

Exhibit A

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13 **ARIZONA SUPERIOR COURT**

14 **COUNTY OF MARICOPA**

15 AGUILERA, et al.,

16 Plaintiffs,

17 vs.

18 FONTES, et al.,

19 Defendants.

Case No. CV2020-014083

**[PROPOSED] ANSWER OF
INTERVENOR-DEFENDANT THE
ARIZONA DEMOCRATIC PARTY**

Expedited Election Matter

Hon. Margaret Mahoney

21 The Intervenor-Defendant Arizona Democratic Party (“Intervenor-Defendant”), through its
22 undersigned counsel, answer Plaintiffs’ Complaint as follows:

23 1. Intervenor-Defendant lacks sufficient information to confirm or deny the
24 allegations in Paragraph 1.1 and therefore denies the same.

25 2. Intervenor-Defendant lacks sufficient information to confirm or deny the
26 allegations in Paragraph 1.2 and therefore denies the same.
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1 3. Intervenor-Defendant lacks sufficient information to confirm or deny the
2 allegations in Paragraph 1.3 and therefore denies the same.

3 4. Intervenor-Defendant admits the allegations in the first sentence of Paragraph 1.4.
4 The remaining allegation is a characterization of Plaintiffs' cause of action and legal contentions
5 and conclusions, to which no response is required.

6 5. Intervenor-Defendant admits the allegations in the first sentence of Paragraph 1.5.
7 The remaining allegation is a characterization of Plaintiffs' cause of action and legal contentions
8 and conclusions, to which no response is required.

9 6. Intervenor-Defendant admits the allegations in the first sentence of Paragraph 1.6.
10 The remaining allegation is a characterization of Plaintiffs' cause of action and legal contentions
11 and conclusions, to which no response is required.

12 7. Intervenor-Defendant admits the allegations in Paragraph 1.7.

13 8. Intervenor-Defendant lacks sufficient information to confirm or deny the
14 allegations in Paragraph 1.8 and therefore denies the same.

15 9. Paragraph 1.9 contains legal conclusions to which no response is required.

16 10. The allegations in Paragraph 1.10 are characterizations of Plaintiffs' cause of action
17 and legal contentions and conclusions, to which no response is required.

18 11. The allegations in Paragraph 1.11 are characterizations of Plaintiffs' cause of action
19 and legal contentions and conclusions, to which no response is required.

20 12. Paragraph 1.12 contains legal conclusions to which no response is required.

21 13. Paragraph 1.13 contains legal conclusions to which no response is required.

22 **FACTS**

23 14. Intervenor-Defendant hereby incorporates its response to previous allegations.
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1 15. Intervenor-Defendant lacks sufficient information to confirm or deny the
2 allegations in Paragraph 2.2 and therefore denies the same.

3 16. Intervenor-Defendant lacks sufficient information to confirm or deny the
4 allegations in Paragraph 2.3 and therefore denies the same.

5 17. Intervenor-Defendant lacks sufficient information to confirm or deny the
6 allegations in Paragraph 2.4 and therefore denies the same.

7 18. Intervenor-Defendant lacks sufficient information to confirm or deny the
8 allegations in Paragraph 2.5 and therefore denies the same.

9 19. Intervenor-Defendant lacks sufficient information to confirm or deny the
10 allegations in Paragraph 2.6 and therefore denies the same.

11 20. Intervenor-Defendant lacks sufficient information to confirm or deny the
12 allegations in Paragraph 2.7 and therefore denies the same.

13 21. Intervenor-Defendant lacks sufficient information to confirm or deny the
14 allegations in Paragraph 2.8 and therefore denies the same.

15 22. Intervenor-Defendant lacks sufficient information to confirm or deny the
16 allegations in Paragraph 2.9 and therefore denies the same.

17 23. Intervenor-Defendant lacks sufficient information to confirm or deny the
18 allegations in Paragraph 2.10 and therefore denies the same.

19 24. Paragraph 2.11 contains legal conclusions to which no response is required.

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23 **CAUSES OF ACTION**

24 25. Intervenor-Defendant hereby incorporates its response to previous allegations.

