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11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE DISTRICT OF ARIZONA**

13 MARTIN H. ESCOBAR,

14 Plaintiff,

15 vs.

16 JAN BREWER, Governor of the State of
17 Arizona, in her Official and Individual
18 Capacity; and THE CITY OF TUCSON, a
19 municipal corporation,

20 Defendants.

21 DAVID SALGADO and CHICANOS
22 POR LA CAUSA, INC.,

23 Plaintiffs,

24 vs.

JAN BREWER, individually and in her
capacity as Governor of Arizona, and the
CITY OF PHOENIX, an Arizona
municipal corporation,

Defendants.

No. CV10-00249-TUC-DCB

**DEFENDANT CITY OF
PHOENIX'S RESPONSE TO
REQUEST FOR
TRANSFER/CONSOLIDATION**

No. CV 10-00951-PHX-ROS

1 Including this case, there are currently five cases which challenge the validity of
2 Arizona's recently enacted Senate Bill 1070. (*Frisancho v. Brewer, et al.*, No. CV
3 10-000926-PHX-SRB; *National Coalition of Latino Clergy & Christian Leaders v.*
4 *State of Arizona, et al.*, No. CV 10-00943-PHX-SRB; *Escobar v. Brewer*, No.
5 CV 10-00249-TUC-DCB; *Salgado, et al. v. Brewer, et al* No. CV 10-00951-PHX-
6 ROS; and *Friendly House v. Whiting*, No. CV 10-01061-PHX-MEA.) All of these
7 cases, while perhaps facing different standing issues, challenge the Constitutional
8 validity of Senate Bill 1070 on the grounds that the Arizona law is preempted by
9 federal law. While other legal theories are also raised in the various complaints, many
10 of these other Constitutional claims are raised in most, if not all, of the complaints as
11 well. Given the commonality of these legal claims, it makes sense to have all of these
12 cases heard by one judge to avoid the possibility of inconsistent judicial
13 determinations. For this reason, the City of Phoenix does not object to the transfers or
14 consolidations of these various actions before one judge.

15 RESPECTFULLY SUBMITTED this 14th day of June, 2010.

16 GARY VERBURG, CITY ATTORNEY

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18 By s/ Gary Verburg
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CERTIFICATE OF SERVICE

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I hereby certify that on June 14, 2010, I electronically transmitted the foregoing document to the Clerk of the Court using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants on record:

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