

ARIZONA SUPREME COURT

KARI LAKE,

Plaintiff/Appellant,

v.

KATIE HOBBS, *et al.*,

Defendants/Appellees.

Court of Appeals

Division One

No. 1 CA-CV 22-0779

No. 1 CA-SA 22-0237

(CONSOLIDATED)

KARI LAKE,

Petitioner,

v.

THE HONORABLE PETER
THOMPSON, Judge of the SUPERIOR
COURT OF THE STATE OF
ARIZONA, in and for the County of
MARICOPA,

Respondent Judge,

KATIE HOBBS, personally as
Contestee; ADRIAN FONTES, in his
official capacity as Secretary of State;
STEPHEN RICHER, in his official
capacity as Maricopa County Reporter,
et al.,

Real Parties in Interest.

Maricopa County

Superior Court

No. CV2022-095403

**PETITIONER'S PROCEDURAL
MOTION TO EXPEDITE REVIEW
OF PETITION FOR REVIEW OF
A SPECIAL ACTION DECISION
OF THE COURT OF APPEALS**

ARPSA 8(d)

Kurt B. Olsen (admitted *pro hac vice*)
Olsen Law PC
1250 Connecticut Ave. NW, Ste. 700
Washington, DC 20036
Tel: 202-408-7025
Email: ko@olsenlawpc.com

Bryan James Blehm, Ariz. Bar #023891
Blehm Law PLLC
10869 N. Scottsdale Rd., Suite 103-256
Scottsdale, Arizona 85254
Tel: 602-753-6213
Email: bryan@blehmlegal.com

Counsel for Petitioner

Petitioner Kari Lake respectfully moves this Court to expedite the consideration of her appeal of court of appeals’ decision in her consolidated appeal and special action. In support of her motion, petitioner Lake avers as follows:

1. By Order dated January 9, 2023, the Court of Appeals consolidated Lake’s appeal (No. 1 CA-CV 22-0779) and her special action appeal (No. 1 CA-SA 22-0237) and accepted jurisdiction in the special action appeal.

2. By Order dated January 27, 2023, the Court of Appeals granted Lake’s motion to accelerate the consolidated appeal. By operation of Rule 29(f), Ariz.R.Civ.App.P., Lake’s petition warrants in this Court

3. In addition, Rule 8(d), Ariz.R.P.Spec.Act., authorizes a “party seeking ... expedited processing of the petition for review [to] file a motion in the Supreme Court.

4. Pursuant to Rule 8(d), Ariz.R.P.Spec.Act., petitioner Lake respectfully moves this Court to expedite the processing of her petition for review in these consolidated cases.

5. This case presents important issues under Arizona election law, including (a) whether election officials can violate non-technical ballot-integrity measures—such as chain-of-custody requirements and logic-and-accuracy testing of voting equipment—without repercussion, based on courts’ denying review because the contestant or plaintiff cannot show the exact number of effected voters, contrary

to this Court's longstanding decisions that nonquantifiable election interference is actionable. *Hunt v. Campbell*, 19 Ariz. 254, 265-66 (1917); *Findley v. Sorenson*, 35 Ariz. 265, 269 (1929); *Huggins v. Superior Court*, 163 Ariz. 348, 350 (1990).

6. Expeditious action to resolve these issues is needed to safeguard Arizona voters' right to free and equal elections. Ariz. Const. art. II, §21.

7. Petitioner Lake files this motion contemporaneously with filing her petition for review.

WHEREFORE, for the reasons set forth above, petitioner Lake respectfully requests that the Court grant her motion to expedite her petition for review.

Dated: March 1, 2023

Respectfully submitted,

Kurt B. Olsen (admitted *pro hac vice*)
Olsen Law PC
1250 Connecticut Ave. NW, Ste. 700
Washington, DC 20036
Tel: 202-408-7025
Email: ko@olsenlawpc.com

/s/ Bryan James Blehm
Bryan James Blehm, Ariz. Bar #023891
Blehm Law PLLC
10869 N. Scottsdale Rd., Suite 103-256
Scottsdale, Arizona 85254
Tel: 602-753-6213
Email: bryan@blehmlegal.com

Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that, on March 1, 2023, I electronically filed with the Arizona Supreme Court, using the AZ Turbo Court e-filing system, Petitioner's Procedural Motion to Expedite Review of Petition for Review of a Special Action Decision of the Court of Appeals. On that date, I also caused a copy of the same to be emailed to:

Honorable Peter Thompson
Maricopa County Superior Court
c/o Sarah Umphress
sarah.umphress@jbazmc.maricopa.gov

Amy M. Wood, Clerk
Court of Appeals, Division One
inform@appeals.az.gov

Daniel C. Barr
Alexis E. Danneman
Austin Yost
Samantha J. Burke
Perkins Coie LLP
2901 North Central Avenue
Suite 2000
Phoenix, AZ 85012
dbarr@perkinscoie.com
adanneman@perkinscoie.com
ayost@perkinscoie.com
sburke@perkinscoie.com
Attorneys for Defendant Katie Hobbs

and

Abha Khanna*
ELIAS LAW GROUP LLP
1700 Seventh Avenue, Suite 2100
Seattle, WA 98101
akhanna@elias.law
Telephone: (206) 656-0177

and

Lalitha D. Madduri*
Christina Ford*
Elena A. Rodriguez Armenta*
ELIAS LAW GROUP LLP
250 Massachusetts Ave NW, Suite 400
Washington, D.C. 20001
lmadduri@elias.law
cford@elias.law
erodriguezarmenta@elias.law
Attorneys for Defendant Katie Hobbs

and

D. Andrew Gaona
COPPERSMITH BROCKELMAN PLC
2800 North Central Avenue, Suite 1900
Phoenix, Arizona 85004
agoana@cblawyers.com
Attorney for Defendant Secretary of State Adrian Fontes

and

Sambo Dul
STATES UNITED DEMOCRACY CENTER
8205 South Priest Drive, #10312
Tempe, Arizona 85284
bo@statesuniteddemocracycenter.org
Attorney for Defendant Secretary of State Adrian Fontes

and

Thomas P. Liddy
Joseph La Rue
Joseph Branco
Karen Hartman-Tellez
Jack L. O'Connor
Sean M. Moore
Rosa Aguilar
Maricopa County Attorney's Office
225 West Madison St.
Phoenix, AZ 85003
liddytmcaommaricopa.gov
laruejmcaommaricopa.gov
brancojmcaommaricopa.gov
hartmankmcaommaricopa.gov
oconnorjmcaommaricopa.gov
mooresmcaommaricopa.gov
aguilarrmcaommaricopa.gov
Attorneys for Maricopa County Defendants

and

Emily Craiger
The Burgess Law Group
3131 East Camelback Road, Suite 224
Phoenix, Arizona 85016
emily@theburgesslawgroup.com
Attorneys for Maricopa County Defendants

James E. Barton II
BARTON MENDEZ SOTO PLLC
401 West Baseline Road Suite 205
Tempe, Arizona 85283
James@bartonmendezsoto.com

and

E. Danya Perry (pro hac vice forthcoming)
Rachel Fleder (pro hac vice forthcoming)
Joshua Stanton (pro hac vice forthcoming)
Lilian Timmermann (pro hac vice forthcoming)
PERRY GUHA LLP
1740 Broadway, 15th Floor
New York, NY 10019
dperry@perryguha.com
Attorneys for Amici Curiae Helen Purcell and Tammy Patrick

/s/ Bryan James Blehm

Bryan James Blehm
Counsel for Appellant-Petitioner Kari Lake