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15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF ARIZONA**

17 Mi Familia Vota, et al.,
18 Plaintiffs,
19 and
20 DSCC and DCCC,
21 Plaintiff-Intervenors,
22 v.
23 Katie Hobbs, in her official capacity as
24 Arizona Secretary of State, et al.,
25 Defendants,
26 and
27 RNC and NRSC,
28 Defendant-Intervenors.

Case No. CV-21-01423-DWL

**UNOPPOSED MOTION TO
VOLUNTARILY WITHDRAW AND
DISMISS CLAIMS OF PLAINTIFF-
INTERVENORS**

1 Plaintiff-Intervenors DSCC and DCCC hereby respectfully move to voluntarily
2 withdraw as parties from this case and dismiss their remaining pending claims. This case
3 was initiated by Plaintiffs Mi Familia Vota, Arizona Coalition for Change, Living United
4 for Change in Arizona, and Chispa Arizona (collectively, “Plaintiffs”) in August 2021.
5 ECF No. 1. In September 2021, DSCC and DCCC moved to intervene, primarily to protect
6 their interests in other litigation that was then ongoing. Mot. to Intervene, ECF No. 50.
7 This Court granted that motion on October 4, 2021, but limited Plaintiff-Intervenors’
8 participation, allowing them to file briefs only if they “believe[] that an issue affecting
9 [them] has not been briefed.” Order Granting Mot. to Intervene, ECF No. 53.

10 Plaintiff-Intervenors now seek to withdraw from the case and dismiss their
11 remaining claims. There is no procedural rule that expressly addresses how a party may
12 withdraw as a plaintiff in a multi-plaintiff case, but the power to dismiss some—but not
13 all—plaintiffs is undoubtedly within the power of the federal courts. In these
14 circumstances, courts have generally applied the standards set forth in Federal Rule of Civil
15 Procedure 41(a)(2), which permits a plaintiff to voluntarily dismiss an action after the
16 opposing party serves an answer “by court order, on terms the court considers proper.” *See,*
17 *e.g., North Dakota v. U.S. Env’t Prot. Agency*, No. 3:15-cv-059, Order Dismissing State of
18 Colorado, New Mexico State Engineer, & New Mexico Environment Dep’t as Plaintiffs,
19 ECF No. 280; *Loose v. N. Wildwood City*, No. 10-6587, 2012 WL 480025, at *1 (D.N.J.
20 Feb. 14, 2012). The key question in considering such a motion is whether it will prejudice
21 the remaining parties. *See, e.g., Loose*, 2012 WL 48005, at *1.

22 Here, granting Plaintiff-Intervenors’ motion is proper and their withdrawal will not
23 prejudice the rights of the other parties—materially or otherwise. The original Plaintiffs
24 continue to pursue their claims in this case and Plaintiff-Intervenors’ withdrawal will not
25 impact those claims. Nor are there any pending claims or counterclaims against Plaintiff-
26 Intervenors. As a result, this is a non-dispositive motion that will not dispense with any of
27 the claims at issue in this case; the only impact will be that Plaintiff-Intervenors will no
28 longer be parties to the case. In addition, counsel for Plaintiff-Intervenors have informed

1 counsel for all other parties of Plaintiff-Intervenors' intent to withdraw; no party opposes.

2 Plaintiff-Intervenors accordingly request dismissal as Plaintiffs in this case and that
3 each party bear their own costs.

4 Dated: January 13, 2025

Respectfully Submitted,

5
6
7 /s/ Daniel A. Arellano

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