

1 TONY WEST
 Assistant Attorney General
 ARTHUR R. GOLDBERG
 2 Assistant Branch Director
 SCOTT RISNER (MI Bar #P70762)
 3 Trial Attorney
 United States Department of Justice
 4 Civil Division, Federal Programs Branch
 20 Massachusetts Avenue, N.W.
 5 Washington, D.C. 20530
 Telephone: (202) 514-2395
 6 Facsimile: (202) 616-8470
 Scott.Risner@usdoj.gov
 7

8 Attorney for Defendants United States,
 U.S. Department of Justice, Eric H. Holder,
 and Ann Birmingham Scheel
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10 UNITED STATES DISTRICT COURT
 DISTRICT OF ARIZONA

11 State of Arizona, et al.,
 12 Plaintiffs,
 13 vs.
 14 United States of America, et al.,
 15 Defendants.
 16

No. 2:11-cv-01072-SRB

**FEDERAL DEFENDANTS'
 OPPOSITION TO PROSPECTIVE
 INTERVENORS' MOTION FOR
 ORAL ARGUMENT AND LEAVE TO
 FILE A BRIEF IN OPPOSITION TO
 DEFENDANTS' MOTION TO
 DISMISS**

17 The United States of America, the U.S. Department of Justice, Attorney General
 18 Eric H. Holder, and Acting United States Attorney Ann Birmingham Scheel (collectively
 19 the "Federal Defendants") hereby file this opposition to the relief requested in Proposed
 20 Interveners Maricopa County and Joy Rich's Motion for Oral Argument on Motion to
 21 Intervene and Leave to File a Brief in Opposition to Defendants' Motion to Dismiss.

22 As has been noted by the non-governmental defendants, *see* ECF 65, Proposed
 23 Interveners' motion is untimely and without good grounds. Rather than requesting oral
 24 argument in their motion to intervene in July, they waited until December 14, 2011, two
 25 days after the parties had already convened before this Court. They now ask this Court to
 26 allow them to respond to dispositive motions in a case to which they are not yet parties,
 27 months after the actual parties have completed briefing on the motions. And they attempt
 28 to use their motion, and a subsequent errata, both to take new legal positions and repeat

1 old legal arguments. Those arguments fail to establish jurisdiction, for the reasons the
2 defendants have already set forth, and attempting to raise them at this stage does not
3 warrant scheduling a new argument that will burden the Court and the parties and further
4 delay resolution of the defendants' pending motions.

5 Dated: December 20, 2011.

Respectfully submitted,

6 TONY WEST
Assistant Attorney General

7 ARTHUR R. GOLDBERG
8 Assistant Branch Director
Federal Programs Branch

9 /s/ Scott Risner
10 SCOTT RISNER (MI Bar #P70762)
Trial Attorney
11 United States Department of Justice
Civil Division, Federal Programs Branch
12 20 Massachusetts Avenue, N.W.
Washington, D.C. 20530
13 Telephone: (202) 514-2395
Facsimile: (202) 616-8470
14 Scott.Risner@usdoj.gov

15 Attorneys for Defendants United States,
U.S. Department of Justice, Eric H. Holder,
16 and Ann Birmingham Scheel

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2011, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Aubrey Joy Corcoran, Kevin D. Ray, and Lori Simpson Davis
Office of the Attorney General
1275 W. Washington St.
Phoenix, AZ 85007
Attorneys for Plaintiffs

Ezekiel R. Edwards
ACLU Foundation, Criminal Law Reform Project
125 Broad St., 18th Floor
New York, NY 10004-2400
Attorney for Defendant Arizona Medical Marijuana Association

Daniel Joseph Pochoda
ACLU Foundation of Arizona
77 E. Columbus St., Ste. 205
Phoenix, AZ 85012
Attorney for Defendant Arizona Medical Marijuana Association

Thomas W. Dean
323 N Leroux St., Ste. 101
Flagstaff , AZ 86001
Attorney for Defendant Arizona Association of Dispensary Professionals

Ken Frakes
Rose Law Group, PC
6613 N. Scottsdale Road, Suite 200
Scottsdale, AZ 85250
KFrakes@roselawgroup.com
Attorney for Defendants Serenity Arizona, Holistic Health Management, Levine, Pennypacker, Flores, Christensen, Pollock and Silva

Thomas P. Liddy
Maricopa County Attorney's Office
Civil Services Division
222 N. Central Ave., Ste. 1100
Phoenix, AZ 85004

1 *Attorney for Proposed Intervenor-Plaintiffs Maricopa County and Joy Rich*

2 */s/ Scott Risner*

3 Scott Risner

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