

Court of Appeals, Division One

Civil Accelerated Appeal - Rule 29

1 CA-CV 24-0272 A

CENTER FOR AZ POLICY v. AZ SECRETARY OF STATE,

Appellate Case Information

Case Filed: 11-Apr-2024

Case Closed:

Dept/Composition

Department A

Hon. Jennifer B Campbell
Hon. Kent E Cattani
Hon. Paul J McMurdie

Side 1. CENTER FOR ARIZONA POLICY INC, et al., Plaintiff/Appellant

(Litigant Group) CENTER FOR AZ POLICY, et al.

- Center for Arizona Policy
- Arizona Free Enterprise Club

Co-Counsel for: Plaintiffs/Appellants

Jonathan Matthew Riches, Esq. (AZ Bar No. 25712)
Scott Day Freeman, Esq. (AZ Bar No. 19784)
Timothy Sandefur, Esq. (AZ Bar No. 33670)
Parker Dee Jackson, Esq. (AZ Bar No. 37844)
Andrew W. Gould, Esq. (AZ Bar No. 13234)
Brennan AR Bowen, Esq. (AZ Bar No. 36639)
Daniel Tilleman, Esq. (AZ Bar No. 37422)
Emily Gould, Esq. (AZ Bar No. 36184)

Side 2. AZ SECRETARY OF STATE, et al., Defendant/Appellee

(Litigant Group) AZ SECRETARY OF STATE

- Arizona Secretary of State

Attorney for: Defendant/Appellee AZ SOS

Craig A Morgan, Esq. (AZ Bar No. 23373)
Shayna Gabrielle Stuart, Esq. (AZ Bar No. 34819)
Jake Tyler Rapp, Esq. (AZ Bar No. 36208)

(Litigant Group) AZ CLEAN ELECTIONS

- Arizona Citizens Clean Elections Commission

Attorneys for: Defendant/Appellee AZ Clean Elect.

Mary R O'Grady, Esq. (AZ Bar No. 11434)
Alexandria Karpurk, Esq. (AZ Bar No. 37029)

(Litigant Group) AZ ATTORNEY GENERAL

- Arizona Attorney General's Office, Intervenor/Appellee

Attorneys for: Intervenor/Appellee AZ AG

Alexander W Samuels, Esq. (AZ Bar No. 28926)
Nathan Arrowsmith, Esq. (AZ Bar No. 31165)
Kathryn E Boughton, Esq. (AZ Bar No. 36105)

(Litigant Group) VOTERS RIGHT

- Voters Right to Know, Intervenor/Appellee

Co-Counsel for: Intervenor/Appellee Voters Right

Daniel J Adelman, Esq. (AZ Bar No. 11368)
Chanele N Reyes, Esq. (AZ Bar No. 34898)
David Kolker, Esq. (DC Bar No. 394558)
Tara Malloy, Esq. (DC Bar No. 988280)
Elizabeth Shimek, Esq. (WI Bar No. 1095937)

Side 3. ARIZONA CHAMBER OF COMMERCE AND INDUSTRY, Amicus Curiae

(Litigant Group) ARIZONA CHAMBER OF COMMERCE

- Arizona Chamber of Commerce and Industry

Attorneys for: Amicus Curiae (AZ Chamber)

Nathan Curtisi, Esq. (AZ Bar No. 33342)

Side 4. ARIZONA WOMEN OF ACTION, Amicus Curiae

(Litigant Group) ARIZONA WOMEN OF ACTION

Attorneys for: Amicus Curiae (AZ Women of Action)

Kory A Langhofer, Esq. (AZ Bar No. 24722)
Thomas J Basile, Esq. (AZ Bar No. 31150)

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Side 5. AMERICANS FOR PROSPERITY, Amicus Curiae

(Litigant Group) AMERICANS FOR PROSPERITY

- Americans for Prosperity
- Americans for Prosperity Foundation - Arizona

Co-Counsel for: Amicus Curiae (Prosperity)

Dominic Emil Draye, Esq. (AZ Bar No. 33012)

Derek Shaffer, Esq. (CA Bar No. derekshaffer)

Side 6. PHOENIX, Amicus Curiae

(Litigant Group) PHOENIX

- City of Phoenix

Attorneys for: Amicus Curiae (Phoenix)

Deryck Lavelle, Esq. (AZ Bar No. 22219)

