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Attorneys for Defendant Arizona Secretary of State
Adrian Fontes

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

JEANNE KENTCH, an individual; TED
BOYD, an individual; ABRAHAM
HAMADEH, an individual; and
REPUBLICAN NATIONAL
COMMITTEE, federal political party
committee,

Plaintiffs/Contestants,

v.

KRIS MAYES,

Defendant/Contestee,

and

ADRIAN FONTES, *et al.*,

Defendants.

Case No. S8015CV202201468

**ARIZONA SECRETARY OF STATE
ADRIAN FONTES'
RESPONSE TO PLAINTIFFS' FIFTH
NOTICE OF SUPPLEMENTAL
AUTHORITY**

(Expedited Challenge Matter)

(Assigned to Hon. Lee F. Jantzen)

Arizona Secretary of State Adrian Fontes (the "Secretary") joins in Attorney General Kris Mayes' Response to Plaintiff's Fifth Notice of Supplemental Authority (the "Notice"), and for purposes of economy, incorporates those arguments herein.

In addition to those issues Attorney General Mayes raises, the Secretary notes that the Notice is wholly improper. This Court has taken Plaintiff's motion for a new trial under advisement. Yet his counsel seeks to continue to make argument and expand the record. There is no procedural mechanism for taking such liberties, so Plaintiff does so – for yet a *fifth* time – under the guise of notifying the Court of so-called "supplemental authority". Of course, we all know that a superior court minute entry entered in Maricopa

1 County is not “authority” binding on this Court. This Court should not entertain
2 Plaintiff’s repeated attempts to unreasonably expand these proceedings.

3 RESPECTFULLY SUBMITTED: May 23, 2023.

4 **SHERMAN & HOWARD L.L.C.**

5 By: /s/ Craig A. Morgan
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CERTIFICATE OF SERVICE

1 ORIGINAL electronically filed
2 on May 23, 2023.

3 COPY of the foregoing emailed to
4 on May 23, 2023:

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