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22 *Attorney General Kristin K. Mayes*

23 UNITED STATES DISTRICT COURT
24 DISTRICT OF ARIZONA

25 Mi Familia Vota, et al.,
26 Plaintiffs,
27 v.
28 Adrian Fontes, et al.,
29 Defendants.

No. CV-22-00509-PHX-SRB (Lead)

**DEFENDANT ATTORNEY
GENERAL KRISTIN K. MAYES’S
ANSWER TO AMENDED
COMPLAINT FILED BY
PLAINTIFFS TOHONO O’ODHAM
NATION ET AL.**

THIS DOCUMENT RELATES TO:

No. CV-22-01901-PHX-SRB

Defendant Attorney General Kristin K. Mayes (the “Attorney General”) answers the Amended Complaint filed by Plaintiffs Tohono O’odham Nation, Gila River Indian Community, Keanu Stevens, Alanna Siquieros, and La Donna Jacket (collectively, “Plaintiffs”) on December 9, 2022 in Case No. CV-22-01901-PHX-SRB as follows:

INTRODUCTION

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2 1. The Attorney General admits that Plaintiffs generally describe the nature of
3 their claims in this action. The Attorney General denies any remaining allegations in
4 Paragraph 1.

5 2. The Attorney General admits that Plaintiffs generally describe the nature of
6 their claims in this action. The Attorney General denies any remaining allegations in
7 Paragraph 2.

8 3. The Attorney General admits that Plaintiffs generally describe the nature of
9 their claims in this action. The Attorney General denies any remaining allegations in
10 Paragraph 3.

11 4. The Attorney General admits that Plaintiffs generally describe the nature of
12 their claims in this action. The Attorney General denies any remaining allegations in
13 Paragraph 4.

14 5. The Attorney General admits that Plaintiffs generally describe the nature of
15 their claims in this action. The Attorney General denies any remaining allegations in
16 Paragraph 5.

JURISDICTION AND VENUE

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18 6. The Attorney General admits that the Court has subject matter jurisdiction.

19 7. Admit.

PARTIES

Plaintiffs

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22 8. The Attorney General lacks sufficient information to admit or deny the
23 allegations in Paragraph 8 and therefore denies the same.

24 9. The Attorney General lacks sufficient information to admit or deny the
25 allegations in Paragraph 9 and therefore denies the same.

26 10. The Attorney General admits that Plaintiffs generally describe the nature of
27 Plaintiff Tohono O’odham Nation’s claims in this action but denies any allegations that HB
28 2492 violates the U.S. Constitution or federal law.

1 laws identified in Paragraph 23 speak for themselves, and the Attorney General denies any
2 allegations inconsistent with those laws.

3 24. The Attorney General admits that the Arizona Attorney General is the “State’s
4 chief legal officer,” that she is authorized to enforce certain election laws, and that she has
5 related statutory authority. The specific laws identified in Paragraph 24 speak for
6 themselves, and the Attorney General denies any allegations inconsistent with those laws.

7 25. The Attorney General admits that the county recorders are “election officers
8 at the local level” and that they have related statutory authority in implementing registration
9 of voters and maintaining voter rolls, but she lacks sufficient information to admit or deny
10 the remaining allegations in Paragraph 25 and therefore denies the same.

11 **FACTUAL BACKGROUND**

12 26. The Attorney General lacks sufficient information to admit or deny the
13 allegations in Paragraph 26 and therefore denies the same.

14 27. The Attorney General lacks sufficient information to admit or deny the
15 allegations in Paragraph 27 and therefore denies the same.

16 *Current mechanism for specifying residence location*

17 28. The Attorney General admits that, under Arizona law, voter registration
18 applicants provide their residence address or location. The Attorney General lacks sufficient
19 information to admit or deny the “purpose” of the law as described in Paragraph 28 and
20 therefore denies the same.

21 29. Admit.

22 30. Admit.

23 31. The Attorney General lacks sufficient information to admit or deny the
24 allegations in Paragraph 31 and therefore denies the same.

