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SUPERIOR COURT OF ARIZONA

MOHAVE COUNTY

JEANNE KENTCH, et al.,

Plaintiffs/Contestants,

v.

KRIS MAYES,

Defendant/Contestee,

and

ADRIAN FONTES, et al.,

Defendants.

No. S8015CV202201468

**CONTESTEE MAYES' REPLY IN  
SUPPORT OF JOINDER IN MOTION  
TO COMPENSATE BALLOT  
INSPECTORS**

(Assigned to the Hon. Lee F. Jantzen)

1 At the end of the trial in this case, the Court properly found Plaintiffs had failed to meet  
2 their burden of proof and dismissed their election contest. Defendant Navajo County then  
3 submitted a motion for compensation under A.R.S. § 16-677(C), which provides “the  
4 compensation of the [ballot] inspectors shall be fixed by the court and taxed as costs against the  
5 losing party.” Defendant Mohave County joined that motion, as did Defendant Kris Mayes.  
6 Although Plaintiffs took no issue with Navajo or Mohave Counties’ requests, Plaintiffs object to  
7 Defendant Mayes seeking her statutorily-entitled compensation for her appointed ballot  
8 inspector in Maricopa County, Rahgan Jensen. Plaintiffs make two points in their response to  
9 Mayes’ joinder motion. Both miss the mark.

10 First, Plaintiffs argue that awarding Ms. Jensen’s compensation is “premature” because  
11 Plaintiffs filed a motion for new trial. But Plaintiffs lost their election contest after a trial, no  
12 new trial is permitted for the reasons set forth in Defendants’ post-trial briefing, Kris Mayes has  
13 taken office as Arizona Attorney General, and judgment must be entered “immediately.” A.R.S.  
14 § 16-676(B).

15 Second, Plaintiffs take aim at the amount of compensation Mayes requests, arguing Ms.  
16 Jensen’s rate is too high compared to the state’s minimum wage. But the statute provides that  
17 compensation of the inspectors be “taxed as costs” against the losing party. A.R.S. § 16-677(C)  
18 (emphasis added). This means actual costs, not some unspecified lower number that Plaintiffs  
19 would prefer. That is why, in the Lake-Hobbs election contest, Judge Thompson awarded  
20 Governor Hobbs the full, actual costs for her appointed ballot inspector—\$4,689.50, or 8.3 hours  
21 of inspection time at \$565 per hour—to be paid by contestant Kari Lake. [See Ex. A at 4,  
22 12/27/22 Minute Entry, *Lake v. Hobbs*, CV 2022-095403 (Ariz. Super. Ct.)] Here, the actual cost  
23 for 6.5 hours of Ms. Jensen’s time—Ms. Jensen is an attorney in private practice in Phoenix—is  
24 \$2,892.50. Defendant Mayes is entitled to compensation for those costs under the statute.

1 Dated: February 6, 2023.  
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4 day of February, 2023:

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