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**OFFICE OF THE YAVAPAI COUNTY ATTORNEY**  
**CAMPAIGN FINANCE PROCEEDING**

IN THE MATTER OF

TOM HORNE, individually; Tom Horne for  
Attorney General Committee (SOS Filer  
2010 00003); KATHLEEN WINN,  
individually; Business Leaders for Arizona  
(SOS Filer 2010 00375).

**NOTICE OF APPEAL/REQUEST  
FOR HEARING/ADDITIONAL  
GROUNDS FOR APPEAL**

Respondents hereby notice appeal of this matter and request a hearing pursuant to  
A.R.S. Section 16-924(A), 41-1092.03(B) and any applicable statutes.

For the “concise statement for the reasons for the appeal or request for a hearing,”  
Respondents incorporate by reference the Responses filed on this date, including the  
other documents incorporated by reference in that Response. This includes but is not  
limited to the reasons listed in Appellant Kathleen Winn Business Leaders for Arizona’s

1 List of Witnesses, Exhibits and points of law of December 5, 2013 (with the exception of  
2 (C)(1)(d) challenging the jurisdiction of the Maricopa County Attorney's Office),  
3 Appellant Kathleen Winn/Business Leaders for Arizona's List of Witnesses, Exhibits and  
4 points of law of February 27, 2013, and Appellant Kathleen Winn/Business Leaders for  
5 Arizona's Motion to Dismiss of March 5, 2013, which are attached.

6 As to the March 5, 2013 Motion to Dismiss, Appellants further note that the  
7 Arizona Court of Appeals has directed the trial court to take up the issue of whether the  
8 statutory contribution limits that are the basis of this case are unconstitutionally low, in  
9 the case of *Clean Elections Commission et al. v. Bennett et al.*, Arizona Court of Appeals  
10 Case # 1 CA-CV 13-0636, Maricopa County Superior Court Case # CV2013-010338.  
11 Senate President Andy Biggs and House Speaker Andy Tobin have exercised their  
12 statutory right to be a party in that litigation and have taken the position that the  
13 contribution limits that form the basis for this case are unconstitutionally low.

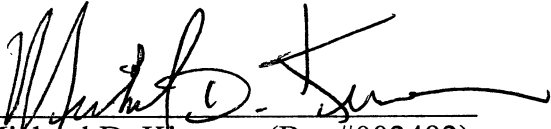
14 In addition, the statutory definition of "political committee", which is necessary  
15 for this case to proceed has been declared to be unconstitutionally vague by the United  
16 States District Court for the District of Arizona in the case of *Galassini v. Town of*  
17 *Fountain Hills, et al.*, case # CV 11-2097-PHX-JAT. An injunction is expected to be  
18 issued in that case any day now.

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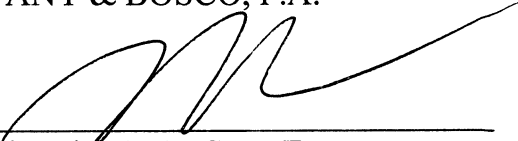
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DATED this 31<sup>st</sup> day of October, 2013.

KIMERER & DERRICK, P.C.

By   
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*Counsel for Kathleen Winn and BLA*

ORIGINAL of the forgoing hand-delivered  
this 31<sup>st</sup> day of October, 2013, to:

Sheila Sullivan Polk  
Yavapai County Attorney  
255 East Gurley Street  
Prescott, AZ 86301

By: \_\_\_\_\_