

1 Michael D. Kimerer (Bar #002492)
KIMERER & DERRICK, P.C.
2 1313 East Osborn Road, Suite 100
Phoenix, Arizona 85014
3 Telephone: 602/279-5900
Facsimile: 602/264-5566
4 MDK@kimerer.com

5 *Attorney for Tom Horne and*
Tom Horne for Attorney General Committee

6
7 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

8 In the Matter Of,

9 TOM HORNE, Tom Horne for Attorney
General Committee (SOS Filer ID 2010
10 00003); KATHLEEN WINN, Business
Leaders for Arizona (SOS Filer ID 2010
11 00375)

No. 13F-CF20120001-MCAO

**NOTICE OF SCHEDULING
CONFLICT**

Tammy L. Eigenheer
Administrative Law Judge

12
13 Undersigned counsel for Appellant Horne hereby files this Notice of Scheduling
14 Conflict in response to the Third Amended Notice of Hearing.

15 As noted at the last hearing in this matter the attorney for Appellant Horne anticipated
16 a scheduling conflict because of a month long trial that will commence in the Arizona Federal
17 District Court on March 5, 2013. The afternoon of February 25, 2013 has been scheduled by
18 the Federal Court for the Final Pre-Trial Conference and arguments on numerous Motions in
Limine.

19 It was mentioned at the last scheduling conference in this matter that there was the
20 likelihood that the hearing in this matter would have to be rescheduled because of the
21 probability the Federal trial would proceed as scheduled.

22 Appellant Horne's counsel will be available the morning of February 25, 2013 to
23 address this scheduling conflict.
24

