

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTYC. LETT
DEPUTY CLERK**MARK FINCHEM and JEFF ZINK**
Plaintiff

v.

**ADRIAN FONTES and RUBEN
GALLEGO and KATIE HOBBS**
DefendantsCase #: **CV2022-053927****ORDER TO APPEAR**

Return Hearing

READ ME: This is an important Court Order that affects your rights. Read this Order carefully. If you do not understand this Order, contact a lawyer for help.

The Court has reviewed **Plaintiffs' Verified Statement of Election Contest** filed **December 9, 2022**. Because this matter is an election challenge, the return hearing will be set on an accelerated basis.

Notice of Disclosure

Attached to the Complaint were various documents, including a memorandum from Tabatha LaVoie. In the memorandum, Ms. LaVoie indicated she was a roving attorney on behalf of the Republican National Committee's Election Integrity program during the general election on November 8, 2022. It is unclear from the memorandum whether Ms. LaVoie would be a witness in this case, but the Court recognizes the possibility of same. This judicial officer discloses that she had a social relationship with Ms. LaVoie through an extracurricular activity common to the respective children of this judicial officer and Ms. LaVoie between approximately 2013 and 2016. This judicial officer has seen Ms. LaVoie once since that time and otherwise maintains no relationship or contact with her. While this judicial officer does not believe that recusal is necessary as a result of this past social relationship with Ms. LaVoie, this judicial officer believes that providing notice is appropriate to allow the parties to request recusal if they wish to have this matter heard before a different judicial officer in light of the foregoing disclosure. Upon either party's or both parties' request, this judicial officer will recuse herself and refer this matter to the civil presiding judge for reassignment.

If either party requests recusal of this judicial officer, such a request shall be filed no later than **4:30 p.m. on December 12, 2022**. If a party does not file a request for recusal by that time, the Court will assume the party has no objection to this judicial officer continuing to preside over this matter.

IT IS ORDERED that Plaintiff, **MARK FINCHEM and JEFF ZINK**, and Defendants, **ADRIAN FONTES and RUBEN GALLEG0 and KATIE HOBBS**, shall appear *via Court Connect* on **December 13, 2022, at 10:30 a.m.** for a **Return Hearing (15 minutes allotted)** before Judge Alison S. Bachus. The hearing shall occur via videoconference.

Please join the hearing from your computer, tablet, or smartphone:

<https://tinyurl.com/jbazmc-cvj16>

Telephonic appearances are generally discouraged, as better communication is facilitated when all parties are visible. However, if a party is unable to participate by videoconference, they may dial in using their telephone.

1-917-781-4590

Conference ID: 826 490 596#

Use of the above link can be made easier by downloading the Microsoft Teams application first; for more on the new platform, including an introduction video and participant guide, please visit: <https://superiorcourt.maricopa.gov/court-connect>.

FAILURE TO APPEAR

If only one party comes to the hearing the Court may allow that party to make arguments and the Court may make rulings without the other party's participation. If neither party comes to the hearing the motion may be dismissed. Failure to comply with this Order to Appear may lead to a finding of contempt and the imposition of sanctions.

IT IS FURTHER ORDERED that a true copy of this "**Order to Appear**" and a true copy of the Motion/Petition and documents filed with the Motion/Petition shall be served by the moving party on the parties who are required to appear and a true copy of these documents shall be mailed immediately to parties who have appeared in this action, in accordance with Arizona Rules of Civil Procedure, Rule 5.

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Requests for reasonable accommodation for persons with disabilities must be made to the Judge's office no less than 24 hours before your hearing.

December 12, 2022

Date

Alison S. Bachus

Honorable Alison S. Bachus
Judge of the Superior Court

READ ME. This is a 15-minute proceeding with the court. The court will determine if more time is needed. All parties, whether represented by attorneys or not, must be present. If there is a failure to appear, the court may make such orders as are just, including granting the relief requested by the party who does appear.

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