Dustin S Cammack, Esq. (AZ Bar No. 31634)

Side 7. TOMA/PETERSEN, Amicus Curiae

(Litigant Group) TOMA/PETERSEN

- Ben Toma
- Warren Petersen

Attorneys for: Amicus Curiae (Toma/Petersen)

Brett William Johnson, Esq. (AZ Bar No. 21527)

Tracy Olson, Esq. (AZ Bar No. 34616)

Charlene Anne Warner, Esq. (AZ Bar No. 37169)

Ryan Hogan, Esq. (AZ Bar No. 36169)

CASE STATUS

Aug 26, 2024...Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2022-016564	Preliminary Injunction		M Scott McCoy, Authoring Judge of Order		

OPEN DUE DATE

Response to Amicus Curiae due

Due By: Monday, September 30, 2024

Re: * ORDERED: Motion for Leave to File Brief as Amicus Curiae (Amicus Curiae) = GRANTED and accepting the amicus curiae brief of Arizona Women of Action filed on 08/16/2024. FURTHER ORDERED: Unopposed Motion for Procedural Order Extending Time to Respond to

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR
5-Nov-2024 Department A; COURTROOM 1
9:30 AM

CV Cases

38 PROCEEDING ENTRIES

- 11-Apr-2024 FILED: Motion to Accelerate Appeal; Notice of Appeal; Certificate of Service (Appellant)
- 12-Apr-2024 ORDERED: Any response to the motion (Motion to Accelerate Appeal) shall be filed by 04/16/2024. FURTHER ORDERED: Any reply shall be filed by 04/17/2024. Hon David B Gass - Author
- 16-Apr-2024 RECEIPT No.: 2024-00387 ; \$280.00, Authorization: #07011568874, Applied to: CENTER FOR AZ POLICY, et al. - Class A Filing Fee (\$280.00) Paid for: Goldwater Institute - By nCourt LLC
- 16-Apr-2024 FILED: Joint Response to Motion to Accelerate Appeal; Certificate of Service (Appellee AZ Clean Elections)
- 16-Apr-2024 FILED: Notice of Appearance; Certificate of Service (Appellee AZ Clean Elections)
- 17-Apr-2024 FILED: Appellants' Reply in Support of Motion to Accelerate Appeal; Certificate of Service (Appellant)
- 17-Apr-2024 FILED: Reporter's Transcript - 01/31/2024 - Oral Argument on Pending Motions (Kimberly McCright) (Appellant)
- 17-Apr-2024 FILED: Reporter's Transcript - 05/12/2023 - Oral Argument (Kimberly McCright) (Appellant)
- 19-Apr-2024 ORDERED: Denying the request for an expedited briefing schedule without prejudice to the parties and any amici filing briefs as quickly as they wish before the due dates. The court does not anticipate granting any briefing extensions. FURTHER ORDERED: Motion to Accelerate Appeal (Appellant) = GRANTED in part and directing the clerk of this court to schedule this appeal for disposition under ARCAP 29 after it is at issue. The parties are reminded, however, that once this appeal is assigned to a panel, it may be removed from accelerated disposition if the panel concludes it is not suitable for acceleration. FURTHER ORDERED: Notwithstanding ARCAP 18(a), that any request for oral argument must be filed not [sic] later than the due date for the reply brief. Hon David B Gass - Author

Court of Appeals, Division One**Civil Accelerated Appeal - Rule 29****1 CA-CV 24-0272 A****CENTER FOR AZ POLICY v. AZ SECRETARY OF STATE,****38 PROCEEDING ENTRIES**

