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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Mi Familia Vota,
Plaintiff,
v.

Katie Hobbs, in her official capacity as
Arizona Secretary of State, et al.,
Defendants.

AND CONSOLIDATED CASES

Case No: 2:22-cv-00509-SRB (Lead)

**INTERVENOR DEFENDANT'S
ANSWER TO TOHONO O'ODHAM
NATION, *ET AL.*'S AMENDED
COMPLAINT**

1 Pursuant to Federal Rule of Civil Procedure 8, Defendant-Intervenor Republican
2 National Committee (“RNC”) answers the Amended Complaint of Plaintiffs Tohono
3 O’odham Nation, Gila River Indian Community, Keanu Stevens, Alanna Siquieros, and
4 LaDonna Jacket (the “Complaint”). Unless expressly admitted below, every allegation in
5 the Complaint is denied. When the RNC says a factual allegation “speaks for itself,” it
6 means it lacks sufficient information to admit or deny the allegation; it does not admit that
7 the referenced material exists, is accurate, is relevant and admissible for the truth of the
8 matter asserted or otherwise, or is placed in the proper context. Subject to the foregoing,
9 the RNC states as follows:

10 1. The nature of the action speaks for itself. The RNC denies the remaining
11 allegations in paragraph 1.

12 2. The RNC denies the allegations in paragraph 2.

13 3. Paragraph 3 consists of legal arguments and conclusions to which no
14 response is required.

15 4. Paragraph 4 consists of legal arguments and conclusions to which no
16 response is required.

17 5. The first sentence of paragraph 5 is a legal argument or conclusion to which
18 no response is required. The nature of the relief sought in the Complaint speaks for itself.

19 6. Paragraph 6 consists of legal arguments and conclusions to which no
20 response is required.

21 7. Paragraph 7 consists of legal arguments and conclusions to which no
22 response is required.

23 8. The RNC is without knowledge or information sufficient to admit or deny
24 the allegations in paragraph 8.

25 9. The 2020 Census data cited in the first sentence of paragraph 9 speaks for
26 itself. The RNC is without knowledge or information sufficient to admit or deny the
27 remaining allegations in paragraph 9.

1 10. Paragraph 10 consists of legal arguments and conclusions to which no
2 response is required.

3 11. The RNC is without knowledge or information sufficient to admit or deny
4 the allegations in paragraph 11.

5 12. The 2020 Census data cited in the first sentence of paragraph 12 speaks for
6 itself. The RNC is without knowledge or information sufficient to admit or deny the
7 remaining allegations in paragraph 12.

8 13. Paragraph 13 consists of legal arguments and conclusions to which no
9 response is required.

10 14. The RNC is without knowledge or information sufficient to admit or deny
11 the allegations in paragraph 14.

12 15. The RNC is without knowledge or information sufficient to admit or deny
13 the allegations in paragraph 15.

14 16. The RNC is without knowledge or information sufficient to admit or deny
15 the allegations in paragraph 16.

16 17. The RNC is without knowledge or information sufficient to admit or deny
17 the allegations in paragraph 17.

18 18. The RNC is without knowledge or information sufficient to admit or deny
19 the allegations in paragraph 18.

20 19. The RNC is without knowledge or information sufficient to admit or deny
21 the allegations in paragraph 19.

22 20. The RNC is without knowledge or information sufficient to admit or deny
23 the allegations in paragraph 20.

24 21. The RNC is without knowledge or information sufficient to admit or deny
25 the allegations in paragraph 21.

26 22. The RNC is without knowledge or information sufficient to admit or deny
27 the allegations in paragraph 22.

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1 23. The RNC admits that Katie Hobbs was the Arizona Secretary of State at the
2 time the Complaint was filed. The constitutional and statutory provisions governing the
3 Secretary of State's responsibilities speak for themselves.

4 24. The RNC admits that Mark Brnovich was the Arizona Attorney General at
5 the time the Complaint was filed. The statutory provisions governing the Attorney
6 General's responsibilities speak for themselves.

7 25. The RNC admits that Dana Lewis, Gabriella Cázares-Kelly, Stephen Richer,
8 and Michael Sample are the county recorders of Pinal County, Pima County, Maricopa
9 County, and Navajo County, respectively. The statutory provisions governing the county
10 recorders' responsibilities speak for themselves.

11 26. The 2020 Census data cited in paragraph 26 speaks for itself.

12 27. The report cited in paragraph 27 speaks for itself.

13 28. Paragraph 28 consists of legal arguments and conclusions to which no
14 response is required.

15 29. The content of the Arizona state voter registration form cited in paragraph
16 29 speaks for itself.

17 30. The content of the federal voter registration form cited in paragraph 30
18 speaks for itself.

19 31. The RNC is without knowledge or information sufficient to admit or deny
20 the allegations in paragraph 31.

21 32. The RNC admits that Arizona enacted H.B. 2492. The remainder of
22 paragraph 32 consists of legal arguments and conclusions to which no response is required.

23 33. The provisions of H.B. 2492 and A.R.S. § 16-579 speak for themselves.

24 34. The provisions of H.B. 2492 and A.R.S. § 16-123 speak for themselves.

25 35. The provisions of H.B. 2492 and A.R.S. § 16-121.01 speak for themselves.

