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Attorney for Petitioner

IN THE SUPERIOR COURT OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

MARICOPA COUNTY LIBERTARIAN
PARTY,

Petitioners,

VS.

HELEN PURCELL, Maricopa County
Recorder; and KAREN OSBORNE, Maricopa
County Director of Elections; MARICOPA
COUNTY BOARD OF SUPERVISORS, a
body politic; FRAN MCCARROLL, Clerk,
Maricopa County Board of Supervisors,
FULTON BROCK, DON STAPLEY,
ANDREW KUNASEK, MAX W. WILSON,
MARY ROSE WILCOX, Supervisors,
Maricopa County,

Respondents.

Case No. CV2008-002704
assigned to Hon. Larry Grant

ORDER, WRIT OF MANDAMUS, AND WRIT OF INJUNCTION

Upon reading the Petition and good cause appearing:

IT IS HEREBY ORDERED, that you, HELEN PURCELL, Maricopa County Recorder; and KAREN OSBORNE, Maricopa County Director of Elections; MARICOPA COUNTY BOARD OF SUPERVISORS, a body politic; FRAN MCCARROLL, Clerk, Maricopa County Board of Supervisors, FULTON BROCK, DON STAPLEY, ANDREW KUNASEK, MAX W. WILSON, MARY ROSE WILCOX, Supervisors, Maricopa County:

____ The hand count for the November 4 General Election in Maricopa County is invalidated as having failed to comply with the requirements of law.

____ The persons noted above shall accept those individuals so designated by the Maricopa County Libertarian Party as its election board members.

____ The persons noted above are required to permit participation by individuals so designated by the Maricopa County Libertarian Party in the hand count precinct and race selection process.

_____ The persons noted above are required to comply with A.R.S. § 16-602 (C) in all its particulars, including that the selection of precincts shall not begin until all ballots have been delivered to the central counting center and the unofficial vote total have been made public, that the precincts to be hand counted be randomly selected before the races to be counted are selected, and that the hand count shall be conducted at the central counting center.

____ The persons noted above are ordered to conduct the hand count again, as soon as practicable, and in compliance with the statutes, regulations, and the Court's orders.

____ The persons noted above are ordered to pay Petitioners' reasonable costs and expenses.

DATED this ____ day of November, 2008.

BY: _____
Judge, Maricopa County Superior Court