

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

NOV 16 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: BEN TOMA, Speaker of the Arizona House of Representatives, in his official Capacity; WARREN PETERSEN, President of the Arizona Senate, in his official capacity,

No. 23-70179

D.C. No. 2:22-cv-00509-SRB
District of Arizona,
Phoenix

BEN TOMA, Speaker of the Arizona House of Representatives, in his official capacity; WARREN PETERSEN, President of the Arizona Senate, in his official capacity,

ORDER

Petitioners,

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA,
PHOENIX,

Respondent,

MI FAMILIA VOTA; et al.,

Real Parties in Interest.

Before: RAWLINSON, HURWITZ, and OWENS, Circuit Judges.

The emergency stay by a motions panel of the district court's September 14, 2023 discovery order is hereby lifted, effective immediately. *See* Docket #9.

Having considered the parties' briefing and oral argument, we conclude that the circumstances no longer justify a stay order. *See United States v. Lopez-Armenta*, 400 F.3d 1173, 1175 (9th Cir. 2005) (noting that "the order of the motions panel . . . does not preclude us from reaching a contrary decision").

A written disposition containing the panel's reasoning will be filed in short order.

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