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CLERK OF SUPERIOR COURT
MOHAVE COUNTY COURTHOUSE
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IN THE SUPERIOR COURT
MOHAVE COUNTY, STATE OF ARIZONA

HONORABLE LEE F. JANTZEN
DIVISION: IV COURTROOM: 201
COURT REPORTER: DAWN DUFFEY

CHRISTINA SPURLOCK, CLERK OF SUPERIOR COURT
M. BROOKS, DEPUTY CLERK
HEARING DATE: 12/19/2022

**JEANNE KENTCH, an individual; TED
BOYD, an individual; ABRAHAM
HAMADEH, an individual and REPUBLICAN
NATIONAL COMMITTEE, a federal political
party committee,**

Plaintiffs,

vs.

KATIE HOBBS, et al.,

Defendant(s).

CASE NO: CV-2022-01468

ORAL ARGUMENT

START: 1:31 P.M.

REMOTE APPEARANCES: Timothy LaSota, David Warrington (Pro Hac Vice) and Gary Lawkowski (Pro Hac Vice), Attorneys for Plaintiff; Abraham Hamadeh, Plaintiff; Jeanne Kentch, Plaintiff; Andrew Gaona and Sambo Dul, Attorneys for Defendant Secretary of State Katie Hobbs; Daniel Barr, Austin Yost and Samantha Burke, Attorneys for Defendant Kris Mayes; Jean Roof, Attorney for Graham County Defendants; Joseph Larue, Thomas Liddy, Emily Craiger, Karen Hartman-Tellez, Jack L. O'Connor III, Rosa Aguilar, Attorneys for Maricopa County Defendants; Ryan Esplin, Attorney for Mohave County Defendants, appearing in the courtroom; J'aime Morgaine, Intervener, present in the courtroom.

The Court notes there are several representatives and attorneys for different counties present today.

This is the time set for an Oral Arguments Hearing on a Motion to Dismiss filed by Defendant Katie Hobbs, a Motion to Dismiss filed by the Defendant Kris Mayes and a Motion to Inspect Ballots and Motion to Expedite Discovery filed by the Plaintiff, noting Maricopa County plans to respond to the Motion to Inspect Ballots and Motion to Expedite Discovery.

The Court notes Ms. Morgaine is present in the courtroom; notes Ms. Morgaine filed a Motion to Intervene last week which was denied in writing; and notes Ms. Morgaine filed an amended Motion to Intervene, stating it does not believe oral argument is necessary as to her Motion.

The Court addresses Ms. Morgaine regarding her amended Motion to Intervene.

IT IS ORDERED denying Ms. Morgaine's Motion to Intervene.

The Court states it shall allow defense counsel to argue their Motions to Dismiss and allow plaintiff's counsel to respond. Counsel La Sota informs the Court he does not object.

The Court advises any parties joining in the motions that wish to speak on any issues to inform the Court, noting it respects their right to do so.

Counsel Barr provides his argument to the Court regarding his Motion to Dismiss; requesting the Court dismiss this matter for failure to state a claim.

Now show the presence of Jean Roof, Attorney for Graham County Defendants, appearing via Zoom at 1:41 p.m.

Counsel Gaona provides his argument to the Court regarding Counsel Barr's Motion to Dismiss; states his client strongly urges the Court to reject Plaintiff's request to disenfranchise an untold number of Arizonans and overturn the results of this election and thus urges the prompt dismissal of this action.

Counsel La Sota provides his argument to the Court regarding Counsel Barr's Motion to Dismiss; urging the Motions to Dismiss all be denied.

The Court notes counsel for Maricopa County has requested to be heard on the Motion to Dismiss and will allow Counsel La Sota to respond.

Counsel Craiger provides her argument to the Court regarding Counsel Barr's Motion to Dismiss; notes they joined in the Motion to Dismiss filed by the Secretary of State; and requests this case be dismissed.

Counsel La Sota further provides his argument to the Court as to Counsel Barr's Motion to Dismiss.

Counsel Barr provides further argument to the Court regarding his Motion to Dismiss.

The Court inquires to the difference in this type of contest of election as opposed to cases with a larger timeframe.

Counsel Gaona addresses the Court regarding the differences of the contest of an election; and provides his argument.

The Court states it shall write an opinion on the issues to be completed by 2:00 p.m. tomorrow afternoon, Tuesday, December 20, 2022.

The Court notes it shall take the Motions to Dismiss under advisement and have a ruling in writing by 2:00 p.m. on Tuesday, December 20, 2022.

The Court notes there is a pending Motion filed by Counsel La Sota regarding Inspection of Ballots under 16-377 and a request for Expedited Discovery; states it show allow Counsel La Sota to argue his Motions at this time.

Counsel La Sota provides his argument to the Court regarding his Petition for Inspection of Ballots and Motion to Expedite Discovery.

Counsel Craiger provides her argument regarding Counsel La Sota's Petition for Inspection of Ballots; states Maricopa County objects to the Petition; notes the County will be in a hearing later this week, stating ballot inspection is already taking place as to another case.

Counsel Barr states he joins with Maricopa County and the Secretary of State.

Counsel Gaona provides his argument to the Court regarding Counsel La Sota's Petition for Inspection of Ballots; states they do not believe any inspections should occur before the Court has ruled on the Motions to Dismiss; and notes their position of if there is to be ballot inspection, it must proceed as prescribed by the Statute.

Counsel La Sota further provides his argument to the Court regarding his Petition for Inspection of Ballots.

Counsel La Sota informs the Court they have filed a Notice of Supplemental Authority with the court today's date.

The Court notes there is an inquiry to clarification of which counties are to be inspected; and notes on the Petition for Inspection of Ballots, the reference is mostly as to Maricopa County and Navajo County.

Counsel La Sota informs the Court the request for inspection of ballots is for Maricopa County, Navajo County and Pima County.

The Court notes it shall rule on the Motions to Dismiss first.

IT IS ORDERED taking this matter under advisement of all the Motions that are currently pending.

The Court recesses at 2:48 p.m.

cc:

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