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21 **UNITED STATES DISTRICT COURT**
22 **DISTRICT OF ARIZONA**

23 Mi Familia Vota, et al.,
24 Plaintiffs,

25 v.

26 Katie Hobbs, et al.,
27 Defendants.

Case No: 2:21-cv-1423-DWL

**INTERVENOR-DEFENDANTS’
JOINDER OF CORRECTED
ATTORNEY GENERAL’S
CONSOLIDATED MOTION TO
DISMISS PLAINTIFFS’ AND
INTERVENOR-PLAINTIFFS’
COMPLAINTS UNDER RULES 12(B)(1)
AND 12(B)(6)**

1 Per this Court’s order (Doc. 53), the Republican National Committee and National
2 Republican Senatorial Committee will not file separate motions to dismiss; they instead
3 join parts I.B, III, and IV of the State’s corrected motion (Doc. 76). Intervenor-Defendants
4 join the State’s motion in lieu of filing an answer to Intervenor-Plaintiffs’ complaint. And
5 though Intervenor-Defendants have already answered Plaintiffs’ complaint, they should
6 be allowed to join the State’s motion to dismiss. *See* 5C Fed. Prac. & Proc. Civ. §1361 &
7 n.7 (3d ed.) (collecting cases where “federal courts have allowed” post-answer motions to
8 dismiss). Plaintiffs could not be prejudiced because they must respond to the State’s mo-
9 tion to dismiss anyway, Intervenor-Defendants raised these same defenses in their answer,
10 and the Rules allow the Court to simply treat Intervenor-Defendants as having raised these
11 defenses under Rules 12(c), 12(i), or 56, rather than Rule 12(b). *See Resol. Tr. Corp. v.*
12 *Holland & Knight*, 832 F. Supp. 1528, 1529 n.2 (S.D. Fla. 1993); *Doty v. United States*,
13 2016 WL 3398579, at *2 (D.N.J. June 15); *Green v. Henry Cty. Comm’n*, 2020 WL
14 974388, at *3 & n.4 (M.D. Ala. Feb. 28).

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1 Respectfully submitted this 26th day of November, 2021.

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3 By: /s/ Tyler Green

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CERTIFICATE OF SERVICE

21 I e-filed this document on November 26, 2021, which emailed everyone requiring
22 notice.

23 /s/ Tyler Green

24 Attorney for Intervenor-Defendants