

1 **BARBARA LAWALL**
 2 **PIMA COUNTY ATTORNEY**
 3 **CIVIL DIVISION**
 4 Daniel Jurkowitz, SBN 018428
 5 Deputy County Attorney
 6 32 North Stone Avenue, Suite 2100
 7 Tucson, Arizona 85701
 8 Telephone: 520-724-5700
 9 Daniel.Jurkowitz@pcao.pima.gov
 10 *Attorney for Pima County Recorder F. Ann Rodriguez*

11 **IN THE UNITED STATES DISTRICT COURT**
 12 **FOR THE DISTRICT OF ARIZONA**

13 Arizonans for Fair Elections, et al.,
 14
 15 Plaintiffs,
 16
 17 v.
 18
 19 Katie Hobbs, et al.,
 20
 21 Defendants,

No. 2:20-CV-00658-DWL

**PIMA COUNTY RECORDER'S
 RESPONSE TO MOTION FOR
 TEMPORARY RESTRAINING
 ORDER AND PRELIMINARY
 INJUNCTION**

Assigned to:
 Honorable Dominic W. Lanza

22 The Pima County Recorder F. Ann Rodriguez responds to Plaintiffs' Motion
 23 for Temporary Restraining Order and Preliminary Injunction as follows:

24 The Pima County Recorder agrees with Plaintiffs that electronic signature
 25 gathering for initiative petitions should be temporarily allowed during the pendency
 26 of COVID-19 restrictions imposed by the State of Arizona. There does not appear to
 be any technological reason why the Secretary of State could not implement such a
 process. Electronic signature gathering is authorized under Arizona law for
 candidates seeking statewide and legislative offices, A.R.S. § 16-315(E), for

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1 candidates seeking municipal, county and precinct committeemen offices, A.R.S. §
2 16-317, and for candidates seeking federal offices, A.R.S. § 16-318. The Secretary of
3 State has implemented A.R.S. §§ 16-315(E) and 16-318 with her E-Qual internet
4 portal. Since the portal already can verify registered Arizona voters in signing for
5 candidates, it should be able to verify registered Arizona voters in signing for
6 initiatives.

7 If the Court is inclined to order such relief and such process is implemented,
8 the Pima County Recorder would not disqualify any signatures for the reason that
9 they were collected using E-Qual when she conducts her certification pursuant to
10 A.R.S. § 19-121.02.

11
12 RESPECTFULLY SUBMITTED April 7, 2020.

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14 PIMA COUNTY ATTORNEY

15 By: /s/ Daniel Jurkowitz
16 Daniel Jurkowitz
17 Deputy County Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2020, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

James E. Barton II
Jacqueline Mendez Soto
Torres Law Group, PLLC
2239 West Baseline Road
Tempe, Arizona 85283
James@TheTorresFirm.com
Jacqueline@TheTorresFirm.com
Attorneys for Plaintiffs

Drew Curtis Ensign
Robert John Makar
Arizona Attorney General’s Office
2005 North Central Avenue
Phoenix, AZ 85004
Drew.Ensign@azag.gov
Robert.Makar@azag.gov
Attorneys for Defendant Arizona Secretary of State Katie Hobbs

William J. Kerekes
Deputy County Attorney
Yuma County Attorney’s Office
250 West 2nd Street
Street G
Yuma, AZ 85364-2235
Bill.kerekes@yumacountyaz.gov
Attorney for Defendant Yuma County Recorder

Britt W. Hanson
Deputy County Attorney
Cochise County Attorney’s Office
PD Drawer CA
Bisbee, AZ 85603-0170
bhanson@cochise.az.gov
Attorney for Defendant Cochise County Recorder

BARBARA LAWALL
PIMA COUNTY ATTORNEY
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PIMA COUNTY ATTORNEY
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Christopher C. Keller
Craig C. Cameron
Deputy County Attorneys
Pinal County Attorney's Office
P.O. Box 887
Florence, AZ 85132-0887
Chris.keller@pinalcountyz.gov
Craig.cameron@pinalcountyz.gov
Attorneys for Defendant Pinal County Recorder

Glenn Buckelew
Deputy County Attorney
La Paz County Attorney's Office
1316 South Kofa Avenue
Suite 607
Parker, AZ 85344
gbuckelew@co.la-paz.az.us
Attorney for Defendant La Paz County Recorder

Jason S. Moore
Deputy County Attorney
Navajo County Attorney's Office
P.O. Box 668
Holbrook, AZ 86025-0668
Jason.moore@navajocountyz.gov
Attorney for Defendant Navajo County Recorder

Joseph La Rue
Talia Offord
Deputy County Attorneys
Maricopa County Attorney's Office
301 West Jefferson Street
Phoenix, AZ 85003
laruej@mcao.maricopa.gov
offordt@mcao.maricopa.gov
Attorneys for Defendant Maricopa County Recorder

Rose M. Winkeler
Senior Civil Deputy
Coconino County Attorney's Office

BARBARA LAWALL
PIMA COUNTY ATTORNEY
CIVIL DIVISION

1 110 East Cherry Avenue
2 Flagstaff, AZ 86001-4627
3 rwinkeler@coconino.az.gov
4 *Attorney for Defendant Coconino County Recorder*

5 Kim Hunley
6 Chief Civil Deputy
7 Santa Cruz County Attorney's Office
8 2150 North Congress Drive
9 Nogales, AZ 85621
10 khunley@santacruzcountyaz.gov
11 *Attorney for Defendant Santa Cruz County Recorder*

12 Thomas M. Stoxen
13 Yavapai County Attorney's Office
14 255 East Gurley Street
15 Prescott, AZ 86301
16 Thomas.Stoxen@yavapai.us
17 *Attorney for Defendant Yavapai County Recorder*

18 Joseph Young
19 Apache County Attorney's Office
20 P.O. Box 637
21 St. Johns, AZ 85936
22 JYoung@Apachelaw.net
23 *Attorney for Defendant Apache County Recorder*

24 Jeff Dalton
25 Gila County Attorney's Office
26 1400 East Ash Street
Globe, AZ 85501
jdalton@gilacountyaz.gov
Attorney for Defendant Gila County Recorder

Kenneth Angle
Graham County Attorney's Office
800 Main Street
Safford, AZ 85546
kangle@graham.az.gov
Attorney for Defendant Graham County Recorder

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PIMA COUNTY ATTORNEY
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Jeremy Ford
Greenlee County Attorney's Office
P.O. Box 1717
Clifton, AZ 85533
jford@co.greenlee.az.us
Attorney for Defendant Greenlee County Recorder

Ryan Esplin
Mohave County Attorney's Office
315 North 4th Street
Kingman, AZ 86401
Ryan.Esplin@mohavecounty.us
Attorney for Defendant Mohave County Recorder

By: /s/ Lenora R. Anderson