

SUPREME COURT OF ARIZONA

ROBERT BRANCH, an individual,) Arizona Supreme Court
) No. CV-20-0124-AP/EL
Plaintiff/Appellee,)
) Maricopa County
v.) Superior Court
) No. CV2020-004789
BOYD DUNN, et al.,)
)
Defendants/Appellants.) **FILED 05/06/2020**
)
_____)

O R D E R

Appellant Boyd Dunn filed a Notice of Appeal and Request for Initial Telephonic Scheduling Conference in Expedited Election Matter pursuant to Rule 10(g), Arizona Rules of Civil Appellate Procedure in the *Branch v. Dunn* proceeding on May 1, 2020 (CV-20-0124-AP/EL) and in the *Gorsegner v. Dunn* proceeding on May 4, 2020 (CV-20-0126-AP/EL).

Court staff conducted a scheduling conference call on May 6, 2020. At the scheduling conference, David Cantelme and Aaron Brown advised that a stipulation for substitution of counsel for Appellant is pending. John "Jack" D. Wilenchik, was on the conference call. Also appearing were Timothy LaSota, counsel for Robert Branch, and Kory Langhofer and Thomas Basile, counsel for Eric Gorsegner.

Appearing for the counties were Brian J. Palmer, counsel for Maricopa County defendants; Daniel Jurkowitz, counsel for Pima County defendants; Allen H. Quist, counsel for Pinal County defendants; and Kimberly J. Hunley, counsel for Santa Cruz County defendants. Supreme

Court Staff Attorney Lisa Banen conducted the conference.

The Maricopa County Attorney confirmed the earliest ballot printing deadline is May 15, 2020.

The parties advised that this matter was consolidated at trial, and therefore did not believe that any consolidation order was needed in this case. The April 24, 2020 minute entry consolidated the cases "for the purposes of litigation and conducting election challenge trials in this matter." On the Court's own motion and in the interest of judicial economy and efficiency,

IT IS ORDERED consolidating case number CV-20-0124-AP/EL and CV-20-0126-AP/EL designating CV-20-0124-AP/EL as the primary case number.

As further discussed in the conference call,

IT IS FURTHER ORDERED Appellant will file the opening brief no later than 5:00 p.m. on Friday May 8, 2020.

IT IS FURTHER ORDERED Appellee may file an answering brief no later than 5:00 p.m. on Monday, May 11, 2020. Any other responses may be filed no later than the time and date the answering brief is due.

IT IS FURTHER ORDERED Appellant may file a reply brief no later than noon on Tuesday, May 12, 2020.

IT IS FURTHER ORDERED that the parties' briefs will not exceed 5000 words. All briefs shall be in a legible 14-point font, double-spaced, with the briefs to include all arguments the parties wish to present to the Court. The briefs may be in memorandum format. The

reply brief will be limited to 1500 words.

This matter will be decided without oral argument.

IT IS FURTHER ORDERED that copies of all filings must be delivered as required under Rule 10(h) and emailed to the Supreme Court staff attorney and the parties.

Justice Bolick has recused himself from participating in this matter.

DATED this 6th day of May, 2020.

_____/s/_____
ANDREW GOULD
Duty Justice

TO:

Timothy A LaSota
John D Wilenchik
N L Miller Jr
Dennis I Wilenchik
Kelly Gillilan-Gibson
Kara Karlson
Dustin D Romney
Michael B Whiting
Jason S Moore
Jefferson R Dalton
Jeremy O Ford
Ryan Henry Esplin
Kenneth A Angle
Larson Scott Bennett
Daniel S Jurkowitz
Allen Hatch Quist
Brian J Palmer
Thomas M Stoxen
Matthew Black
Britt W Hanson
Christine Roberts
Ryan Norton Dooley
William J Kerekes
George E Silva
Hon Roger E Brodman
Hon Jeff Fine
Aaron Nash
Alicia Moffatt