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

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

Martin H. Escobar,  
  
Plaintiff,  
  
v.  
  
Jan Brewer, Governor of the State of  
Arizona, in her Official and Individual  
Capacity; the City of Tucson, a  
municipal corporation,  
  
Defendants.

The City of Tucson,  
  
Cross-plaintiff,  
  
v.  
  
The State of Arizona, a body politic; and  
Jan Brewer, in her capacity as Governor  
of the State of Arizona,  
  
Cross-defendants.

Case No. CV10-00249-TUC-DCB

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

**(Expedited Consideration Requested)**

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1           In its response to Governor Brewer’s motion to extend the time to respond to its  
2 Cross-Claim, the City of Tucson does not object to the requested extension of time or  
3 provide any meaningful reason why the request should not be granted. Governor Brewer  
4 submits that it would be appropriate to first respond to the Amended Complaint filed by  
5 the plaintiff, and then respond to the City of Tucson’s Cross-Claim. Coordinating the  
6 case in this way would promote the orderly disposition of this case, would assist the  
7 Court and the parties in coordinating the various motions lodged or filed by parties and  
8 proposed intervenors, and would serve the interests of judicial economy. These reasons  
9 easily constitute good cause for granting the brief extension of time.

10           Instead, the City of Tucson raises an entirely separate issue and asks the Court to  
11 set a briefing schedule on the City of Tucson’s motion for preliminary injunction. While  
12 Governor Brewer and her counsel stand ready to cooperate with all counsel to set  
13 appropriate schedules in this case, this is not a reason to oppose the requested extension.  
14 First, the City of Tucson’s request for a briefing schedule is premature, as its motion for  
15 preliminary injunction has been lodged and not filed with the Court (doc. 22). If and  
16 when the Court grants the City of Tucson leave to file the motion, an appropriate briefing  
17 schedule should be set at that time. Second, the plaintiff and proposed intervenors, such  
18 as the Cities of Flagstaff, San Luis, Somerton, and Tolleson, have raised or are likely to  
19 raise similar issues and motions. Among other things, plaintiff also lodged a motion for  
20 preliminary injunction with the Court (doc. 17). Governor Brewer submits that the  
21 schedule for such briefing should include all such motions, not just the one filed by the  
22 City of Tucson, and that it should be set after the Court determines which parties will be  
23 permitted to join this action.

24           For these reasons, Governor Brewer respectfully requests that the time for  
25 responses to the City of Tucson’s Cross-Claim be extended until June 30, 2010. In the  
26 alternative, and at minimum, Governor Brewer requests that the deadline be extended  
27 until June 23, 2010, which is the same day that a response is due to the Amended  
28 Complaint in this action.

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Respectfully submitted this 17th day of June, 2010.

SNELL & WILMER L.L.P.

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 17, 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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