

SUPREME COURT OF ARIZONA

KAREN FANN, in her official) Arizona Supreme Court
capacity as President of the) No. CV-21-0102-SA
Arizona Senate; WARREN PETERSEN,)
in his official capacity as) Maricopa County
Chairman of the Senate Judiciary) Superior Court
Committee; KEN BENNETT, in his) No. CV2021-006646
official capacity as the liaison)
of the Arizona Senate; and CYBER)
NINJAS, INC., a Florida)
corporation,)
)
Petitioners,)
)
v.)
)
HON. CHRISTOPHER COURY, JUDGE OF)
THE SUPERIOR COURT FOR THE STATE)
OF ARIZONA, in and for the)
County of Maricopa,)
) **FILED: 04/23/2021**
Respondent Judge,)
)
ARIZONA DEMOCRATIC PARTY, an)
Arizona political party and)
political action committee; and)
STEVE GALLARDO, a qualified)
elector,)
)
Real Parties in Interest.)

)

O R D E R

Having been apprised that the Defendants are filing a special action and emergency motion for expedited stay in this matter, the Court conducted an emergency telephonic conference.

Appearing were Kory Langhofer and Thomas Basile on behalf of Defendants Karen Fann, in her official capacity as President of the Arizona Senate, Warren Petersen, in his official capacity as Chairman of the Senate Judiciary Committee, and Ken Bennett, in his official capacity as the liaison of the Arizona Senate.

Also appearing were Alexander Kolodin and Christopher Viskovic on behalf of Defendant CyberNinjas Inc.

Also appearing was James E. Barton, II on behalf of Plaintiffs Arizona Democratic Party, an Arizona political party and political action committee, and Steve Gallardo, a qualified elector.

Also appearing were Emma Cone-Roddy and Josh Bendor on behalf of Katie Hobbs, in her official capacity as Secretary of State and Karen Hartman-Tellez on behalf of the Maricopa County Board of Supervisors and Elections Department.

Having heard from the parties, the Court notes that the trial court ordered a suspension of the audit until Monday upon posting of a bond, but, upon representation of the Plaintiffs that the bond will not be posted, the matter is moot.

The Court finds that the trial court did not abuse its discretion in issuing the order. Therefore,

IT IS ORDERED the request for an emergency stay is denied.

IT IS FURTHER ORDERED Defendants pleadings are to be filed forthwith and will supplement any request no later than close of business on Tuesday, April 27, 2021. Plaintiffs will file a response no later than close of business on Wednesday, April 28, 2021, Defendants may file a reply no later than close of business on Thursday, April 29, 2021.

IT IS FURTHER ORDERED any amicus brief will be filed not later than the deadline for the filing of the pleadings of the party supported by the amicus curiae.

DATED this 23rd day of April, 2021.

_____/s/_____
CLINT BOLICK
Duty Justice

TO:

Kory A Langhofer

Thomas J Basile

Alexander Kolodin

Christopher A. Viskovic

Hon. Christopher Coury

Roopali H Desai

D Andrew Gaona

Kristen M Yost

James E Barton II

Jacqueline Soto

Hon. Jeff Fine

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