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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Manuel de Jesus Ortega Melendres, on  
behalf of himself and all others similarly  
situated; et al.

Plaintiffs,

and

United States of America,

Plaintiff-Intervenor,

v.

Joseph M. Arpaio, in his official capacity as  
Sheriff of Maricopa County, Arizona; et al.

Defendants.

No. CV-07-2513-PHX-GMS

**AMENDED ORDER**

On June 14, 2016, the Parties submitted their Joint Memorandum Re: Internal Investigations (Doc. 1715), in which Plaintiffs requested leave to file a response brief “if helpful to the Court’s considerations of the matters [therein],” and Defendants requested leave to reply, should Plaintiff’s leave be granted. The Court grants both parties’ requests. Plaintiffs’ response brief will be due on Thursday, June 23 at noon, and Defendants’ reply brief will be due on Thursday, June 30 at noon.

The hearing scheduled for tomorrow, June 17, is vacated. A hearing is scheduled for July 8 at 9:00 a.m.

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1           The Court is inclined to adopt the procedure suggested by Defendants regarding  
2 the appointment of independent third parties, with the caveat that if that procedure does  
3 not produce candidates acceptable to the Court, the Court reserves the right to appoint  
4 persons of its own choosing. Plaintiffs and Defendants will each nominate three  
5 candidates and exchange their candidate lists by 5 pm on Thursday, June 30. Each side  
6 has the right to strike two of the other side's candidates. Each side will exchange their  
7 respective strikes by 5 pm on Thursday, July 7. The parties will therefore be prepared to  
8 submit the remaining nominees to the Court (without identifying which Party nominated  
9 each candidate) at the July 8 meeting. If Plaintiffs have any objection to this procedure,  
10 they should file their objection with the Court immediately.

11           Moreover, because it may be necessary to appoint an independent disciplinary  
12 officer as well as a separate independent investigator, the Court orders the parties to  
13 complete the nomination and striking process for *both* of these two positions.

14           All nominees must be vetted by the nominating Party, must be eligible to serve,  
15 must be able to begin service immediately, and must have the resources to handle the  
16 matter efficiently. Nominees for the independent investigator position must have  
17 experience in internal affairs investigations. Nominees for the independent disciplinary  
18 officer must have experience in both legal and law enforcement practices or must be a  
19 retired judge. Nominees for both positions may or may not reside in Arizona and may or  
20 may not have worked in Arizona.

21           **IT IS HEREBY ORDERED** that the hearing set for June 17, 2016 is vacated and  
22 reset for **July 8, 2016 at 9:00 a.m.** No other deadlines fixed in this action shall be  
23 extended.

24           **IT IS FURTHER ORDERED** that Plaintiffs may file a response brief, not to  
25 exceed 10 pages, by **Thursday, June 23, 2016 at noon**, and Defendants may file a reply  
26 brief, not to exceed 10 pages, by **Thursday, June 30, 2016 at noon**.


27           **IT IS FURTHER ORDERED** that Plaintiffs and Defendants will each nominate  
28 three candidates and exchange their candidate lists by **5:00 pm on Thursday, June 30,**

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**2016.**

**IT IS FURTHER ORDERED** that Plaintiffs and Defendants will exchange their respective strikes by **5 pm on Thursday, July 7, 2016.**

Dated this 16th day of June, 2016.

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Honorable G. Murray Snow  
United States District Judge