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21 **IN THE UNITED STATES DISTRICT COURT**
 22 **FOR THE DISTRICT OF ARIZONA**

23 Mi Familia Vota, et al.,

24 Plaintiffs,

25 v.

26 Adrian Fontes, in his official capacity as
27 Arizona Secretary of State, et al.,

28 Defendants.

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

**INTERVENOR-DEFENDANT’S
 ANSWER TO PLAINTIFFS MI
 FAMILIA VOTA AND VOTO
 LATINO’S SECOND AMENDED
 COMPLAINT**

29 AND CONSOLIDATED CASES

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1 Intervenor the Republican National Committee now answers Plaintiffs Mi Familia
2 Vota and Voto Latino’s second amended complaint (Doc. 65). Unless expressly admitted
3 below, every allegation in the complaint is denied. When Intervenor says something
4 “speaks for itself,” it means that it lacks sufficient information to admit or deny the
5 allegation. Because Plaintiffs often cite nothing, Intervenor do not know whether the
6 referenced factual material exists, is accurate, or is placed in proper context. Accordingly,
7 Intervenor state:

- 8 1. Legal argument requiring no response; otherwise, deny.
- 9 2. Legal argument requiring no response.
- 10 3. Legal argument requiring no response.
- 11 4. Voter statistics speak for themselves; otherwise, deny.
- 12 5. Officials’ statements and allegations in lawsuits speak for themselves;
13 Intervenor lacks sufficient knowledge to admit or deny the remaining
14 allegations.
- 15 6. Officials’ statements and allegations in lawsuits speak for themselves;
16 otherwise, legal argument requiring no response.
- 17 7. Legal argument requiring no response.
- 18 8. Legal argument requiring no response.
- 19 9. Legal argument requiring no response.
- 20 10. Legal argument requiring no response.
- 21 11. Legal argument requiring no response.
- 22 12. Legal argument requiring no response.
- 23 13. Legal argument requiring no response.
- 24 14. Legal argument requiring no response.
- 25 15. Legal argument requiring no response.
- 26 16. Intervenor lacks sufficient knowledge to admit or deny.
- 27 17. Intervenor lacks sufficient knowledge to admit or deny.
- 28 18. Intervenor lacks sufficient knowledge to admit or deny.

- 1 19. Intervenor lacks sufficient knowledge to admit or deny.
- 2 20. Intervenor lacks sufficient knowledge to admit or deny.
- 3 21. Intervenor lacks sufficient knowledge to admit or deny.
- 4 22. After Plaintiffs filed their second amended complaint, Adrian Fontes
- 5 assumed the role of Secretary of State of Arizona; the rest is legal argument
- 6 requiring no response.
- 7 23. After Plaintiffs filed their second amended complaint, Kris Mayes assumed
- 8 the role of Attorney General of Arizona; the rest is legal argument requiring
- 9 no response.
- 10 24. Legal argument requiring no response.
- 11 25. Admit.
- 12 26. Admit.
- 13 27. Admit.
- 14 28. Admit.
- 15 29. Admit.
- 16 30. Admit.
- 17 31. Admit.
- 18 32. Admit.
- 19 33. Admit.
- 20 34. Admit.
- 21 35. Admit.
- 22 36. Admit.
- 23 37. Admit.
- 24 38. After Plaintiffs filed their second amended complaint, Michelle Burchill
- 25 assumed the role of Yavapai County Recorder.
- 26 39. After Plaintiffs filed their second amended complaint, Richard Colwell
- 27 assumed the role of Yuma County Recorder.
- 28 40. Deny.

