

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

8 *Attorney for Tom Horne and*
9 *Tom Horne for Attorney General Committee*

10 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

11 In the Matter Of,

12 Case No. 14F-001-AAG

13 TOM HORNE, Tom Horne for Attorney
14 General Committee (SOS Filer ID 2010
15 00003); KATHLEEN WINN, Business
16 Leaders for Arizona (SOS Filer ID 2010
17 00375)

18 **MOTION FOR LEAVE TO FILE
19 NOTICE OF JOINDER BY TOM
20 HORNE AND TOM HORNE FOR
21 ATTORNEY GENERAL
22 COMMITTEE TO KATHLEEN
23 WINN'S MOTION TO DISMISS
24 FILED FEBRUARY 6, 2014**

Tom Horne and the Tom Horne for Attorney General Committee (hereinafter referred to as "Horne"), by and through undersigned counsel, hereby requests leave of Court to submit a Notice of Joinder to the Motion to Dismiss filed by Kathleen Winn and Business Leaders for Arizona on February 6, 2014. The Horne parties were intended as parties to the Motion to Dismiss filed by Kathleen Winn. However, due to a clerical error on counsel's part, the Horne parties were excluded from the filing. Counsel had intended and believed it had timely filed a Notice of Joinder in this Motion and, upon the Court's Order Denying the Motion to Dismiss, the oversight was realized.

Based upon the clerical error and oversight of counsel, the Horne Parties are now seeking this Court's leave to grant the Notice of Joinder filed (Document #76) to the Motion to Dismiss filed by Kathleen Winn on February 6, 2014.

//

//

1 RESPECTFULLY SUBMITTED this 6th day of March, 2014.

2 ***KIMERER & DERRICK, P.C.***

3 /s/ Michael D. Kimerer

4 Michael D. Kimerer

5 ***Attorney for Tom Horne and***

Tom Horne for Attorney General Committee

6 ORIGINAL OF THE FOREGOING

7 electronically filed this 6th day of March, 2014,
8 and submitted to:

9 Honorable Tammy Eigenheer
10 Administrative Law Judge
11 ARIZONA OFFICE OF ADMINISTRATIVE
12 HEARINGS
13 1400 West Washington Street, Suite 101
14 Phoenix, Arizona 85007
15 casemanagement@azoah.com

16 COPIES of the foregoing served via OAH
17 electronic filing this 6th day of March, 2014, to:

18 Jack Fields
19 Benjamin Kreutzberg
20 Yavapai County Attorney's Office
21 225 East Gurley Street
22 Prescott, Arizona 86301
23 Jack.fields@yavapai.us
24 Ben.Kreutzberg@yavapai.us
Attorneys for Appellee

Timothy A. La Sota (**WINN**)
TIFFANY & BOSCO, P.A.
2525 East Camelback Road, Third Floor
Phoenix, Arizona 85016-4237
tal@tblaw.com

M.E. "Buddy" Rake
RAKE LAW GROUP, PC
2701 East Camelback Road, #160
Phoenix, AZ 85016

By: /s/Melissa M. Wallingsford