

1 **RICHARD M. MARTINEZ, SBA No. 7763**
 2 307 South Convent Avenue
 3 Tucson, Arizona 85701
 4 (520) 327-4797 phone
 (520) 320-9090 fax
richard@richardmartinezlaw.com

5 Stephen Montoya, SBA No. 11791
 6 Augustine B. Jimenez III, SBA No. 12208
Montoya Jimenez, P.A.
 7 The Great American Tower
 8 3200 North Central Avenue, Suite 2550
 Phoenix, Arizona 85012
 (602) 256-6718
 (602) 256-6667 (fax)
 9 stephen@montoyalawgroup.com
attorney@abjlaw.com

10 Counsel for Plaintiff

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

14 MARTIN H. ESCOBAR
 15 Plaintiff,
 16 v.
 17 JAN BREWER, Governor of
 18 the State of Arizona, in her
 Official and Individual
 19 Capacity, the City of Tucson,
 a municipal corporation, and
 20 Barbara LaWall, County
 Attorney, Pima County,
 21 Defendants.

No. CV 10-249 TUC DCB

RESPONSE IN OPPOSITION
 TO DEFENDANT BREWER'S
 MOTION FOR EXTENSION OF
 TIME TO FILE RESPONSE TO
 CROSS-CLAIM

22
 23 Plaintiff, through his undersigned counsel, hereby responds in opposition to the
 24 last minute and unjustified request from Defendant Brewer to enlarge the time to
 25 submit her response to the City of Tucson's cross-claim. Good cause for the request
 26 has not been shown. The delay sought is not justified by the circumstance or the
 27 applicable standard, good cause.

28 Pending before this court is one of five lawsuits challenging the constitutionality

1 of SB 1070, as amended, (the "Support Our Law Enforcement and Safe
2 Neighborhoods Act," Senate Bill 1070, as amended by House Bill 2162.) This
3 legislation represents a significant intrusion by the State of Arizona into the regulation
4 of immigration, an area of law reserved exclusively to the federal government. SB
5 1070 becomes effective July 29, 2010. Thus, time is of the essence.

6 Plaintiff Escobar and Cross-Claimant City of Tucson have acted with sustained
7 diligence to submit the requisite filings for timely consideration of their claims and
8 request for a preliminary injunction. Defendant Brewer has responded with repeated
9 efforts to delay, thus deny both the plaintiff parties and this court scarce time for
10 briefing and the opportunity to rule upon the motions submitted to date and those that
11 Defendant Brewer will undoubtedly file.

12 Defendant Brewer's request to delay filing an answer or motion to dismiss today
13 because the same is not due until Tuesday, June 22, 2010 to Officer Escobar's claims
14 does not provide a reasonable basis to delay today's deadline. This issues before the
15 court are urgent, of state-wide significance and impact hundred's of thousands of
16 Latinos residing in Arizona. Delay is a luxury which does not exist in this circumstance;
17 the future of far too many persons are at risk.

18 Delay is not reasonable, appropriate and will ultimately prejudice the interests
19 of the plaintiff parties by further compressing a schedule which by virtue of the July
20 29th implementation date requires all parties to act in a diligent and expedited manner.

21 For the reasons noted, Plaintiff respectfully urges granting the denial of
22 Defendant Brewer's motion.

23 Respectfully submitted this 18th day of June 2010.

24
25 s/Richard M. Martinez, Esq.
RICHARD M. MARTINEZ, ESQ.

26 Stephen Montoya
27 Augustine B. Jimenez III
MONTOYA JIMENEZ, P.A.
28 The Great American Tower
3200 North Central Avenue, Suite 2550
Phoenix, Arizona 85012
Counsel for Plaintiffs

1 Copy electronically transmitted
2 this 18th day of June 2010
3 via the USDC Clerk of Court
4 using the CM/ECF System for
5 filing and transmittal to:

6 Michael Rankin, City Attorney
7 City of Tucson
8 Michael W.L. McCory
9 Principal Assistant City Attorney
10 P.O. Box 2710
11 Tucson, Arizona 85726-7210
12 Attorneys for the City of Tucson

13 Noel Fidel
14 MARISCAL, WEEKS, McINTYRE
15 & FRIEDLANDER, P.A.
16 2901 North Central Avenue, Suite 200
17 Phoenix, Arizona 85012

18 Jose de Jesus Rivera
19 Robert Pastor
20 Nathan Fidel
21 HARALSON, MILLER, PITT
22 FELDMAN & McNALLY
23 2800 North Central Avenue, Suite 840
24 Phoenix, Arizona 85006

25 Stanley Feldman
26 Rebecca A. Reed
27 Jeffery A. Imig
28 HARALSON, MILLER, PITT
29 FELDMAN & McNALLY
30 1 South Church Avenue, Suite 900
31 Tucson, Arizona 85701

32 David L. Abney
33 LAW OFFICE OF DAVID ABNEY
34 414 East Southern Avenue
35 Mesa, Arizona 85204

36 Counsel for Plaintiff-Intervenors

37 John J. Bouma
38 Robert A. Henry
39 Joseph G. Adams
40 SNELL & WILLMER, LLC
41 One Arizona Center
42 400 East Van Buren
43 Phoenix, Arizona 85004-2202

44 and

45 //

1 Joseph A. Kanfield
2 Office of Governor Janice K. Brewer
3 1700 West Washington, 9th Floor
4 Phoenix, Arizona 85007

5 Attorneys for Defendant Governor Janice K. Brewer

6 Mary R. O'Grady,
7 Solicitor General
8 Christopher A. Munns,
9 Assistant Attorney General
10 1275 West Washington Street
11 Phoenix, Arizona 85007-2997
12 Attorneys for the State of Arizona

13 COPY of the foregoing e-mailed
14 this 18th day of June 2010 to:

15 Barbara LaWall
16 County Attorney-Pima County
17 c/o Regina Nassen & Amelia Cramer
18 32 North Stone, Suite 1400
19 Tucson, Arizona 85701
20 Defendant

21 s/Richard M. Martinez, Esq.

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