25 *Documentary proof of location of residence requirement in HB 2492*

26 32. The Attorney General admits that Arizona passed H.B. 2492, which includes
27 a proof of residence requirement. The Attorney General denies any remaining allegations
28 in Paragraph 32.

Gila River Indian Community

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2 43. The Attorney General lacks sufficient information to admit or deny the
3 allegations in Paragraph 43 and therefore denies the same.

4 44. The Attorney General denies that a physical address is necessary for
5 satisfying the DPOR requirement. The Attorney General lacks sufficient information to
6 admit or deny the remaining allegations in Paragraph 44 and therefore denies the same.

7 45. The Attorney General denies that a physical address is necessary for
8 satisfying the DPOR requirement. The Attorney General lacks sufficient information to
9 admit or deny the remaining allegations in Paragraph 45 and therefore denies the same.

10 46. The Attorney General denies that a physical address is necessary for
11 satisfying the DPOR requirement. The Attorney General lacks sufficient information to
12 admit or deny the allegations in Paragraph 46 and therefore denies the same.

13 47. The Attorney General lacks sufficient information to admit or deny the
14 allegations in Paragraph 47 and therefore denies the same.

15 48. The Attorney General lacks sufficient information to admit or deny the
16 allegations in Paragraph 48 and therefore denies the same.

17 49. The Attorney General denies that a physical address is necessary for
18 satisfying the DPOR requirement. The Attorney General lacks sufficient information to
19 admit or deny the allegations in Paragraph 49 and therefore denies the same.

Hopi Indian Reservation

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21 50. The Attorney General lacks sufficient information to admit or deny the
22 allegations in Paragraph 50 and therefore denies the same.

23 51. The Attorney General denies that a physical address is necessary to satisfy
24 the DPOR requirement. The Attorney General lacks sufficient information to admit or deny
25 the remaining allegations in Paragraph 51 and therefore denies the same.

26 52. The Attorney General denies that a physical address is necessary to satisfy
27 the DPOR requirement. The Attorney General lacks sufficient information to admit or deny
28 the remaining allegations in Paragraph 52 and therefore denies the same.

1 53. The Attorney General denies that a physical address is necessary to satisfy
2 the DPOR requirement. The Attorney General lacks sufficient information to admit or deny
3 the remaining allegations in Paragraph 53 and therefore denies the same.

4 Enactment of HB 2492's Physical Address Requirement

5 54. The Attorney General alleges that the quoted statements speak for themselves
6 and further denies any allegations contained in this paragraph that are inconsistent with or
7 otherwise mischaracterize their language. The Attorney General lacks sufficient
8 information to admit or deny all remaining allegations in Paragraph 54 and therefore denies
9 the same.

10 55. The Attorney General denies the description of HB 2492 as a “Physical
11 Address Requirement.” The Attorney General lacks sufficient information to admit or deny
12 the remaining allegations in Paragraph 55 and therefore denies the same.

13 56. Admit.

14 57. Deny.

15 **CLAIMS FOR RELIEF**

16 **COUNT 1**

17 **National Voter Registration Act Section 6, 52 U.S.C. § 20505**
18 **Failure to Accept and Use Federal Form**
19 **(On Behalf of All Plaintiffs and as to All Defendants)**

20 58. This paragraph includes legal conclusions that require no response. If a
21 response is required, the Attorney General admits the quoted language is accurately
22 reproduced.

23 59. This paragraph includes legal conclusions that require no response. If a
24 response is required, the Attorney General admits that in *Arizona v. Inter Tribal Council of*
25 *Ariz., Inc.*, 570 U.S. 1 (2013), the Supreme Court held that the NVRA preempted a certain
26 application of Arizona law. The Court’s opinion speaks for itself, and the Attorney General
27 denies any allegations in Paragraph 59 inconsistent with the opinion.
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DATED this 29th day of March, 2023.

KRISTIN K. MAYES
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