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*Attorneys for Defendant Janice K. Brewer,  
Governor of the State of Arizona*

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

14 Martin H. Escobar,  
15  
Plaintiff,

16 v.

17 Jan Brewer, Governor of the State of  
Arizona, in her Official and Individual  
18 Capacity; the City of Tucson, a  
municipal corporation,  
19  
20 Defendants.

21 The City of Tucson,  
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Cross-plaintiff,

23 v.

24 The State of Arizona, a body politic; and  
Jan Brewer, in her capacity as Governor  
25 of the State of Arizona,  
26  
Cross-defendants.  
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Case No. CV10-00249-TUC-DCB

**GOVERNOR BREWER’S MOTION  
TO EXTEND TIME TO RESPOND  
TO CROSS-CLAIM FILED BY THE  
CITY OF TUCSON**

**(First Request)**

**(Expedited Consideration Requested)**

1 Pursuant to LRCiv 7.3(a), defendant Janice K. Brewer (“Governor Brewer”)  
2 requests that the time to respond to the Cross-Claim filed by defendant City of Tucson be  
3 extended to June 30, 2010.

4 Governor Brewer and the City of Tucson are both defendants in this action.  
5 Governor Brewer was served with plaintiff’s Amended Complaint on June 2, 2010 (doc.  
6 18), and her response to the Amended Complaint is presently due on June 23, 2010. One  
7 week before Governor Brewer was served, on May 26, 2010, the City of Tucson filed an  
8 Answer and Cross-Claim against Governor Brewer and the State of Arizona (doc. 9).  
9 The Cross-Claim was served on Governor Brewer the following day, May 27, 2010 (doc.  
10 36).<sup>1</sup> Governor Brewer calculates that a response to this Cross-Claim is presently due on  
11 June 18, 2010.

12 Governor Brewer submits that it would be appropriate to respond to the City of  
13 Tucson’s Cross-Claim after a response to plaintiff’s Amended Complaint is filed. For  
14 this reason, Governor Brewer requests that the time for all responses to the City of  
15 Tucson’s Cross-Claim be extended to June 30, 2010.

16 Counsel for Governor Brewer contacted counsel for City of Tucson by telephone  
17 on the afternoon of June 15, 2010 and left a voice mail message asking him to stipulate to  
18 the requested extension. As of the time that this motion was filed, counsel has not yet  
19 responded to the request.

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26 <sup>1</sup> On the same day, the City of Tucson also served Ken Bennett, Secretary of State  
27 of the State of Arizona (doc. 37), and Terry Goddard, Attorney General of the State of  
28 Arizona (doc. 35), with the Cross-Claim. Although the pleading is characterized as a  
Cross-Claim, neither Mr. Bennett nor Mr. Goddard is identified as a party in the  
Amended Complaint. *See* Fed. R. Civ. P. 13(g) (a cross-claim is “any claim by one party  
against a coparty”).

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Respectfully submitted this 16th day of June, 2010.

SNELL & WILMER L.L.P.

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 16, 2010, 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 CM/ECF registrants on record:

s/John J. Bouma

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