

No. 22-16490

---

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

---

ARIZONA ALLIANCE FOR RETIRED AMERICANS, et al.,  
Plaintiff-Appellees,

v.

KRISTIN K. MAYES, in her official capacity as Arizona Attorney  
General,

Defendant-Appellants,

and

YUMA COUNTY REPUBLICAN COMMITTEE,  
Intervenor-Defendant-Appellants,

and

ADRIAN FONTES, in his official capacity as Arizona Secretary of State;  
et al.

Defendants.

---

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Case No. 2:22-CV-01374-GMS

---

**INTERVENOR-DEFENDANT'S JOINDER RESPONSE TO  
PETITION FOR REHEARING EN BANC**

---

SNELL & WILMER L.L.P.

Brett W. Johnson

Eric H. Spencer

Colin P. Ahler

Tracy A. Olson

One East Washington Street,

Suite 2700

Phoenix, Arizona 85004

Telephone: (602) 382-6000

[bwjohnson@swlaw.com](mailto:bwjohnson@swlaw.com)

[espencer@swlaw.com](mailto:espencer@swlaw.com)

[cahler@swlaw.com](mailto:cahler@swlaw.com)

[tolson@swlaw.com](mailto:tolson@swlaw.com)

*Counsel for Yuma County  
Republican  
Committee*

Dated: October 28, 2024

Intervenor-Defendant Yuma County Republican Party hereby gives notice to the Court that it joins the Attorney General's Response to Petition for Rehearing *En Banc*. [Dkt. 96] For the reasons stated therein, this Court should deny the Petition for Rehearing.

Additionally, for the reasons argued by Defendants before the panel, and articulated by the panel's concurring opinion, Plaintiffs' merits arguments regarding the Cancellation Provision are legally deficient. Plaintiffs' incorrect interpretation of the Cancellation Provision is another reason to deny rehearing. However, if this Court grants rehearing, the merits of the Cancellation Provision should be considered as an alternative basis for reversing the district court's decision.

Respectfully submitted this 28th day of October, 2024.

SNELL & WILMER L.L.P.

By: s/ Brett W. Johnson

Brett W. Johnson

Eric H. Spencer

Colin P. Ahler

Tracy A. Olson

SNELL & WILMER, LLP

One East Washington Street

Suite 2700

Phoenix, Arizona 85004

(602) 382-6000

[bwjohnson@swlaw.com](mailto:bwjohnson@swlaw.com)

[espencer@swlaw.com](mailto:espencer@swlaw.com)

[cahler@swlaw.com](mailto:cahler@swlaw.com)

[tolson@swlaw.com](mailto:tolson@swlaw.com)

*Attorneys for Intervenor-Defendant  
Yuma County Republican Committee*

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**Form 11. Certificate of Compliance for Petitions for Rehearing/Responses**

*Instructions for this form: <http://www.ca9.uscourts.gov/forms/form11instructions.pdf>*

**9th Cir. Case Number(s)** 22-16490

I am the attorney or self-represented party.

I certify that pursuant to Circuit Rule 35-4 or 40-1, the attached petition for panel rehearing/petition for rehearing en banc/response to petition is (*select one*):

Prepared in a format, typeface, and type style that complies with Fed. R. App.

☒ P. 32(a)(4)-(6) and **contains the following number of words:** 104.

*(Petitions and responses must not exceed 4,200 words)*

**OR**

☐ In compliance with Fed. R. App. P. 32(a)(4)-(6) and does not exceed 15 pages.

**Signature** s/ Brett W. Johnson

**Date** Oct 28, 2024

*(use "s/[typed name]" to sign electronically-filed documents)*

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 28th day of October, 2024, I caused the foregoing document to be electronically transmitted to the Clerk's Office using the CM/ECF System for Filing and transmittal of a Notice of Electronic Filing to CM/ECF registrants.

s/ *Abigail Bahorich*