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18 UNITED STATES DISTRICT COURT
 19 DISTRICT OF ARIZONA

20 Friendly House, *et al.*,
 21 Plaintiffs,
 22 v.
 23 Michael B. Whiting, *et al.*,
 24 Defendants.
 25

CASE NO. CV-10-01061-MEA
**PLAINTIFFS' MOTION FOR LEAVE
 TO FILE BRIEF IN EXCESS OF PAGE
 LIMIT**

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11 Employees International Union, Local 5, United Food and Commercial Workers
12 International Union, and Japanese American Citizens League

12 *Application for admission *pro hac vice* forthcoming
13 **Admitted pursuant to Ariz. Sup. Ct. R. 38(f)

1 Pursuant to Local Rule 7.2, Plaintiffs respectfully request leave to file a motion for
2 preliminary injunction and supporting memorandum of law in excess of the page limit set
3 forth in Local Rule 7.2(e). Plaintiffs seek leave to file a total of 40 pages, which will
4 include their motion for a preliminary injunction and their supporting memorandum of
5 points and authorities.
6

7 Under the current page limit, Plaintiffs are unable to present fully the factual and
8 legal arguments that are material to their constitutional challenge to Arizona Senate Bill
9 1070, 49th Leg., 2nd Reg. Sess., Ch. 113 (Az. 2010), as amended by Arizona House Bill
10 2162, 49th Leg., 2nd Reg. Sess., Ch. 211 (Az. 2010) (hereinafter "SB 1070"). Plaintiffs
11 have attempted in good faith to limit their brief, which presents a factual record and
12 includes argument and authorities related to three distinct constitutional claims. Given
13 the complex issues in this case, Plaintiffs have found it necessary, in order to brief
14 adequately the issues for the Court, to exceed the page limitation set out in the Local
15 Rules. Among other things, additional pages are necessary to permit Plaintiffs to explain
16 the numerous ways in which SB 1070 intrudes on and conflicts with the comprehensive
17 scheme of federal immigration regulation, and to explain how the law also violates the
18 First Amendment and the constitutional right to travel. The necessity of additional pages
19 is underscored by the factual record Plaintiffs have compiled for their motion. Plaintiffs
20 will file 15 declarations, totaling over 130 pages from plaintiffs, law enforcement experts,
21 immigration experts, and an expert on international relations. Plaintiffs will also file over
22 30 exhibits attached to an attorney declaration. Permission to file a 40-page motion and
23 supporting memorandum of law will provide Plaintiffs with sufficient opportunity to
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1 explain the facts and the law and aid this Court in its review of the arguments in support
2 of their motion.

3
4 Per the court clerk's instructions, Plaintiffs have lodged their proposed brief with
5 the filing of this motion and will file all supporting documents at the time the brief is
6 filed.

7
8 Most Defendants have not yet appeared in this matter, so Plaintiffs cannot
9 represent whether they oppose this Motion. Plaintiffs have not discussed this motion
10 with counsel for Navajo County Attorney Bradley Carlyon or Navajo County Sheriff
11 Kelly Clark, who appeared just yesterday. The State of Arizona, which has requested
12 leave to intervene in this matter, did not consent to this Motion. This request will not
13 prejudice Defendants, and Plaintiffs would not oppose a request by Defendants,
14 collectively to have a comparable number of pages for any opposition they might choose
15 to file in response to Plaintiffs' Motion.

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1 For the foregoing reasons, Plaintiffs respectfully request that this Court grant
2 Plaintiffs' Motion for leave to file the attached brief.

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4 Respectfully Submitted,

5 Dated this 4th day of June, 2010.

6 /s/ Nina Perales
7 MEXICAN AMERICAN LEGAL
8 DEFENSE AND EDUCATIONAL FUND

9 /s/ Omar C. Jadwat
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12 /s/ Linton Joaquin
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CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2010, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing, and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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