- 1 41. Legal argument requiring no response.
- 2 42. Legal argument requiring no response.
- 3 43. Legal argument requiring no response.
- 4 44. Legal argument requiring no response; otherwise, deny.
- 5 45. The litigation history and allegations speak for themselves; the rest is legal
6 argument requiring no response.
- 7 46. Intervenor lacks sufficient knowledge to admit or deny.
- 8 47. The statute speaks for itself; otherwise, Intervenor lacks sufficient
9 knowledge to admit or deny.
- 10 48. Intervenor lacks sufficient knowledge to admit or deny.
- 11 49. Intervenor lacks sufficient knowledge to admit or deny.
- 12 50. Intervenor lacks sufficient knowledge to admit or deny.
- 13 51. Intervenor lacks sufficient knowledge to admit or deny.
- 14 52. Intervenor lacks sufficient knowledge to admit or deny.
- 15 53. Intervenor lacks sufficient knowledge to admit or deny.
- 16 54. Intervenor lacks sufficient knowledge to admit or deny.
- 17 55. Legal argument requiring no response; otherwise, Intervenor lacks sufficient
18 knowledge to admit or deny.
- 19 56. Legal argument requiring no response.
- 20 57. Legal argument requiring no response.
- 21 58. Intervenor lacks sufficient knowledge to admit or deny.
- 22 59. Deny as to the final sentence; the rest is legislative background which speaks
23 for itself.
- 24 60. Legal argument requiring no response.
- 25 61. Legal argument requiring no response.
- 26 62. Legal argument requiring no response.
- 27 63. Legal argument requiring no response.
- 28 64. Legal argument requiring no response.

- 1 65. Legal argument requiring no response.
- 2 66. Legal argument requiring no response.
- 3 67. Legal argument requiring no response.
- 4 68. Legal argument requiring no response.
- 5 69. Legal argument requiring no response.
- 6 70. Legal argument requiring no response; otherwise, deny.
- 7 71. Legal argument requiring no response.
- 8 72. The Legislative statement speaks for itself; otherwise, legal argument
- 9 requiring no response.
- 10 73. Legal argument requiring no response.
- 11 74. Legal argument requiring no response.
- 12 75. Legal argument requiring no response.

CLAIMS

**Count I: Unjustifiable Burden on the Right to Vote
U.S. Const. amend. I, XIV, 42 U.S.C. §1983**

- 16 76. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
- 17 allegations as though fully set forth in this paragraph.
- 18 77. Legal argument requiring no response.
- 19 78. Legal argument requiring no response.
- 20 79. Legal argument requiring no response.
- 21 80. Legal argument requiring no response.

**Count II: Denial of Procedural Due Process
U.S. Const. amend. XIV, 42 U.S.C. § 1983**

- 24 81. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
- 25 allegations as though fully set forth in this paragraph.
- 26 82. Legal argument requiring no response.
- 27 83. Legal argument requiring no response.
- 28 84. Legal argument requiring no response.

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85. Legal argument requiring no response.

**Count III: Disparate Treatment in Violation of the Right to Equal Protection
U.S. Const. amend. XIV, 42 U.S.C. § 1983**

86. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
allegations as though fully set forth in this paragraph.

87. Legal argument requiring no response.

88. Legal argument requiring no response.

89. Legal argument requiring no response.

90. Legal argument requiring no response.

91. Legal argument requiring no response.

92. Legal argument requiring no response.

**Count IV: National Voter Registration Act of 1993
52 U.S.C. §§ 20505, 20507, 20508, 20510**

93. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
allegations as though fully set forth in this paragraph.

94. Legal argument requiring no response.

95. Legal argument requiring no response.

96. Legal argument requiring no response.

97. Legal argument requiring no response.

98. Legal argument requiring no response.

99. Legal argument requiring no response.

**Count V: Materiality Provision of the Civil Rights Act of 1964
52 U.S.C. § 10101(a)(2)(B)**

100. Intervenor incorporates by reference all foregoing responses to Plaintiffs’
allegations as though fully set forth in this paragraph.

101. Legal argument requiring no response.

102. Legal argument requiring no response.

103. Legal argument requiring no response.

1 104. Legal argument requiring no response.

2 105. Legal argument requiring no response.

3 106. Legal argument requiring no response.

4 **RESPONSE TO PRAYER FOR RELIEF**

5 Intervenor denies that Plaintiffs are entitled to any relief.

6 **AFFIRMATIVE DEFENSES**

- 7 1. The allegations in the complaint fail to state a claim.
- 8 2. Plaintiffs lack a cause of action for one or more of their claims.
- 9 3. Plaintiffs lack standing for one or more of their claims.
- 10 4. Plaintiffs’ requested relief is barred by the *Purcell* principle.

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12 RESPECTFULLY SUBMITTED this 17th day of March, 2023.

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14 By: /s/ Thomas Basile

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