

1 THOMAS C. HORNE
2 Firm Bar No. 014000
3 Attorney General

4 Kevin D. Ray, No. 007485
5 Leslie Kyman Cooper, No. 012782
6 Jinju Park, No. 026023
7 Assistant Attorneys General
8 1275 West Washington Street
9 Phoenix, Arizona 85007
10 Telephone: (602) 542-8349
11 Facsimile: (602) 364-0700
12 E-mail: EducationHealth@azag.gov

13 *Attorneys for Plaintiff, the State of Arizona*
14 *ex rel. Attorney General Thomas C. Horne*

15 SUPERIOR COURT OF ARIZONA

16 MARICOPA COUNTY

17 STATE OF ARIZONA
18 ex rel. Attorney General
19 Thomas C. Horne,

20 Plaintiff

21 v.

22 MARICOPA COUNTY COMMUNITY
23 COLLEGE DISTRICT BOARD,

24 Defendant

Case No. CV2013-009093

ARIZONA'S RESPONSE TO
MCCCD'S MOTION TO STRIKE

Assigned to the Honorable Arthur
Anderson

25 Arizona hereby responds to MCCCD's Motion to Strike its Supplemental Brief
26 related to MCCCD's Motion for Judgment on the Pleadings. Arizona respectfully
27 requests that the Court consider the issues raised therein. The Court has the discretion to
28 consider the arguments in Arizona's Supplemental Brief, all of which are related to *Ariz.*
Land Dept. v. McFate, 87 Ariz. 139, 348 P.2d 912 (1960) and related cases, cases that
MCCCD briefed thoroughly. The Supplemental Brief was filed well in advance of oral
argument on MCCCD's Motion for Judgment on the Pleadings. Thus, MCCCD will
not be prejudiced by such consideration.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Respectfully submitted this 17th day of April, 2014.

THOMAS C. HORNE
Attorney General

By: /s/ Leslie Kyman Cooper
Kevin D. Ray
Leslie Kyman Cooper
Jinju Park
Assistant Attorneys General
1275 West Washington Street
Phoenix, Arizona 85007

Attorneys for the State of Arizona

Original filed electronically with the
Clerk of the Superior Court, Maricopa County,
this 17th day of April, 2014

Copies emailed this 17th day of April, 2014 to:

Mary O’Grady
Lynne Adams
Grace E. Rebling
Osborn Maledon, P.A.
2929 North Central Avenue, 21st Floor
Phoenix, Arizona 85012-2793
mogrady@omlaw.com
ladams@omlaw.com
grebling@omlaw.com
dburton@omlaw.com

Attorneys for Defendant

Victor Viramontes
Martha L. Gómez
Mexican American Legal Defense
and Educational Fund
634 South Spring Street, 11th Floor
Los Angeles, California 90014
VViramontes@MALDEF.org
MGomez@MALDEF.org

Daniel R. Ortega Jr.
Ortega Law Firm, P.C.
361 East Coronado Road
Phoenix, Arizona 85004-1525
Danny@ortegalaw.com

1 José de Jesús Rivera
Nathan J. Fidel
2 Haralson, Miller, Pitt,
Feldman & Mcanally, P.L.C.
3 2800 North Central Avenue, Suite 840
Phoenix, Arizona 85004
4 jrivera@hmpmlaw.com
nfidel@hmpmlaw.com
5 jlarsen@hmpmlaw.com

6 *Attorneys for Proposed Intervenor-Defendants*

7

8 By: /s/Guinevere Cassidy

9 #3785088

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28