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IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF ARIZONA

Manuel de Jesus Ortega Melendres, et al,  
Plaintiffs,

And

United States of America,

Plaintiff-Intervenor,

vs.

Joseph M. Arpaio, et al.,

Defendants.

**CASE NO.: 2:07-CV-02513-GMS**

**DEFENDANT MARICOPA COUNTY'S  
MOTION FOR JUDICIAL NOTICE OF  
COSTS INCURRED**

[Assigned to Judge G. Murray Snow]

Defendant MARICOPA COUNTY (“the County”),<sup>1</sup> hereby respectfully moves  
this Court, pursuant to Rule 201(b)(2) and (c)(2) of the Federal Rules of Evidence, to take

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<sup>1</sup> “Maricopa County” and “The County,” as used herein, are intended to refer to that “body politic and corporate” created by Article XII, § 1 of the Arizona Constitution and A.R.S. § 11-202 (A), and to that portion of the government of Maricopa County embodied in the Maricopa County Board of Supervisors, the Maricopa County Manager, and those appointed officials and employees of The County who serve under the supervision and direction of the foregoing. The phrases are not intended, and should not be construed, to refer to any other Maricopa County officer whose office is filled by the

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judicial notice of certain costs imposed in the course of this litigation. In particular, the County requests that the Court take judicial notice of the costs billed by the court-appointed Monitor and ordered by the Court to be paid. A summary of the invoices and the invoices themselves reflecting these costs, cumulatively totaling \$4,226,480.99, is attached hereto as Exhibit “A.” Also attached as Exhibit “B” are this Court’s Orders requiring payment of the Monitor’s invoices (Docs. 606 (excerpt), 696, 741, 1048, 1065, 1155, 1169, 1187, 1253, 1404, and 1492). In addition to costs incurred in connection with the Monitor’s activities, the County requests that the Court take judicial notice of the fees and nontaxable costs it has awarded to Plaintiffs to date in this action. Such awards, cumulatively totaling \$4,533,948.40, are reflected in Docs. 461 and 742, copies of which are attached hereto as Exhibit “C.”

Rule 201(b)(2) expressly permits courts to take judicial notice of facts not subject to reasonable dispute because they “can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b)(2). Rule 201(c)(2) requires the taking of judicial notice of facts “if a party requests it and the court is supplied with the necessary information.” Fed. R. Evid. 201(c)(2). It is well established that courts are authorized to take judicial notice of their own orders and records. *See Blas v. Talabera*, 318 F.2d 617 (9<sup>th</sup> Cir. 1963); see also CHARLES ALAN WRIGHT & KENNETH W. GRAHAM, JR., FEDERAL PRACTICE & PROCEDURE § 5106.4 (2d

electoral process as provided in the Arizona Constitution (Constitutional Officers), or to any of the officials and other employees of The County who serve under the supervision and direction of such Constitutional Officers.

ed. 2005) (Judicial records are sources of “reasonably indisputable accuracy” when they record judicial action.).

Accordingly, the County respectfully submits that the Monitor’s invoices to date, the Court’s Orders pertaining to the payment of such invoices, and the Court’s Orders to date awarding fees and costs to the Plaintiffs herein are the proper subjects of judicial notice pursuant to Rule 201(b)(2) of the Federal Rules of Evidence. Further, the County asserts that, as a result of the foregoing and pursuant to Rule 201(c)(2) of the Federal Rules of Evidence, the Court must take judicial notice of Exhibits “A,” “B,” and “C” hereto and their respective contents.

DATED this 16<sup>th</sup> day of November, 2015.

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By: /s/ Richard K. Walker  
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#### NOTICE OF ELECTRONIC FILING AND CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2015, I electronically filed the Defendant Maricopa County’s Motion for Judicial Notice of Costs Incurred, with the Clerk of the Court for filing and uploading to the CM/ECF system which will send notification of such filing to all parties of record.

/s/ Michelle Giordano