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11 *Attorneys for State of Arizona*

12 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
13 **IN AND FOR THE COUNTY OF MARICOPA**

14 ADVOCATES FOR AMERICAN
15 DISABLED INDIVIDUALS, LLC, and
16 David Ritzenthaler, dealing with Plaintiff's
sole and separate claim,

17 Plaintiff,

18 vs.
19

20 Consolidated Defendants,

21 Defendants,

22 STATE OF ARIZONA, *ex rel.* Mark
23 Brnovich,

24 Defendant-Intervenor.
25
26

Case No: CV2016-090506

**SECOND MOTION TO CONSOLIDATE
ADDITIONAL CASES**

(Assigned to the Hon. David M. Talamante)

1 The State of Arizona *ex rel.* Mark Brnovich, the Attorney General (“the State”) hereby
2 respectfully requests that the Court grant this Second Motion to Consolidate Additional Cases.

3 The State incorporates by reference arguments made in the State’s Motion to Consolidate
4 Cases for Limited Purposes, Set a Scheduling Conference, and Allow Leave to Serve by Other
5 Means (the “Original Motion to Consolidate”), and the State’s Motion to Consolidate Additional
6 Cases (the “First Motion to Consolidate Additional Cases”).

7 With regard to the First Motion to Consolidate Additional Cases, Plaintiffs’ counsel
8 advised that Plaintiffs had no objection, but did not waive their objections to the intervention
9 and consolidation orders. The Court granted that motion.

10 Undersigned counsel contacted Plaintiffs’ counsel two days ago regarding their position
11 on this Second Motion to Consolidate Additional Cases, but received no response.

12 **A. Additional Cases to be Consolidated**

13 Since the Court’s November 7, 2016 order granting the State’s motion to consolidate
14 additional cases, *see* Dkt. 303, the State has become aware of additional cases that it believes
15 should be consolidated for the same reasons stated in the Original Motion to Consolidate and the
16 first Motion to Consolidate Additional Cases. All but one of these cases has been recently
17 remanded from federal court.

- 18 - Added five cases remanded by federal court (CV2016-006845, remanded by order
19 attached as Exhibit A; CV2016-004655, remanded by order attached as Exhibit B;
20 CV2016-007107, remanded by order attached as Exhibit C; CV2016-006695,
21 remanded by order attached as Exhibit D; CV2016-006739, remanded by order
22 attached as Exhibit E). A copy of this motion is being filed in each of those cases.
23 - Added one case previously omitted due to an input error (CV2016-004594).
24 - Changed the defendant name in one case (CV2016-011171), per the Court’s order.

1 Document electronically transmitted
2 to the Clerk of the Court for filing, using
3 AZTurboCourt, this 6th day of January, 2017.

4 **COPY** of the foregoing *e*-delivered via
5 AZ TurboCourt this 6th day of January, 2017, to:

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20 **COPY** of the foregoing *e*-mailed to the Attorney's
21 General's distribution list and posted to the
22 Attorney General's website this 6th day of January,
23 2016.

24 *s/ Sophia Descheeny*
25 _____
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