



A PROFESSIONAL ASSOCIATION  
ATTORNEYS AT LAW

The Phoenix Plaza  
21st Floor  
2929 North Central Avenue  
Phoenix, Arizona 85012-2793

P.O. Box 36379  
Phoenix, Arizona 85067-6379

Telephone 602.640.9000  
Facsimile 602.640.9050

1 Mary R. O'Grady, 011434  
2 Kristin L. Windtberg, 024804  
3 Joseph N. Roth, 025725  
4 OSBORN MALEDON, P.A.  
5 2929 N. Central Avenue, Suite 2100  
6 Phoenix, Arizona 85012-2793  
(602) 640-9000  
mogrady@omlaw.com  
kwindtberg@omlaw.com  
jroth@omlaw.com

7 Joseph A. Kanefield, 015838  
8 Brunn W. Roysden, 028698  
9 BALLARD SPAHR, LLP  
10 1 E. Washington Street, Suite 2300  
11 Phoenix, Arizona 85004-2555  
12 kanefieldj@ballardspahr.com  
13 roysdenb@ballardspahr.com  
14 *Attorneys for Defendant Arizona Independent  
15 Redistricting Commission*

16 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

17 IN AND FOR THE COUNTY OF MARICOPA

18 VINCE LEACH, KAREN GLENNON and  
19 LYNNE ST. ANGELO, qualified electors  
20 and residents of Congressional District 1; et  
21 al.,

22 Plaintiffs,

23 v.

24 ARIZONA INDEPENDENT  
25 REDISTRICTING COMMISSION, a  
26 legislative body of the State of Arizona; et  
27 al.,

28 Defendants.

No. CV2012-007344

**STIPULATION AS TO  
DISMISSAL OF COUNT ONE OF  
SECOND AMENDED  
COMPLAINT**

(Assigned to the Hon. Mark Brain)

29 The undersigned parties, through their respective attorneys, hereby stipulate and  
30 agree that Count One of the Second Amended Complaint may be dismissed consistent  
31 with this Court's October 15, 2012 minute entry decision. In that Minute Entry, this  
32 Court ordered the dismissal of Count One of the First Amended Complaint. The balance

1 of the First Amended Complaint was also dismissed for various reasons, and Plaintiffs  
2 were given the opportunity to file a Second Amended Complaint on or before November  
3 9, 2012. When Plaintiffs timely filed their Second Amended Complaint, they included  
4 Count One solely for purposes of preserving the issue of its dismissal for appeal.

5 Accordingly, the undersigned parties agree that Count One of the Second  
6 Amended Complaint may be dismissed for the reasons stated in this Court's October 15,  
7 2012 minute entry decision, that such dismissal will be incorporated in any final  
8 judgment as to the Second Amended Complaint, and that this stipulation preserves, and  
9 does not waive, Plaintiffs' right to appeal this Court's October 15, 2012 dismissal of  
10 Count One. Further, the parties agree that nothing in this stipulation shall constitute a  
11 waiver of any argument by either party as to the validity of any other Count in the  
12 Second Amended Complaint.

13 A proposed form of Order accompanies this Stipulation.

14  
15 RESPECTFULLY SUBMITTED this 6th day of December, 2012.

16  
17 OSBORN MALEDON, P.A.

18 By /s/ Mary R. O'Grady

19 Mary R. O'Grady  
20 Kristin L. Windtberg  
21 Joseph N. Roth  
22 2929 North Central Avenue, Suite 2100  
23 Phoenix, Arizona 85012-2794

24 BALLARD SPAHR, LLP

25 Joseph A. Kanefield, 015838  
26 Brunn W. Roysden, 028698  
27 1 East Washington Street, Suite 2300  
28 Phoenix, Arizona 85004-2555  
*Attorneys for Arizona Independent Redistricting  
Commission*

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GAMMAGE & BURNHAM

By /s/ Lisa T. Hauser w/ Permission  
Lisa T. Hauser  
Two North Central Avenue, 15<sup>th</sup> Floor  
Phoenix, Arizona 85004

SNELL & WILMER, LLP

By /s/ Michael T. Liburdi w/ Permission  
Michael T. Liburdi  
400 East Van Buren  
Phoenix, Arizona 85004  
*Attorneys for Plaintiffs*

ARIZONA ATTORNEY GENERAL'S OFFICE

By /s/ Michele L. Forney w/ Permission  
Michele L. Forney  
1275 West Washington  
Phoenix, Arizona 85007  
*Attorneys for Defendant Ken Bennett*

ORIGINAL of the foregoing e-filed and a COPY  
e-delivered this 6th day of December, 2012, to:

The Honorable Mark Brain  
Maricopa County Superior Court  
101 W. Jefferson, ECB 413  
Phoenix, AZ 85003

/s/ Sara C. Sanchez  
4592776v1