

FILED

FEB 28 2008

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

CHICANOS POR LA CAUSA, INC.; et
al.,

Plaintiffs - Appellants,

and

ARIZONA EMPLOYERS FOR
IMMIGRATION REFORM, INC.; et al.,

Plaintiffs - Appellants,

v.

JANET NAPOLITANO; et al.,

Defendants - Appellees.

Nos. 07-17272, 07-17274

D.C. No. CV-07-01355-NVW
District of Arizona,
Phoenix

07-17272, 07-17274, 08-15357, 08-15359, 08-15360

ARIZONA CONTRACTORS
ASSOCIATION, INC.; et al.,

Plaintiffs - Appellants,

and

VALLE DEL SOL; et al.,

Plaintiffs - Appellants,

and

WAKE UP ARIZONA!, INC.; et al.,

Plaintiffs - Appellants,
v.

CRISS CANDELARIA; et al.,

Defendants - Appellees.

Nos. 08-15357, 08-15359,
08-15360

D.C. Nos. CV-07-02496-NVW
CV-07-02518-NVW
District of Arizona,
Phoenix

ORDER

Before: WALLACE, LEAVY and RYMER, Circuit Judges.

Appellants in these consolidated cases challenge the Legal Arizona Workers Act, Ariz. Rev. Stat. §§ 23-211 through 23-214. These consolidated appeals shall be heard on an expedited basis.

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Appellants have filed several emergency motions seeking an injunction that would prohibit the state or its agents from implementing or enforcing the statute during the pendency of the appeals.

Balancing the seriousness of the legal questions presented, the likelihood of success on the merits, the possibility of irreparable injury to appellants, and the evidence of hardship to both sides, we conclude the appellants have not shown that the case warrants a grant of temporary relief during the pendency of these expedited appeals. *See Golden Gate Restaurant Ass'n v. City and County of San Francisco*, 512 F.3d 1112, 1115 (9th Cir. 2008). We therefore deny appellants' emergency motions for an injunction pending appeal.

The renewed motions of appellants Chicanos Por La Causa, Inc. and Wake Up Arizona!, Inc. for leave to file supplemental briefs in support of the emergency motion for injunction pending appeal are granted.

Appellant Wake Up Arizona!, Inc.'s motion to join in the emergency motion filed by Arizona Contractors Association, Inc. is granted.

The motions of appellees Andrew Thomas, Fidelis Garcia, Gale Garriott and Terry Goddard to file responses to the emergency motion in excess of 20 pages are granted. The various County Attorney appellees' motions to join in Mr. Thomas' response are also granted.

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All other pending motions are denied as moot.

The previously-established briefing schedule remains in effect, and is reprinted here for the parties' convenience: The consolidated opening briefs and excerpts of record are due March 31, 2008; the consolidated answering brief is due April 29, 2008; and the consolidated optional reply brief is due within 14 days after service of the answering brief. All parties on a side are encouraged to join in a single brief to the greatest extent practicable. *See* 9th Cir. R. 28-4.