

No. 22-16689

---

**In the United States Court of Appeals  
for the Ninth Circuit**

---

ARIZONA ALLIANCE FOR RETIRED AMERICANS, et al.,  
*Plaintiffs - Appellants,*

v.

CLEAN ELECTIONS USA, et al.,  
*Defendants - Appellees.*

---

On Appeal from the United States District Court  
for the District of Arizona  
Case No. 2:22-cv-01823-PHX-MTL

---

**PLAINTIFFS-APPELLANTS' UNOPPOSED MOTION TO  
WITHDRAW THEIR PREVIOUSLY-FILED EMERGENCY MOTION**

Roy Herrera  
Daniel A. Arellano  
Austin T. Marshall  
**HERRERA ARELLANO LLP**  
530 East McDowell Road, Suite 107-  
150  
Phoenix, Arizona 85004-1500  
Telephone: (602) 567-4820  
roy@ha-firm.com  
daniel@ha-firm.com  
austin@ha-firm.com

*Counsel for Plaintiffs-Appellants*

Elisabeth C. Frost  
David R. Fox  
Joseph Posimato  
Harleen K. Gambhir  
Tina Meng  
Marcos Mocine-McQueen  
**ELIAS LAW GROUP LLP**  
10 G Street NE, Suite 600  
Washington, D.C. 20002  
Telephone: (202) 968-4490  
efrost@elias.law  
dfox@elias.law  
jposimato@elias.law  
hgambhir@elias.law  
tmeng@elias.law  
mmcqueen@elias.law

Plaintiffs-Appellants hereby move to withdraw their pending Emergency Motion for Injunction Pending Appeal, which they filed on October 28.

Yesterday, the district court entered a temporary restraining order in a related case, *League of Women Voters of Arizona v. Lions of Liberty LLC*, No. 3:22-cv-08196 (D. Ariz.), ordering Defendants-Appellees not to engage in much of the conduct at issue in Plaintiffs-Appellees' pending Emergency Motion for Injunction Pending Appeal. As a result of the district court's order, there is no longer an emergency requiring immediate relief from this Court, and Plaintiffs-Appellees therefore move to withdraw their pending Emergency Motion.

Plaintiffs-Appellees have conferred with counsel for Defendants-Appellees, and Defendants-Appellees do not oppose the relief sought herein.

Respectfully submitted this 2nd day of November, 2022.

/s David R. Fox

Roy Herrera  
Daniel A. Arellano  
Austin T. Marshall  
**HERRERA ARELLANO LLP**  
530 East McDowell Road, Suite 107-150  
Phoenix, Arizona 85004-1500  
Telephone: (602) 567-4820  
roy@ha-firm.com  
daniel@ha-firm.com  
austin@ha-firm.com

Elisabeth C. Frost  
David R. Fox  
Joseph Posimato  
Harleen K. Gambhir  
Tina Meng  
Marcos Mocine-McQueen  
**ELIAS LAW GROUP LLP**  
10 G Street NE, Suite 600  
Washington, D.C. 20002  
Telephone: (202) 968-4490  
efrost@elias.law  
dfox@elias.law  
jposimato@elias.law  
hgambhir@elias.law  
tmeng@elias.law  
mmcqueen@elias.law

*Counsel for Plaintiffs-Appellants*

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the attached document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on November 2, 2022.

s/ David R. Fox

**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 114 words. This motion complies with the typeface and the type style requirements of Fed. R. App. P. 27 because this brief has been prepared in a proportionally spaced typeface using Word 14-point Times New Roman typeface.

Dated: November 2, 2022

s/ David R. Fox