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**UNITED STATES DISTRICT COURT**

**DISTRICT OF ARIZONA**

Manuel de Jesus Ortega Melendres, et al.,  
  
Plaintiffs,  
  
v.  
  
Joseph M. Arpaio, et al.,  
  
Defendants.

NO. CV 07-02513-PHX-GMS

**Defendant Arpaio and Maricopa  
County's Proposed Revisions to the  
Supplemental Permanent  
Injunction/Judgment Order**

Defendants Joseph M. Arpaio and Maricopa County, pursuant to this  
Court's Order of July 20, 2015, submit their proposed revisions to the Supplemental  
Permanent Injunction/ Judgment Order [Doc. 606].

1           On July 8, 2015, the Ninth Circuit issued its Mandate vacating certain  
2 provisions of the Supplemental Permanent Injunction/Judgment Order that were not  
3 narrowly tailored to addressing only the relevant violations of federal law at issue in this  
4 case. The Court vacated, without specifically delineating, those particular provisions of  
5 the District Court's Order and further ordered the District Court to tailor its Order so as to  
6 address only the constitutional violations at issue. *Melendres v. Arpaio*, 784 F.3 1254,  
7 1267 (9th Cir. 2015).

8           It appears that the Ninth Circuit vacated subsections (i) and (j) of paragraph  
9 136 of the Court's Supplemental Permanent Injunction/Judgment Order as being  
10 overbroad. Defendant Arpaio submits the following revisions to subsections (i) and (j) of  
11 paragraph 136 to narrowly tailor the relief to address the relevant violations of federal law  
12 at issue in this case as follows:

- 13           i.   disciplinary outcomes for any ~~violations of departmental~~  
14           ~~policy~~ Fourth and/or Fourteenth Amendment violations,  
15           provided such violations involve issues related to  
16           Discriminatory Policing as defined in this Order.  
17           j.   whether any Deputies are the subject of repeated ~~misconduct~~  
18           Complaints, civil suits, or criminal charges, alleging Fourth  
19           and/or Fourteenth Amendment violations and where such  
20           violations involve issues related to Discriminatory Policing as  
21           defined in this Order.

22           Defendants respectfully propose that the Court amend and restate the  
23 Supplemental Permanent Injunction/Judgment Order [Doc. 606] in accordance with the  
24 revisions described above as to paragraph 136 (i) and (j).  
25  
26  
27  
28

1 DATED this 29<sup>th</sup> day of July, 2015.

2 JONES, SKELTON & HOCHULI, P.L.C.

3  
4 By /s/ John T. Masterson

5 John T. Masterson  
6 Joseph J. Popolizio  
7 Justin M. Ackerman  
8 2901 North Central Avenue, Suite 800  
9 Phoenix, Arizona 85012  
10 Attorneys for Defendant Joseph M. Arpaio  
11 and the Maricopa County Sheriff's Office

12 DATED this 29<sup>th</sup> day of July, 2015.

13 WALKER & PESKIND, PLLC

14 By /s/ John T. Masterson (w/permission from)

15 Richard K. Walker  
16 16100 North 71<sup>st</sup> Street  
17 Scottsdale, AZ 85254  
18 Attorney for Maricopa County

19 DATED this 29<sup>th</sup> day of July, 2015.

20 IAFRATE & ASSOCIATES

21 By /s/ John T. Masterson (w/permission from)

22 Michele M. Iafrate  
23 649 North Second Avenue  
24 Phoenix, Arizona 85003  
25 Attorneys for Defendant Joseph M. Arpaio  
26 in his official capacity as Sheriff of  
27 Maricopa County  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of July, 2015, I caused the foregoing document to be filed electronically with the Clerk of Court through the CM/ECF System for filing; and served on counsel of record via the Court's CM/ECF system.

/s/ Ginger Stahly