



Maricopa County Sheriff's Office

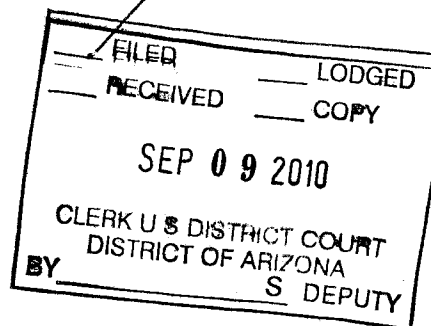
Joe Arpaio
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September 9, 2010

Honorable G. Murray Snow
United States District Court
Sandra Day O'Connor U.S. Courthouse, Suite 622
401 West Washington Street, SPC 80
Phoenix, AZ 85003-2156



Re: Manuel De Jesus Ortega Melendres, et al. v. Joseph M. Arpaio, et al.; CV-07-2513-PHX-GMS

Dear Judge Snow:

I write to notify you of some recent developments in this case concerning my representation and the representation of my office.

As you are aware, my prior counsel Tim Casey (who has represented me and my office since the inception of this lawsuit) was required to withdraw upon the filing of the motion for order to show cause and leave to take additional discovery by my office. My office was compelled to file that motion because Maricopa County and its Office of Enterprise and Technology secretly archived the emails of my office without my knowledge or permission. To compound the problem, the County purposefully hid the existence of these emails from my office, the plaintiffs and this Court, for over a year without justification, thereby subjecting my office to potential sanctions.

Following Mr. Casey's withdrawal, Mr. Stewart and the County's Special Litigation Department have taken the position that the County's internal law firm represents me and my office in this lawsuit with respect to all matters except the order to show cause. I have not and do not consent to the County representing me or my office in this case. In fact, my office has repeatedly notified the County and the Special Litigation Department of indisputable conflicts of interest which prohibits them from representing me or my office. Because of concerns about these conflicts, my office made specific objections and gave instructions to Mr. Stewart that no one from his office was to make an appearance in this matter on behalf of me or my office. The County, however, ignored my instructions and attorneys Tom Liddy and Maria Brandon made appearances in this case.

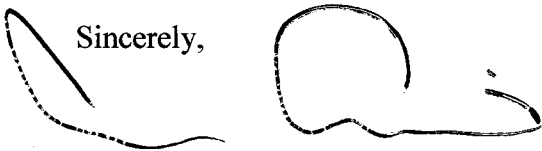
The County also has filed papers in this Court over my office's express objections. On September 2, 2010, the County submitted a report regarding the procedures for the selection of counsel in County matters. I objected to the County's reported and instructed them not to file the

pleading with this Court. The County filed the report despite my specific instructions. The report filed by the County did not represent my views or the position of my office.

My office has tried to work with the County to resolve the conflicts in this case. My office has repeatedly asked the County to waive any conflict with Mr. Casey in order to allow him to reenter his appearance. To date, the County has not provided a waiver for Mr. Casey and has stated that the Board of Supervisors must formally approve the waiver. The Board has had several meeting since the waiver issue was presented to the County but has not addressed the waiver for Mr. Casey or notified me when the County will make a decision on that issue. The County's refusal to provide a waiver to Mr. Casey is troubling given that the County has inexplicably retained (without a formal vote by the Board), for the purpose of the order to show cause, the very attorney who filed this lawsuit against the County and my office in the first place—Julie Pace.

Until the conflict issue with Mr. Casey is resolved and/or until I can comfortably receive conflict-free advice from counsel who will follow my instructions, I cannot consent to be represented by the County or any of its law departments. The attorneys for the County, including Mr. Liddy and Ms. Brandon, do not have authorization to speak on behalf of myself or my office or submit any pleadings or papers on our behalf.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph M. Arpaio', with a large, stylized 'A' and a long, sweeping underline.

Joseph M. Arpaio

Sheriff