

**ARIZONA COURT OF APPEALS
DIVISION ONE**

ARIZONA REPUBLICAN PARTY,
et al.,

Plaintiffs/Appellants,

v.

KATIE HOBBS, in her official
capacity as Arizona Secretary of
State, et al.,

Defendants/Appellees.

ARIZONA DEMOCRATIC
PARTY, et al.,

Intervenors/Appellees.

No. 1 CA-CV-22-0388

Mohave County Superior Court
No. S8015CV202200594

MOTION TO CONTINUE ORAL ARGUMENT

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** Application for Pro Hac Vice
Forthcoming*

*Attorneys for Defendant / Appellee Arizona Secretary of
State Katie Hobbs*

Appellee Katie Hobbs, in her official capacity as Arizona's Secretary of State ("Secretary"), moves that the oral argument in this matter be re-scheduled from December 7, 2022 to a date no earlier than February 2023.

Good cause exists for this brief continuance. Both the Secretary and the County Recorder Appellees¹ continue carrying out their post-election duties related to the 2022 general election, and the current oral argument date falls squarely within the time when there will be an ongoing statewide recount and possible election contests requiring their full attention (and that of their counsel). The recount and contest process could well last into the new year, and until January 2, 2023 when new executive officers' terms will begin. And no party will be prejudiced by a continuance of a few months given that this appeal will have no bearing on any elections for some time.

Undersigned counsel conferred with counsel for all parties to inquire about their clients' respective positions on this Motion. The

¹ The "County Recorder Appellees" are the County Recorders in Coconino County, Gila County, Graham County, Greenlee County, La Paz County, Maricopa County, Navajo County, and Pima County.

County Recorder Appellees and Intervenors/Appellees Arizona Democratic Party, DNC, DSCC, and DCCC support the Motion; Appellants oppose this Motion because Appellees would not agree to either (1) “[n]ot raise timing arguments with respect to the 2024 primary or general elections,” or (2) “stipulat[e] to submit a joint motion to the court of appeals for expedited consideration.” Appellees could not agree to either of these conditions, but of course have no objection to the Court deciding this appeal expeditiously.

RESPECTFULLY SUBMITTED this 18th day of November, 2022.

COPPERSMITH BROCKELMAN PLC

By: /s/ D. Andrew Gaona
D. Andrew Gaona

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