline for any plaintiff to file replies in support of their dispositive motions.

A proposed order is being lodged herewith.

RESPECTFULLY SUBMITTED this 21st day of April, 2023.

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In addition, Speaker of the House Ben Toma and Senate President Warren Petersen recently moved to intervene as defendants. (Doc. 348.) Although their motion is not fully briefed, their counsel does not object to the proposed modified schedule. If their motion to intervene is granted, to the extent that Speaker Toma and President Petersen file a separate motion, they will do so on the same schedule as the RNC and generally intend to be similarly limited to arguments not already made by the State and Attorney General.

² Although there are eight groups of plaintiffs, counsel for plaintiffs have collaborated and currently plan to file only two briefs on June 5: (i) a combined motion and response by the United States, and (ii) a combined motion and response by the seven non-US plaintiffs’ groups, which the parties jointly ask the Court to order may be up to 45 pages (just over 6 pages per each non-US plaintiffs’ case). Counsel for all parties plan to work together in good faith to resolve other page limit issues for any brief (or Separate Statement of Facts, as may be required by LRCiv 56.1 and the Court’s March 24, 2023 case management order, Doc. 338) and promptly seek court approval for any other page limit modifications.

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