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18 **SUPERIOR COURT OF THE STATE OF ARIZONA**
19 **FOR THE COUNTY OF MARICOPA**

20 LAURIE AGUILERA, a registered voter in
21 Maricopa County, Arizona; DONOVAN
22 DROBINA, a registered voter in Maricopa
23 County, Arizona;

24 *Plaintiffs,*

25 v.

26 ADRIAN FONTES, in his official capacity as
27 Maricopa County Recorder; CLINT
28 HICKMAN, JACK SELLERS, STEVE
CHUCRI, BILL GATES AND STEVE
GALLARDO, in their official capacities as
members of the Maricopa County Board of
Supervisors; MARICOPA COUNTY, a
political subdivision of the State of Arizona;

Defendants.

Case No. CV2020-014562

**JOINT SCHEDULING
STATEMENT**

AND

**RULE 7.1(h) GOOD FAITH
CONSULTATION CERTIFICATE
IN SUPPORT OF JOINT
SCHEDULING STATEMENT**

1 Pursuant to the Court’s order, Plaintiffs Laurie Aguilera, et al., Defendants
2 Maricopa County Recorder Adrian Fontes, et al., and Intervenor-Defendants Arizona
3 Democratic Party (“ADP”), provide the following scheduling statement. Specifically,
4 pursuant to Arizona Rules of Civil Procedure 7.1(h) and 16(c)(2), counsel hereby certify
5 that the parties conferred in good faith regarding the subjects referenced by the Court.
6

7 The parties agree to the following:

8
9 **1. Disclosure of Exhibits and Witnesses**

10 The parties agree to exchange a list of exhibits and witnesses by Wednesday, November
11 18, 2020 at 4:45 P.M. For witnesses who do not have a declaration, or did not sign the
12 verified complaint, there must be a brief summary of what they are expected to testify
13 about. If any witnesses who signed a declaration or the verified complaint want to testify
14 about different topics than those discussed in their declarations, there must be a brief
15 statement about what these additional topics are. If any side discloses an expert witness,
16 there must be a CV and a brief description of their anticipated testimony.
17

18
19 The parties differ on the following subjects:

20
21 **1. Declarations --Acceptability as Evidence**

22 Plaintiffs’ wish to submit the declarations as evidence without the need for testimony
23 as to expediate the hearing under Rule 807, Ariz. R. Evid. **Plaintiffs’ position is that** courts
24 typically apply relaxed evidentiary standards in expedited matters. **Defendants and**
25 **Intervenors’ position** is that the declarations are hearsay and live testimony is needed to
26 allow the parties the opportunity to cross-examine those who submitted the declarations
27 and avoid prejudicing Defendants and Intervenors.
28

