

1 Gary S. McCaleb, Bar No. 018848  
2 Alliance Defense Fund<sup>1</sup>  
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7 **IN THE SUPREME COURT**  
8 **STATE OF ARIZONA**

9 **IN THE MATTER OF:**

10 **PETITION TO AMEND ER 8.4,**  
11 **RULE 42, ARIZONA RULES OF**  
12 **THE SUPREME COURT**

13 Supreme Court No. R-10-0031

14 **Addendum to Concerned Attorneys’**  
15 **Comment to Petition to Amend ER 8.4,**  
16 **Rule 42, Arizona Rules of the Supreme**  
17 **Court**

18 On July 15, 2011, I submitted a Comment opposing the Petition to Amend  
19 ER 8.4, Rule 42, Arizona Rules of the Supreme Court, the effect of which would  
20 be to treat “bias or prejudice” respecting (among other things) “sexual  
21 orientation” or “gender identity or expression” as professional misconduct, and  
22 spoke on behalf of dozens of attorneys who opposed the Petition.

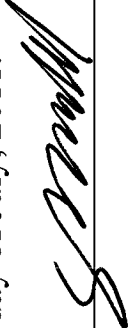
23 A number of attorneys have since requested to be added as signatories who  
24 also oppose the proposed change in ER 8.4. And I note two clerical errors in the  
25 original filing, in that attorney Stephen C. Rogers (AZ Bar No. 022667) was

26 <sup>1</sup> Firm information is provided for identity only; the concerned attorneys assert their  
position on their own behalf and not on behalf of any organization with which they may  
be affiliated.

1 inadvertently listed twice as a supporting attorney, and “petition” was misspelled in  
2 the caption.  
3

4 Today I respectfully submit an updated list of attorneys who have authorized  
5 me to affirm their opposition to the Petition, per the previously submitted  
6 Comment. Those whose names have been added since the original filing are  
7 denoted with an asterisk (\*), and the redundant entry has been eliminated.  
8

9 Respectfully submitted this 20th day of July, 2011.

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12 Gary S. McCaleb (AZ Bar No. 018848)

13 On behalf of:

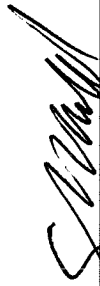
14 William A. Harrell (AZ Bar No. 001885)  
15 Douglas L. Irish (AZ Bar No. 002288)\*  
16 Wallace L. Larson (AZ Bar No. 002295)  
17 Steven B. Yarbrough (AZ Bar No. 002981)  
18 Dale Anderson (AZ Bar No. 003647)  
19 Robert E. Brown (AZ Bar No. 003765)\*  
20 Steve Twist (AZ Bar No. 004081)\*  
21 David J. Harowitz (AZ Bar No. 004561)\*  
22 David R. Cole (AZ Bar No. 004643)  
23 Gail F. Jansen (AZ Bar No. 005183)\*  
24 Mark C. Schmitt (AZ Bar No. 005502)  
25 John J. Jakubczyk (AZ Bar No. 005894)  
26 James Richardson (AZ Bar No. 006715)  
John Politan (AZ Bar No. 007117)  
Kenneth W. Schutt, Jr. (AZ Bar No. 007497)  
Cathi Herrod (AZ Bar No. 009115)  
James W. Kaucher (AZ Bar No. 009154)  
Benjamin W. Bull (AZ Bar No. 009940)  
James T. Braselton (AZ Bar No. 010788)  
Steven D. Keist (AZ Bar No. 011251)

1 John C. Vryhof (AZ Bar No. 011341)\*  
2 Alan Sears (AZ Bar No. 011702)  
3 Tami L. Fitzgerald (AZ Bar No. 011852)  
4 John A. Gulick III (AZ Bar No. 011873)\*  
5 Steve C. Thornton (AZ Bar No. 012386)  
6 Brian R. Warnock (AZ Bar No. 012400)  
7 Lynn Eric Goar (AZ Bar No. 012484)  
8 David P. Brooks (AZ Bar No. 012645)  
9 Timothy J. Casey (AZ Bar No. 013492)  
10 Jixiang Jennifer Huang (AZ Bar No. 014484)  
11 Bert Moll (AZ Bar No. 15200)\*  
12 Timothy P. Remick (AZ Bar No. 015529)\*  
13 David T. Maddox (AZ Bar No. 015889)  
14 Mark Lassiter (AZ Bar No. 016241)\*  
15 Robynn Allveri (AZ Bar No. 018091)\*  
16 Bradley L. Hahn (AZ Bar No. 018381)  
17 Timothy J. Watson (AZ Bar No. 18685)  
18 Rachel Alexander (AZ Bar No. 020092)  
19 Eric Post (AZ Bar No. 020267)  
20 Christy Smith (AZ Bar No. 020602)  
21 André E. Carman (AZ Bar No. 021448)  
22 David R. Farney (AZ Bar No. 021477)\*  
23 Joshua W. Carden (AZ Bar No. 021698)\*  
24 Krista Carman (AZ Bar No. 021700)  
25 Stephen C. Rogers (AZ Bar No. 022667)  
26 Dale Schowengerdt (AZ Bar No. 022684)  
Richard W. Tobin II (AZ Bar No. 022725)  
Nathan W. Anderson (AZ Bar No. 022802)\*  
Glen Lavy (AZ Bar No. 022922)  
Christopher J. Charles (AZ Bar No. 023148)\*  
Jason J. Romero (AZ Bar No. 023429)\*  
Jeremy D. Tedesco (AZ Bar No. 023497)\*  
Glendon McCarthy (AZ Bar No. 024091)  
Byron J. Babione (AZ Bar No. 024320)  
Jeffrey W. Johnson (AZ Bar No. 024435)\*  
Travis C. Barham (AZ Bar No. 024867)  
Francisco P. Sirvent (AZ Bar No. 025001)  
Brett Harvey (AZ Bar No. 025120)  
Christopher R. Stovall (AZ Bar No. 025127)

1 Jaelyn Billings (AZ Bar No. 025525)\*  
2 Macie J. Hawkes (AZ Bar No. 026012)\*  
3 James A. Campbell (AZ Bar No. 026737)  
4 Kendra Campbell (AZ Bar No. 026942)  
5 Dennis Caufield (AZ Bar No. 026980)  
6 Abigail Toth (AZ Bar No. 027219)  
7 Edwin G. Anderson (AZ Bar No. 027292)  
8 Douglas Napier (AZ Bar No. 027706)\*  
9 Lisa Reschetnikow (AZ Bar No. 027801)  
10 Benjamin Eid (AZ Bar No. 028148)  
11 Amy L. D. Boyle, (AZ Bar No. 028302)  
12 Jackson Walsh (AZ Bar No. 028483)

13 Electronic copy filed with the Clerk of the Supreme Court of Arizona  
14 this 20th day of July, 2011,

15 By:

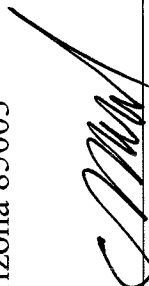
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17 \_\_\_\_\_  
18 Gary S. McCaleb

19 A copy of this Addendum was mailed this 20th day of July, 2011 to:

20 John A. Furlong  
21 General Counsel  
22 State Bar of Arizona  
23 4201 N. 24st Street, Suite 200  
24 Phoenix, Arizona 85016

25 Mark C. Faull  
26 Chief Deputy  
27 Maricopa County Attorney's Office  
28 301 W. Jefferson Street, Suite 800  
29 Phoenix, Arizona 85003

30 By:

31   
32 \_\_\_\_\_  
33 Gary S. McCaleb