

1 Tyler Green*
 2 Cameron T. Norris*
 3 James P. McGlone*
 4 CONSOVOY MCCARTHY PLLC
 5 1600 Wilson Blvd., Ste. 700
 6 Arlington, VA 22209
 7 (703) 243-9423
 tyler@consovoymccarthy.com
 cam@consovoymccarthy.com
 jim@consovoymccarthy.com

8 Kory Langhofer, Ariz. Bar No. 024722
 9 Thomas Basile, Ariz. Bar. No. 031150
 10 STATECRAFT PLLC
 11 649 North Fourth Avenue, First Floor
 12 Phoenix, Arizona 85003
 (602) 382-4078
 kory@statecraftlaw.com
 tom@statecraftlaw.com

13 *Attorneys for Intervenor-Defendant*
 14 *admitted pro hac vice

15 **IN THE UNITED STATES DISTRICT COURT**
 16 **FOR THE DISTRICT OF ARIZONA**

17 Mi Familia Vota, et al.,
 18
 19 Plaintiffs,
 20 v.
 21 Adrian Fontes, in his official capacity as
 22 Arizona Secretary of State, et al.,
 23 Defendants.

Case No. 2:22-cv-00509-SRB (Lead)

**INTERVENOR-DEFENDANT’S
 ANSWER TO THE UNITED STATES’
 COMPLAINT**

24 **AND CONSOLIDATED CASES**
 25
 26
 27
 28

1 Intervenor—the Republican National Committee—now answers the United States’
2 complaint (Doc. 1, No. 2:22-cv-01124). Unless expressly admitted below, every allegation
3 in the complaint is denied. Because Plaintiffs often cite nothing, Intervenor does not know
4 whether the referenced factual material exists, is accurate, or is placed in proper context.
5 Accordingly, Intervenor states:

- 6 1. Admit that date HB 2492 was enacted; the rest is a legal argument requiring
- 7 no response.
- 8 2. Legal argument requiring no response.
- 9 3. Legal argument requiring no response.
- 10 4. Legal argument requiring no response.
- 11 5. Legal argument requiring no response.
- 12 6. Legal argument requiring no response.
- 13 7. Intervenor lacks sufficient information to admit or deny.
- 14 8. Legal argument requiring no response.
- 15 9. Intervenor lacks sufficient information to admit or deny as to the first sen-
- 16 tence; the rest is a legal argument requiring no response.
- 17 10. Legal argument requiring no response.
- 18 11. Legal argument requiring no response.
- 19 12. Legal argument requiring no response.

20 **JURISDICTION AND VENUE**

- 21 13. Legal argument requiring no response.
- 22 14. Legal argument requiring no response.

23 **PARTIES**

- 24 15. Legal argument requiring no response.
- 25 16. Admit the first sentence; the rest is a legal argument requiring no response.
- 26 17. After the United States filed its complaint, Adrian Fontes assumed the role
- 27 of Secretary of State of Arizona; the rest is legal argument requiring no re-
- 28 sponse.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LEGAL FRAMEWORK

- 18. Legal argument requiring no response.
- 19. Legal argument requiring no response.
- 20. Intervenor lacks sufficient information to admit or deny.
- 21. The quoted statute speaks for itself.
- 22. Legal argument requiring no response.
- 23. Deny.
- 24. Legal argument requiring no response.
- 25. The quoted statute speaks for itself.

FACTUAL ALLEGATIONS

- 26. Intervenor lacks sufficient information to admit or deny.
- 27. Intervenor lacks sufficient information to admit or deny.
- 28. Intervenor lacks sufficient information to admit or deny.
- 29. Admit.
- 30. Legal argument requiring no response.
- 31. Legal argument requiring no response.
- 32. Legal argument requiring no response.
- 33. Legal argument requiring no response.
- 34. Legal argument requiring no response.
- 35. Legal argument requiring no response.
- 36. Legal argument requiring no response.
- 37. Legal argument requiring no response.
- 38. Legal argument requiring no response.
- 39. Legal argument requiring no response.
- 40. Legal argument requiring no response.
- 41. Intervenor lacks sufficient information to admit or deny.
- 42. The cited case speaks for itself.
- 43. The cited case speaks for itself.

- 1 44. The cited case speaks for itself.
- 2 45. Intervenor lacks sufficient information to admit or deny.
- 3 46. Intervenor lacks sufficient information to admit or deny.
- 4 47. Legal argument requiring no response.
- 5 48. The referenced statutes speak for themselves.
- 6 49. Legal argument requiring no response.
- 7 50. The quoted statute speaks for itself; the rest is a legal argument requiring no
- 8 response.
- 9 51. Deny.
- 10 52. Admit.
- 11 53. Deny.
- 12 54. Deny.
- 13 55. Deny.
- 14 56. Legal argument requiring no response.
- 15 57. The quoted statute speaks for itself.
- 16 58. Legal argument requiring no response.
- 17 59. Deny.
- 18 60. Deny.
- 19 61. Legal argument requiring no response.

20 **CLAIMS FOR RELIEF**

21 **Count 1: NVRA Section 6**

- 22 62. Intervenor incorporates by reference all foregoing responses to Plaintiffs'
- 23 allegations.
- 24 63. Legal argument requiring no response.
- 25 64. Legal argument requiring no response.
- 26 65. Legal argument requiring no response.
- 27
- 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Count 2: Civil Rights Act of 1964 Section 101

- 66. Intervenor incorporates by reference all foregoing responses to Plaintiff’s allegations.
- 67. Legal argument requiring no response.
- 68. Legal argument requiring no response.
- 69. Legal argument requiring no response.
- 70. Legal argument requiring no response.
- 71. Legal argument requiring no response.

RESPONSE TO PRAYER FOR RELIEF

Intervenor denies that Plaintiff is entitled to any relief.

AFFIRMATIVE DEFENSES

- 1. The allegations in the complaint fail to state a claim.
- 2. Plaintiff lacks a cause of action for one or more of its claims.
- 3. Plaintiff lacks standing for one or more of its claims.
- 4. Plaintiff’s requested relief is barred by the *Purcell* principle.

RESPECTFULLY SUBMITTED this 17th day of March, 2023.

By: /s/ Thomas Basile

Tyler Green*
 Cameron T. Norris*
 James P. McGlone*
 CONSOVOY MCCARTHY PLLC
 1600 Wilson Blvd., Ste. 700
 Arlington, VA 22209
 (703) 243-9423
 tyler@consovoymccarthy.com
 cam@consovoymccarthy.com
 jim@consovoymccarthy.com
 *admitted pro hac vice

Kory Langhofer, Ariz. Bar No. 024722
 Thomas Basile, Ariz. Bar. No. 031150
 STATECRAFT PLLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003
(602) 382-4078
kory@statecraftlaw.com
tom@statecraftlaw.com

Attorneys for Intervenor-Defendant