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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

21 Brian Mecinas, *et al.*,  
22 Plaintiffs,  
23 v.  
24 Katie Hobbs, in her official capacity as the  
25 Arizona Secretary of State,  
26 Defendant.

No. 19-cv-05547-PHX-DJH

**PLAINTIFFS' NOTICE OF  
SUPPLEMENTAL AUTHORITY  
IN SUPPORT OF RESPONSE IN  
OPPOSITION TO DEFENDANT'S  
MOTION TO DISMISS AND  
PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

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1 In support of Plaintiffs' Response in Opposition to the Secretary's Motion to Dismiss  
2 (Doc. 27), and the Motion for Preliminary Injunction (Doc. 14), Plaintiffs respectfully  
3 submit the attached Memorandum Opinion and Order issued on June 15, 2020, in *Pavek et*  
4 *al. v. Simon et al.*, No. 19-cv-3000 (D. Minn. June 15, 2020). *See* Ex. A.

5 In *Pavek*, DSCC and DCCC and multiple individual plaintiffs brought suit  
6 challenging Minnesota's ballot order statute, which mandated that the first position on the  
7 ballot be occupied by the candidate associated with the major political party that received  
8 the smallest average number of votes in the last Minnesota general election. Minn. Stat. §  
9 204D.13(2) (2018). The complaint alleged the same claims as here, and the same injuries  
10 suffered by DSCC and DCCC and their voters as a result of the ballot order statute. The  
11 U.S. District Court for the District of Minnesota denied the defendants' motion to dismiss  
12 and granted the plaintiffs' motion for preliminary injunction, finding that the plaintiffs  
13 showed a likelihood of success that the discriminatory ballot order statute violated their  
14 First and Fourteenth Amendment rights. *See id.* In so doing, the court addressed several of  
15 the same issues raised in the Secretary's motion to dismiss (Doc. 26) and in Plaintiffs'  
16 motion for preliminary injunction (Doc. 14) in this case, including the standing of political  
17 party committees to bring these types of claims, the character and magnitude of the burden  
18 asserted by Plaintiffs under the *Anderson-Burdick* test, and the legitimacy of the state's  
19 asserted interests in its current ballot ordering system.

20  
21 Dated: June 16, 2020

/s Austin Yost

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 16, 2020, I electronically transmitted the attached document to the Clerk’s Office using the ECF System for filing and transmittal of a Notice of Electronic Filing to the ECF registrants.

/s Austin Yost