10. 23-Apr-2024 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
11. 23-Apr-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 3/25/24
12. 23-Apr-2024 FILED: Appellate Clerk Notice re: Appellant's Fee Paid/Appellee's Fee Due for Az Citizens and Voters Right/No Fee Due Secretary of State or Attorney General/Case Management Statement/Brief Due
13. 23-Apr-2024 FILED: Settlement Conference Program Notice
14. 25-Apr-2024 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee Voters Right)
15. 26-Apr-2024 FILED: Amended Appellate Clerk Notice re: Appellant's Fee Paid/No Fee Due Sec of State/AZ Clean Elect/AZ AG/Fee Due Voters Right/Case Management Statement/Brief Due
16. 1-May-2024 RECEIPT No.: 2024-00438 ; \$140.00, Authorization: #22003494234, Applied to: VOTERS RIGHT - Class B Filing Fee (\$140.00) Paid for: Daniel J Adelman - By nCourt LLC
17. 13-May-2024 FILED: Case Management Statement (Appellant)
18. 18-Jun-2024 FILED: Plaintiffs-Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
19. 18-Jun-2024 FILED: Certificate of Service (re: Opening Brief) (Appellant)
20. 29-Jul-2024 FILED: Motion to Seal Appendix; Certificate of Service (Appellee AZ Clean Elect)
21. 29-Jul-2024 FILED: Appendix to Answering Brief (SEALED) (Appellees AG and Clean Elect)
22. 29-Jul-2024 FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellee Voters Right)
23. 29-Jul-2024 FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellees AG and Clean Elect)
24. 29-Jul-2024 FILED: Appendix to Answering Brief (Appellees AG and Clean Elect)
25. 1-Aug-2024 ORDERED: Motion to Seal Appendix (Appellee AZ Clean Elect) = GRANTED and accepting the appendix to the answering brief as filed under seal on 07/29/2024, subject to access by court personnel as needed for processing this appeal. Hon David B Gass - Author
26. 16-Aug-2024 FILED: Brief of Amicus Curiae Arizona Women of Action; Certificate of Compliance; Certificate of Service (Amicus Curiae AZ Women)
27. 16-Aug-2024 FILED: Motion for Leave to File Brief as Amicus Curiae; Certificate of Service (Amicus Curiae AZ Women)
28. 16-Aug-2024 FILED: Plaintiffs-Appellants' Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
29. 16-Aug-2024 FILED: Brief of Amicus Curiae Arizona Chamber Filed with the Written Consent of all Parties; Certificate of Compliance; Certificate of Service; Untitled (Screenshot) (Amicus Curiae AZ Chamber)
30. 19-Aug-2024 FILED: Request for Oral Argument; Certificate of Service (Appellant)
31. 22-Aug-2024 FILED: Notice of Change of Address; Certificate of Service (Appellant)
32. 22-Aug-2024 FILED: Brief of Amici Curiae Americans for Prosperity and Americans for Prosperity Foundation in Support of Appellants; Certificate of Compliance; Certificate of Service (Amicus Curiae Prosperity)
33. 23-Aug-2024 FILED: Unopposed Motion for Procedural Order Extending Time to Respond to Amicus Curiae Briefs; Certificate of Service (Appellee AZ Clean Elect.)
34. 26-Aug-2024 CLNDR: CONFERENCE, Department A, 10-22-24, COURTROOM 1.

[vacated per order filed 08/26/2024 - jr]
35. 26-Aug-2024 ORDERED: Motion for Leave to File Brief as Amicus Curiae (Amicus Curiae) = GRANTED and accepting the amicus curiae brief of Arizona Women of Action filed on 08/16/2024. FURTHER ORDERED: Unopposed Motion for Procedural Order Extending Time to Respond to Amicus Curiae Briefs (Appellee AZ Clean Elect.) = GRANTED and extending the time to respond to all amicus curiae briefs to 09/30/2024. No further extension will be granted. FURTHER ORDERED: Request for Oral Argument (Appellant) = GRANTED. FURTHER ORDERED: Vacating the conference currently scheduled for 10/22/2024, and scheduling oral argument for 11/05/2024, at 9:30 a.m. before Department A, Courtroom 1. Each side is allocated 20 minutes within which to present oral argument. Hon Jennifer B Campbell - Author

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38 PROCEEDING ENTRIES

- 36. 6-Sep-2024 FILED: Brief Of Amici Curiae Speaker Ben Toma And President Warren Petersen Filed Pursuant To ARCAP 16(B)(1)(A), (B); Certificate of Compliance; Certificate of Service; Exhibit A (Amicus Curiae Toma/Petersen)
- 37. 9-Sep-2024 FILED: Amicus Curiae Brief Of The City Of Phoenix In Support Of Appellees; Certificate Of Compliance Of Amicus Curiae City Of Phoenix; Certificate Of Service Of Amicus Curiae City Of Phoenix (Amicus Curiae Phoenix)
- 38. 9-Sep-2024 FILED: Appendix to Amicus Curiae (Amicus Curiae Phoenix)