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17 **Counsel for Plaintiff Martin H. Escobar**

18 IN THE UNITED STATES DISTRICT COURT  
 19 FOR THE STATE OF ARIZONA

20 MARTIN H. ESCOBAR,  
 21  
 22 plaintiff,

No. CV 10-249 TUC SRB

23 v.

MOTION TO CONSOLIDATE

24 JAN BREWER, Governor of  
 25 the State of Arizona, in her  
 26 Official and Individual  
 27 Capacity, and the CITY of  
 28 TUCSON, a municipal  
 corporation,

defendants.

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29 CITY OF TUCSON,  
 30 a municipal corporation,

cross-plaintiff,

31 v.

32 THE STATE OF ARIZONA,  
 33 a body politic; and JAN  
 34 BREWER, in her capacity  
 35 as the Governor of the  
 36 State of Arizona,

cross-defendants.

1 THE UNITED STATES OF AMERICA,

2 plaintiff,

3 v.

4 THE STATE OF ARIZONA,  
5 a body politic; and JANICE K.  
6 BREWER, Governor of The  
7 State of Arizona, in her  
8 Official Capacity,

defendants.

No. CV 10-1413 PHX SRB

9 Pursuant to Fed. R. Civ. P. 42(a)(2) and LR Civ. 42.1(b), Plaintiff Martin H.  
10 Escobar hereby moves to consolidate this action with *United States of America v.*  
11 *State of Arizona and Janice K. Brewer*, Governor of the State of Arizona No. CV 10-  
12 1413 PHX SRB, for all purposes.<sup>1</sup>

13 All of the identified cases arise from the enactment of the "Support Our Law  
14 Enforcement and Safe Neighborhoods Act," Arizona Senate Bill 1070, as amended  
15 by Arizona House Bill 2162 ("SB 1070"), and assert the same central claim, that the  
16 Act is preempted by federal immigration law.

17 The identified actions also seek the same relief, namely, preliminary and  
18 permanent injunctions enjoining the enforcement of the Act.<sup>2</sup>

19 Consolidation of the three actions results in a number of benefits, including  
20 avoiding duplication of effort, a reduction in time, legal fees and costs, and will simplify  
21 the adjudication of the underlying legal dispute.

22 Accordingly, for the foregoing reasons, Plaintiff Martin Escobar respectfully  
23 urges that this matter his case be consolidated with *United States of America v. State*

24 \_\_\_\_\_  
25 <sup>1</sup> Plaintiff also joins in the motion to consolidate filed in *Salgado and Chicanos Por*  
26 *La Causa, Inc.*, CV 10-00951 PHX SRB, CD. No. 84, filed on July 16, 2010. Plaintiff had  
27 previously filed a motion to consolidate with the *Salgado* case on June 4, 2010. CD No.  
28 20.

<sup>2</sup> Escobar motion for preliminary injunction is currently pending with a response  
due on August 10, 2010. See; CD Nos. 71 & 78.

1 of Arizona, and Janice K. Brewer, No. CV 10-1413 PHX SRB.

2 Respectfully submitted this 21<sup>st</sup> day of July 2010.

3 s/Richard M. Martinez, Esq.  
4 Richard M. Martinez, Esq.

5 Stephen Montoya  
6 Augustine B. Jimenez III  
7 3200 North Central Avenue, Suite 2550  
8 Phoenix, Arizona 85012-2490

9 Counsel for Plaintiff

10 Certification of Service

11 I hereby certify that on July 21, 2010, I electronically transmitted the foregoing  
12 document to the Clerk of Court using the CM/ECF System for filing and transmittal of  
13 a Notice of Electronic Filing to the CM/ECF registrants on record.

14 s/Richard M. Martinez, Esq.  
15 Richard M. Martinez, Esq.