



MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL

ORAMEL H. (O.H.) SKINNER
SOLICITOR GENERAL
DIRECT PHONE No.: (602) 542-8327
O.H.SKINNER@AZAG.GOV

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President Karen Fann
Arizona State Senate
Capitol Complex
1700 West Washington
Phoenix, AZ 85007-2890

Speaker Russell Bowers
Arizona House of Representatives
Capitol Complex
1700 West Washington
Phoenix, AZ 85007-2890

Re: Pending Litigation Relating To A.R.S. § 15-716(C) and A.A.C. R7-2-303(A)(3)(b)(v)

Speaker Bowers and President Fann:

As you are likely aware, a lawsuit was recently filed in federal court against the State Superintendent of Public Instruction and the Arizona State Board of Education over the constitutionality of A.R.S. § 15-716(C) and A.A.C. R7-2-303(A)(3)(b)(v). The case is captioned: *Equality Arizona et al. v. Hoffman et al.*, No. 19-cv-00192 (D. Ariz.).

The State Superintendent of Public Instruction and the members of the Arizona State Board of Education are the defendants in the litigation; the State is not named. I write you today to inform you that the Attorney General does not intend to intervene in the litigation on behalf of the State.

This letter is intended to ensure that you have adequate time and information to make an informed decision about the Legislature's involvement in the above-captioned litigation. The Attorney General's decision to not intervene in no way prejudices the Legislature's ability to intervene in the litigation to present its own unique views and defenses (above and beyond the views and defenses offered by the State Superintendent of Public Instruction and the members of the Arizona State Board of Education as named defendants), which is consistent with historical practice.

Sincerely,

Oramel H. (O.H.) Skinner
Solicitor General

cc: Josh Kredit and Greg Jernigan