1 36. The 2020 Census data cited in paragraph 36 speaks for itself. The RNC is
2 without knowledge or information sufficient to admit or deny the remaining allegations in
3 paragraph 36.

4 37. The RNC admits the allegations in paragraph 37.

5 38. The 2020 Census data cited in paragraph 38 speaks for itself.

6 39. The RNC denies the allegations in paragraph 39.

7 40. The RNC is without knowledge or information sufficient to admit or deny
8 the allegations in paragraph 40.

9 41. The RNC is without knowledge or information sufficient to admit or deny
10 the allegations in paragraph 41.

11 42. The RNC is without knowledge or information sufficient to admit or deny
12 the allegations in paragraph 42.

13 43. The 2020 Census data cited in paragraph 43 speaks for itself.

14 44. The RNC is without knowledge or information sufficient to admit or deny
15 the allegations in paragraph 44.

16 45. The RNC is without knowledge or information sufficient to admit or deny
17 the allegations in paragraph 45.

18 46. The RNC is without knowledge or information sufficient to admit or deny
19 the allegations in paragraph 46.

20 47. The RNC is without knowledge or information sufficient to admit or deny
21 the allegations in paragraph 47.

22 48. The RNC is without knowledge or information sufficient to admit or deny
23 the allegations in paragraph 48.

24 49. The RNC is without knowledge or information sufficient to admit or deny
25 the allegations in paragraph 49.

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1 50. The 2020 Census data cited in paragraph 50 speaks for itself. The RNC is
2 without knowledge or information sufficient to admit or deny the remaining allegations in
3 paragraph 50.

4 51. The RNC is without knowledge or information sufficient to admit or deny
5 the allegations in paragraph 51.

6 52. The RNC is without knowledge or information sufficient to admit or deny
7 the allegations in paragraph 52.

8 53. The RNC is without knowledge or information sufficient to admit or deny
9 the allegations in paragraph 53.

10 54. The proceedings and testimony during the Arizona Senate Judiciary
11 Committee hearing on H.B. 2492 speak for themselves. The RNC denies any remaining
12 allegations in paragraph 54.

13 55. The RNC is without knowledge or information sufficient to admit or deny
14 the allegations in paragraph 55. Further answering, the RNC states that the Supreme Court
15 has emphasized that “it should go without saying that a State may take action to prevent
16 election fraud without waiting for it to occur and be detected within its own borders.”
17 *Brnovich v. Democratic Nat’l Comm.*, 141 S. Ct. 2321, 2348 (2021).

18 56. Paragraph 56 states a legal conclusion to which no response is required.

19 57. The RNC denies the allegations in paragraph 57.

20 58. 52 U.S.C. § 20505(a)(1) speaks for itself.

21 59. *Arizona v. Inter Tribal Council of Ariz., Inc.*, 570 U.S. 1 (2013), speaks for
22 itself.

23 60. *Gonzales v. Arizona*, 2013 WL 7767705 (D. Ariz. Sept. 11, 2013), speaks
24 for itself.

25 61. The content of the Federal Form speaks for itself.

26 62. The provisions of H.B. 2492 speak for themselves.

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63. Paragraph 63 consists of legal conclusions or arguments to which no response is required.

64. The provisions of 52 U.S.C. § 20510(b)(1)-(b)(2) speak for themselves.

65. Paragraph 65 consists of legal arguments and conclusions to which no response is required. 52 U.S.C. § 20510(b)(3) and *Nat'l Council of La Raza v. Cegavske*, 800 F.3d 1032 (9th Cir. 2015), speak for themselves.

66. Paragraph 66 consists of legal conclusions or arguments to which no response is required.

67. Paragraph 67 consists of legal conclusions or arguments to which no response is required.

68. Paragraph 68 consists of legal conclusions or arguments to which no response is required. *Burdick v. Takushi*, 504 U.S. 428 (1992), and *Anderson v. Celebrezze*, 460 U.S. 780 (1983), speak for themselves.

69. *Crawford v. Marion Cnty. Election Bd.*, 553 U.S. 181 (2008), speaks for itself. Further answering, the RNC states that the controlling opinion also stated that the “risk of voter fraud” is “real,” voter fraud “could affect the outcome of a close election,” and “[t]here is no question about the legitimacy or importance of the State’s interest” in combatting it, *id.* at 196.

70. Paragraph 70 consists of legal conclusions or arguments to which no response is required. *Angle v. Miller*, 673 F.3d 1122 (9th Cir. 2012), *Dudum v. Arntz*, 640 F.3d 1098 (9th Cir. 2011), and *Soltysik v. Padilla*, 910 F.3d 438 (9th Cir. 2018), speak for themselves.

71. Paragraph 71 consists of legal conclusions or arguments to which no response is required.

RESPONSE TO PRAYER FOR RELIEF

The RNC denies that the Plaintiffs are entitled to any of the relief requested.

AFFIRMATIVE DEFENSES

1. The allegations in the complaint fail to state a claim.
2. Plaintiffs lack a cause of action for one or more of their claims.
3. Plaintiffs lack standing for one or more of their claims.
4. Plaintiffs' requested relief is barred by the *Purcell* principle.

RESPECTFULLY SUBMITTED this 29th day of March, 2023.

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