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10			
11	IN THE UNITED STATES DISTRICT COURT		
12	FOR THE STATE OF ARIZONA		
13	MARTIN H. ESCOBAR,		
14	plaintiff,	No. CV 10-249 TUC SRB	
15	V.)	MOTION TO CONSOLIDATE	
16	JAN BREWER, Governor of) the State of Arizona, in her		
17	i Otticiai and individual (
18	Capacity, and the CITY of TUCSON, a municipal corporation,		
19 20	defendants.		
21	CITY OF TUCSON.		
22	CITY OF TUCSON, a municipal corporation,		
23	cross-plaintiff,		
24	v. (
25	THE STATE OF ARIZONA, a body politic; and JAN		
26	a body politic; and JAN BREWER, in her capacity as the Governor of the		
27	State of Arizona,		
28	cross-defendants.		

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28

THE UNITED STATES OF AMERICA.

plaintiff,

THE STATE OF ARIZONA a body politic; and JANICE K. BREWER, Govenor of The State of Arizona, in her Official Capacity,

defendants.

No. CV 10-1413 PHX SRB

Pursuant to Fed. R. Civ. P. 42(a)(2) and LR Civ. 42.1(b), Plaintiff Martin H. Escobar hereby moves to consolidate this action with *United States of America v.* State of Arizona and Janice K. Brewer, Governor of the State of Arizona No. CV 10-1413 PHX SRB, for all purposes.¹

All of the identified cases arise from the enactment of the "Support Our Law Enforcement and Safe Neighborhoods Act," Arizona Senate Bill 1070, as amended by Arizona House Bill 2162 ("SB 1070"), and assert the same central claim, that the Act is preempted by federal immigration law.

The identified actions also seek the same relief, namely, preliminary and permanent injunctions enjoining the enforcement of the Act.²

Consolidation of the three actions results in a number of benefits, including avoiding duplication of effort, a reduction in time, legal fees and costs, and will simplify the adjudication of the underlying legal dispute.

Accordingly, for the foregoing reasons, Plaintiff Martin Escobar respectfully urges that this matter his case be consolidated with *United States of America v. State*

¹ Plaintiff also joins in the motion to consolidate filed in *Salgado and Chicanos Por La Causa, Inc.*, CV 10-00951 PHX SRB, CD. No. 84, filed on July 16, 2010. Plaintiff had previously filed a motion to consolidate with the *Salgado* case on June 4, 2010. CD No. 20 20.

² Escobar motion for preliminary injunction is currently pending with a response due on August 10, 2010. See; CD Nos. 71 & 78.

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1	of Arizona, and Janice K. Brewer, No. CV 10-1413 PHX SRB.		
2	Respectfully submitted this 21 st day of July 2010.		
3			
4	<u>s/Richard M. Martinez, Esq.</u> Richard M. Martinez, Esq.		
5	Stephen Montoya		
6	Stephen Montoya Augustine B. Jimenez III 3200 North Central Avenue, Suite 2550 Phoenix, Arizona 85012-2490		
7	Counsel for Plaintiff		
8			
9	Contitionation of Compies		
10	Certification of Service		
1112	I hereby certify that on July 21, 2010, I electronically transmitted the foregoing document to the Clerk of Court using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the CM/ECF registrants on record.		
13	<u>s/Richard M. Martinez, Esq.</u> Richard M. Martinez, Esq.		
14	Richard M. Martinez, Esq.		
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5	IN THE UNIT	ED STATES DISTRICT COURT
6	FOR THE STATE OF ARIZONA	
7	MARTIN H. ESCOBAR,	
8	plaintiff,	No. CV 10-249 TUC SRB
9	V. (ORDER (Proposed)
10	JAN BREWER, Governor of	ONDER (1 10posed)
11	the State of Arizona, in her Official and Individual	
12	Capacity, and the CITY of TUCSON, a municipal corporation,	
13	defendants.	
14	——	
15	CITY OF TUCSON, a municipal corporation,	
16	cross-plaintiff,	
17	V. (
18 19	THE STATE OF ARIZONA,	
20	a body politic; and JAN BREWER, in her capacity as the Governor of the	
21	State of Arizona,	
22	cross-defendants.	
23	THE UNITED STATES OF AMERICA,	N - 0 / 40 4 440 DUV ODD
24	plaintiff,	No. CV 10-1413 PHX SRB
25	V	
26 27	THE STATE OF ARIZONA, a body politic; and JANICE K. BREWER, Govenor of The State of Arizona, in her	
28	Official Capacity, defendants.	
	uciciluanis.	1

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Based upon Plaintiff's motion pursuant to Rule 42, F.R.C.P. and LRCiv. 42.1 to consolidate with the *United States of America v. State of Arizona and Janice K. Brewer*, Governor of the State of Arizona, No. CV 10-1413 PHX SRB, for all purposes, and good cause appearing, therefore, It Is Here By Ordered that:

1. Plaintiff's request is GRANTED and No. CIV 10-249 TUC SRB is consolidated for all purposes with CIV 10-1413 PHX SRB.

Dated this ____ day of July 2010.

Susan R. Bolton United States District Court Judge