

No. 10-16645

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

United States of America,

Plaintiff-Appellee,

v.

State of Arizona; and Janice K. Brewer,
Governor of the State of Arizona, in her
Official Capacity,

Defendants-Appellants.

Appeal from the United States
District Court for the District of
Arizona

No. CV 10-1413-PHX-SRB

APPELLANTS' NOTICE OF LODGING PROPOSED BRIEF

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On October 5, 2010, Appellants State of Arizona and Janice K. Brewer, Governor of the State of Arizona, moved for leave of Court to submit a brief in response to the Brief of Amicus Curiae filed by the United Mexican States in support of Appellee United States of America.

Appellants respectfully give notice that they now have lodged the proposed brief (attached as Exhibit A) that they will file if the Court grants them leave to respond to the amicus curiae brief.

Dated: October 13, 2010

SNELL & WILMER L.L.P.
John J. Bouma
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By: s/John J. Bouma
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CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2010, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the CM/ECF registrants on record.

I further certify that on October 13, 2010, true and correct copies of the foregoing were mailed by first-class mail, postage prepaid, addressed to the following:

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