25 26. Paragraph 3.2 is a characterization of Plaintiffs' cause of action and legal
26 contentions and conclusions, to which no response is required.

1 27. Paragraph 3.3 is a characterization of Plaintiffs' cause of action and legal
2 contentions and conclusions, to which no response is required.

3 28. Paragraph 3.4 is a characterization of Plaintiffs' cause of action and legal
4 contentions and conclusions, to which no response is required.

5 29. Paragraph 3.5 is a characterization of Plaintiffs' cause of action and legal
6 contentions and conclusions, to which no response is required. To the extent a response is
7 required, Intervenor-Defendant denies the allegations.

8 30. Intervenor-Defendant lacks sufficient information to confirm or deny the
9 allegations in Paragraph 3.6 and therefore denies the same.

10 31. Paragraph 3.7 is a characterization of Plaintiffs' cause of action and legal
11 contentions and conclusions, to which no response is required.

12 32. Intervenor-Defendant lacks sufficient information to confirm or deny the factual
13 allegations in Paragraph 3.8 about the sufficiency of a sharpie to appropriately mark ballots and
14 therefore denies those allegations. The remainder of the allegations in the paragraph are a
15 characterization of Plaintiffs' cause of action and legal contentions and conclusions, to which no
16 response is required.

17 33. Paragraph 3.9 contains legal conclusions to which no response is required.

18 34. Paragraph 3.10 contains legal conclusions to which no response is required.

19 35. Intervenor-Defendant lacks sufficient information to confirm or deny the
20 allegations in Paragraph 3.11 and therefore denies the same.

21 36. Paragraph 3.12 contains legal conclusions to which no response is required.

22 37. Intervenor-Defendant lacks sufficient information to confirm or deny the factual
23 allegations in Paragraph 3.13 and therefore denies the same. The remainder of Paragraph 3.13
24 contains legal conclusions to which no response is required.

1 38. Paragraph 3.14 contains legal conclusions to which no response is required.

2 39. Intervenor-Defendant lacks sufficient information to confirm or deny the factual
3 allegations in Paragraph 3.15 and therefore denies the same. The remainder of Paragraph 3.15
4 contains legal conclusions to which no response is required.

5 40. Paragraph 3.16 contains legal conclusions to which no response is required.

6 41. Intervenor-Defendant lacks sufficient information to confirm or deny the factual
7 allegations in Paragraph 3.17 about the sufficiency of Defendants' actions and therefore denies
8 those allegations. The remainder of the allegations in the paragraph are a characterization of
9 Plaintiffs' cause of action and legal contentions and conclusions, to which no response is required.

10 42. Intervenor-Defendant lacks sufficient information to confirm or deny the factual
11 allegations in Paragraph 3.18 about the sufficiency of Defendants' actions and therefore denies
12 those allegations. The remainder of the allegations in the paragraph are a characterization of
13 Plaintiffs' cause of action and legal contentions and conclusions, to which no response is required.

14 43. Intervenor-Defendant lacks sufficient information to confirm or deny the factual
15 allegations in Paragraph 3.19 about the sufficiency of Defendants' actions and therefore denies
16 those allegations. The remainder of the allegations in the paragraph are a characterization of
17 Plaintiffs' cause of action and legal contentions and conclusions, to which no response is required.

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20 **REQUESTED RELIEF**

21 44. The remaining paragraphs in the Complaint constitute Plaintiffs' prayer for relief to
22 which no response is required. To the extent a response is required, Intervenor-Defendant denies
23 the allegations in Plaintiffs' prayer for relief, and therefore denies that Plaintiffs are entitled to any
24 relief in this case.

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26 **AFFIRMATIVE DEFENSES**

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45. Plaintiffs have failed to show that any of Defendants' actions or omissions deprive them of any protected constitutional or statutory right.

46. Plaintiffs fail to state a claim upon which relief can be granted.

47. Intervenor-Defendant designates all denials to the Complaint set forth above as defenses to the extent necessary for its full defense of this matter.

48. Intervenor-Defendant reserves the right to raise additional affirmative defenses as those become known and available in this action.

1 DATED: November 5, 2020

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**Pro hac vice application to be filed*

Attorneys for the Arizona Democratic Party
