

1 Roopali H. Desai (012434)
2 D. Andrew Gaona (028414)
3 Kristen Yost (034052)
4 **COPPERSMITH BROCKELMAN PLC**
5 2800 North Central Avenue, Suite 1900
6 Phoenix, Arizona 85004
7 T: (602) 381-5478
8 rdesai@cblawyers.com
9 agaona@cblawyers.com
10 kyost@cblawyers.com

11 *Attorneys for Defendant*
12 *Arizona Secretary of State Katie Hobbs*

13 **ARIZONA SUPERIOR COURT**
14 **MARICOPA COUNTY**

15 DONALD J. TRUMP FOR PRESIDENT,)
16 INC., a federal political committee;)
17 REPUBLICAN NATIONAL COMMITTEE; a)
18 federal political party committee; and the)
19 ARIZONA REPUBLICAN PARTY, a)
20 political party committee,)

21 Plaintiffs,)

22 v.)

23 KATIE HOBBS, in her official capacity as the)
24 Secretary of State of Arizona; ADRIAN)
25 FONTES, in his official capacity as the)
26 Maricopa County Recorder; and JACK)
SELLERS, STEVE CHUCRI, BILL GATES,)
CLINT HICKMAN, AND STEVE)
GALLARDO, in their respective official)
capacities as members of the Maricopa County)
Board of Supervisors,)

Defendants.)

No. CV2020-014248

**NOTICE REGARDING BALLOT
COUNTS**

(Assigned to The Hon. Daniel Kiley)

Defendant Secretary of State Katie Hobbs (“Secretary”) and the County Defendants respectfully file this Notice to inform the Court about the most recent Statewide and Maricopa County ballot counts, which became available on the evening of November 12, 2020, after the

1 conclusion of the hearing in this matter. The new ballot count data moots the claims and
 2 requested relief of Plaintiffs Donald J. Trump for President Inc. and the Republican National
 3 Committee. In addition, the new ballot count data all but certainly also moots the claims and
 4 requested relief of the Arizona Republican Party. The latter point will be a certainty by 3:00 p.m.
 5 today when the Maricopa County Elections Department finishes counting all ballots. At the time
 6 of this filing, the Statewide and Maricopa County ballot count data for the races identified by
 7 Plaintiffs as “close races” are as follows:

Race	Vote Delta	Ballots Remaining	Overvotes
President	11,414	10,315 (statewide)	191
U.S. Senate	79,338	10,315 (statewide)	80 <i>(as of 11/9/20)</i>
Mar. Cty. BOS Dist. 1	407	990 (countywide)	9
Mar. Cty. Recorder	4,606	990 (countywide)	31 <i>(as of 11/9/20)</i>
Leg. Dist. LD 28	495	990 (countywide)	3

14 Because Plaintiffs acknowledged at the hearing that the relief they are requesting is only
 15 necessary if the vote counts in certain “close races” are such that adjudicating overvotes may
 16 make the difference between winning and losing a race, the Secretary wishes to inform the Court
 17 of the most recent data and Maricopa County Elections Department’s plan to complete all
 18 counting by 3:00 p.m.

19 The Secretary and County Defendants respectfully request that the Court dismiss
 20 Plaintiffs’ claims as moot.

21 RESPECTFULLY SUBMITTED this 13th day of November, 2020.

22 **COPPERSMITH BROCKELMAN PLC**

23 By /s/Roopali H. Desai
 24 Roopali H. Desai
 25 D. Andrew Gaona
 26 Kristen Yost

*Attorneys for Defendant
 Arizona Secretary of State Katie Hobbs*

1 **MARICOPA COUNTY ATTORNEY'S OFFICE**

2 By /s/ Thomas P. Liddy (w/ permission)

3 Thomas P. Liddy
4 Emily Craiger
5 Joseph I. Vigil
6 Joseph J. Branco
7 Joseph La Rue

8 *Attorneys for Maricopa County Defendants*

9 ORIGINAL efiled and served via email
10 this 13th day of November, 2020, upon:

11 Kory Langhofer (kory@statecraftlaw.com)
12 Thomas Basile (tom@statecraftlaw.com)
13 Statecraft
14 649 North 4th Avenue, 1st Floor
15 Phoenix, AZ 85003
16 *Attorneys for Plaintiffs*

17 Thomas P. Liddy (liddy@mcao.maricopa.gov)
18 Emily Craiger (craigere@mcao.maricopa.gov)
19 Joseph I. Vigil (vigilj@mcao.maricopa.gov)
20 Joseph J. Branco (brancoj@mcao.maricopa.gov)
21 Joseph La Rue (laruej@mcao.maricopa.gov)
22 Maricopa County Attorney's Office
23 225 West Madison Street
24 Phoenix, AZ 85003
25 *Attorneys for Maricopa County Defendants*

26 Sara R. Gonski (sgonski@perkinscoie.com)
Perkins Coie LLP
2901 North Central Avenue, Suite 2000
Phoenix, AZ 85012

Roy Herrera (herrerar@ballardspahr.com)
Daniel Arellano (arellanod@ballardspahr.com)
Ballard Spahr LLP
1 East Washington Street, Suite 2300
Phoenix, AZ 85004
Attorneys for Intervenor

/s/ Sheri McAlister