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 12 Pima Co. Computer Nos. 55572/64953/65047
 13 State Bar Nos. 007773/015434/016453
 14 Attorney for Defendant Pima County Board of Supervisors

9 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
 10 IN AND FOR THE COUNTY OF PIMA

12 DEMOCRATIC PARTY OF PIMA
 13 COUNTY,
 14 Plaintiff,
 15 vs.
 16 PIMA COUNTY BOARD OF
 17 SUPERVISORS, a body politic,
 18 Defendant.

Case No.: C2007-2073

**MOTION FOR STAY PENDING
 APPEAL**

Assigned to the Hon. Michael Miller

20 Defendant Pima County Board of Supervisors (“the County”), pursuant to
 21 Rule 62(c) of the Arizona Rules of Civil Procedure, hereby respectfully requests
 22 the Court stay its December 18, 2007, Under Advisement Ruling and Order
 23 pending the County’s appeal thereof.¹ The County respectfully submits that such
 24 a stay is appropriate in light of the sensitive nature of the computer files that

26 ¹ The County’s Notice of Appeal is being filed contemporaneously herewith.

1 constitute the subject-matter of this case, as well as the fact that the County's
2 desire to protect those computer files from disclosure would be prejudiced
3 irreparably in the event such release were to occur prior to the conclusion of the
4 County's appeal in this matter. Finally, the County cannot take further or final
5 action on this matter except by action of the Board of Supervisors, and the Board
6 will not meet again until January 8, 2008.² Therefore, in order to preserve its
7 rights and the *status quo* in this matter, the County respectfully requests that the
8 Court's Under Advisement Ruling and Order be stayed pending appeal.

9 RESPECTFULLY SUBMITTED this 21st day of December, 2007.

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12 PIMA COUNTY ATTORNEY

13
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26 ² The County's Notice of Appeal and this Motion have been filed at the direction of the Pima County
Administrator in order to preserve the County's rights pending final action by the Board. In the event that the
Pima County Board of Supervisors elects not to pursue an appeal of the Court's Order, the Notice of Appeal and
this Motion will be withdrawn.

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Original of the foregoing filed
with the Clerk of the Court
this 21st day of December, 2007.

A copy of the foregoing hand-delivered
this 21st day of December, 2007, to:

Hon. Michael Miller
Judge of the Superior Court
110 West Congress
Tucson, AZ 85701

A copy of the foregoing mailed/delivered/faxed
this 21st day of December, 2007, to:

William J. Risner, Esquire
RISNER & GRAHAM
100 North Stone Avenue, Suite 901
Tucson, AZ 85701-1620