

1 Alexander M. Kolodin (SBN 030826) Alan Dershowitz (*Pro hac vice* to be submitted)
2 Veronica Lucero (SBN 030292) 1575 Massachusetts Avenue
3 Roger Strassburg (SBN 016314) Cambridge, MA 02138
4 Arno T. Naeckel (SBN 026158) adersh@gmail.com
5 Michael Kielsky (SBN 021864) *Proposed Additional Counsel Pro Hac Vice*

6 **Davillier Law Group, LLC**
7 Akolodin@davillierlawgroup.com
8 Vlucero@davillierlawgroup.com
9 Rstrassburg@davillierlawgroup.com
10 Anaeckel@davillierlawgroup.com
11 Mkielsky@davillierlawgoup.com
12 Phxadmin@davillierlawgroup.com (file copies)
13 4105 North 20th Street Ste 110
14 Phoenix, Arizona 85016
15 Telephone: (602) 730-2985
16 Facsimile: (602) 801-2539

17 *Attorneys for Plaintiffs*

18 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
19 **IN AND FOR THE COUNTY OF MOHAVE**

20 ARIZONA REPUBLICAN PARTY; et al.;

21 Plaintiffs,

22 v.

23 KATIE HOBBS; et al.;

24 Defendants.

25 Case No. S8015CV202200594

26 **REQUEST TO SET DEADLINE
27 TO FILE WRITTEN RESPONSES
28 TO APPLICATION FOR ORDER
TO SHOW CAUSE PURSUANT
TO ARCP 7.3**

[Expedited consideration requested]

(Honorable Lee F. Jantzen)

29 In accordance with Rule 7.3 of the Arizona Rules of Civil Procedure (ARCP),
30 Plaintiffs request that the Court prevent unfair surprise by amending its Order dated May
31 18, 2022, so as to designate a deadline of May 31, 2022, for the Defendants to respond to
32 the Order to Show Cause (for those Defendants that wish to file a written response).

33 **MEMORANDUM IN SUPPORT**

34 Under Rule 7.3 of the ARCP, the “court must designate a date by which the person

1 must respond, and may set a hearing on the application.” However, the Court’s order to
2 show cause did not designate a deadline for the Defendants to move or otherwise
3 respond. Out of an abundance of caution, Plaintiffs are concerned that the Defendants
4 may be planning to file responses close in time to the June 3 date set for hearing. This
5 concern is heightened by the fact that it is highly unusually in expedited election-related
6 matters for no response to an application for OSC to be on file a week after the
7 application has been made and courtesy copies transmitted via email. Tardy responses
8 would prejudice Plaintiffs in exercising their rights to reply and in preparing for June 3’s
9 appearance. To ameliorate, if not eliminate, this anticipated prejudice, the Plaintiffs are
10 requesting the Court set a deadline of May 31, 2022, for response by amending its Order
11 signed on May 18, 2022.

12 As this is an election case, this Court has acted expeditiously and has graciously
13 found the time in its busy calendar to set June 3, 2022, at 1:30 p.m., with the rest of the
14 day until 5:00 p.m., as the date for Defendants to show cause why relief should not be
15 awarded to the Plaintiffs’ on the Complaint and the Motion for Preliminary Injunction
16 (the “Motion”). Other than Yuma County (that will probably end up with the status of a
17 nominal defendant), counsel for Plaintiff has received no other communications in
18 response to the service of the Complaint and the Motion, except for the State from the
19 Attorney General.

20 The Complaint and request for show cause order was filed on May 17, 2022. The
21 Court’s order to show cause on June 3, 2022, was signed May 18, 2022. The Motion was
22 filed on May 20, 2022. On May 21, 2022, after communications with the Attorney
23 General, the Plaintiffs dismissed the State without prejudice and the state agreed to abide
24 by the outcome of the litigation.

25
26 Plaintiffs have acted expeditiously to serve the Complaint as follows:

27
28 May 18, 2022 Service on Defendant Ray Valenzuela, Maricopa County.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

May 19, 2022 Service on Defendant State of Arizona.

May 19, 2022 Service on Defendant Katie Hobbs, Secretary of State.

May 20, 2022 Service on Defendants Patty Hansen, Suzanne "Suzie" Sainz, and Sadie Jo Bingham.

May 23, 2022 Service on Defendants Wendy John, Richard Garcia, and Kristi Blair.

May 19, 2022 Service on all other Defendants completed.

Yuma County Recorder filed its notice of appearance on May 24, 2022

Yavapai County Recorder filed its notice of appearance on May 24, 2022

In addition, Plaintiffs have been promptly emailing courtesy copies of the documents filed in this case to all Defendants, whether or not they have appeared.

Accordingly, Plaintiffs request that this Court bring its Order dated May 18, 2022, into full compliance with Rule 7.3 by amending it to include a deadline for response. Plaintiffs would respectfully suggest May 31 as an appropriate date. An order to this effect is submitted with this Motion.

RESPECTFULLY SUBMITTED this 25th day of May, 2022

By: /s/Roger Strassburg

Alexander Kolodin
Veronica Lucero
Roger Strassburg
Arno T. Naeckel
Michael Kielsky
Davillier Law Group, LLC
4105 North 20th Street Ste 110
Phoenix, AZ 85016

Attorneys for Plaintiffs

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Alan Dershowitz (*Pro hac vice* to be submitted)
1575 Massachusetts Avenue
Cambridge, MA 02138

Proposed Additional Counsel Pro Hac Vice

I CERTIFY that a copy of the forgoing will be served on the other party/parties to this matter in accordance with the applicable rule of procedure.

By: /s/Yuka Bacchus

Yuka Bacchus
Davillier Law Group, LLC

RETRIEVED FROM DEMOCRACYDOCKET.COM

1 Alexander M. Kolodin (SBN 030826) Alan Dershowitz (*Pro hac vice* to be submitted)
2 Veronica Lucero (SBN 030292) 1575 Massachusetts Avenue
3 Roger Strassburg (SBN 016314) Cambridge, MA 02138
4 Arno T. Naeckel (SBN 026158) adersh@gmail.com
5 Michael Kielsky (SBN 021864) *Proposed Additional Counsel Pro Hac Vice*
6 **Davillier Law Group, LLC**
7 Akolodin@davillierlawgroup.com
8 Vlucero@davillierlawgroup.com
9 Rstrassburg@davillierlawgroup.com
10 Anaeckel@davillierlawgroup.com
11 Mkielsky@davillierlawgoup.com
12 Phxadmin@davillierlawgroup.com (file copies)
13 4105 North 20th Street Ste 110
14 Phoenix, Arizona 85016
15 Telephone: (602) 730-2985
16 Facsimile: (602) 801-2539

17 *Attorneys for Plaintiffs*

18 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
19 **IN AND FOR THE COUNTY OF MOHAVE**

20 ARIZONA REPUBLICAN PARTY; et al.;

21 Plaintiffs,

22 v.

23 KATIE HOBBS; et al.;

24 Defendants.

Case No. S8015CV202200594

ORDER

(Honorable Lee F. Jantzen)

25 Good Cause Appearing it is Ordered:

26 Defendants have until May 31st to file their optional responses to Plaintiffs'
27 Application for Order to Show Cause. They are to promptly email courtesy copies of any
28 such responses to Plaintiffs' counsel.

DATE

JUDGE, MOHAVE COUNTY SUPERIOR COURT