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7 *Attorney for Plaintiffs*

8 **SUPERIOR COURT OF ARIZONA**  
9 **PIMA COUNTY**

10 **RAFAEL "RAY" A. IHLY, et al.,**

No. C20221370

11 Plaintiffs,

**ORDER**

12 vs.

(Assigned to the Honorable  
Greg Sakall)

13 **SHELLY KAIS, as putative Chairwoman of the**  
14 **Pima County Republican Committee,**

15 Defendant.

16 This matter having come before the Court on the parties notice of settlement of this  
17 cause of action and joint motion to dismiss this matter pursuant to the settlement, IT IS  
18 **HEREBY ORDERED** dismissing this matter.

19 **IT IS FURTHER ORDERED** that each side is to bear its own costs and attorney's fees.

20 **IT IS FURTHER ORDERED** vacating all pending hearings.

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24 **HON. GREG SAKALL**  
25 (ID: 5a739a27-b01f-4a49-9d37-fd1477ec249c)  
26  
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28

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7 *Attorney for Plaintiffs*

8 **SUPERIOR COURT OF ARIZONA**  
9 **MARICOPA COUNTY**

10 **RAFAEL "RAY" A. IHL Y, et al.,**

11 **Plaintiffs,**

12 **vs.**

13 **SHELLY KAIS, as putative Chairwoman of the**  
14 **Pima County Republican Committee,**

15 **Defendant.**

No. C20221370

HON. GREG SAKALL  
**JOINT NOTICE OF  
SETTLEMENT AND  
STIPULATION FOR  
DISMISSAL**

(Assigned to the Honorable  
Greg Sakall)

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24 The parties hereby give notice of settlement in this matter (attached as Exhibit A).

25 The parties jointly move that this Court dismiss this matter pursuant to the settlement,  
26 with each side to bear its own costs and attorney's fees.  
27  
28



1 RESPECTFULLY SUBMITTED this 27<sup>th</sup> day of March, 2023.

2 **TIMOTHY A. LA SOTA, PLC**

3 By: /s/ Timothy A. La Sota  
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6 Phoenix, Arizona 85016  
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9 *Attorney for Plaintiffs*

10 **MUNGER, CHADWICK & DENKER, P.L.C.**

11 By: /s/ Andrew H. Barbour  
12 Andrew H. Barbour  
13 333 N. Wilmot, Suite 300  
14 Tucson, Arizona 85711  
15 520-721-1900 ext. 211 (office)  
16 520-747-1550 (fax)  
17 ahbarbour@mcdplc.com  
18 *Attorneys for Defendant Dave Smith,*  
19 *Chairperson of the Pima County Republican*  
20 *Party, succeeding Shelly Kais*

21 I hereby certify that on March 27, 2023, I caused the foregoing document to be  
22 filed with the Pima County Superior Court Clerk via the Turbo Court E-file  
23 system.

24 I hereby certify that on March 27, 2023, I caused the following parties or persons  
25 to be served via first class mail:

26 Andrew H. Barbour  
27 MUNGER, CHADWICK & DENKER. P.L.C.  
28 333 N. Wilmot, Suite 300  
Tucson, Arizona 85711  
ahbarbour@mcdplc.com  
*Attorneys for Defendant Dave Smith,*  
*Chairperson of the Pima County Republican*  
*Party, succeeding Shelly Kais*

/s/ Timothy A. La Sota

# EXHIBIT A



## **SETTLEMENT AGREEMENT**

WHEREAS, officers and precinct committeepersons of Legislative District 19 Republican Party Committee ("District 19 RPC"), the chairman of the Cochise County Republican Party, and the chairman of the Greenlee County Republican Party (together, "the Plaintiffs") filed suit in Pima County Superior Court Case No. C20221370 ("the Litigation") against defendant Shelly Kais in her capacity as Chairwoman of the Pima County Republican Party ("PCRP"), seeking injunctive and declaratory relief as to certain *ultra vires* actions undertaken by Chairwoman Kais purporting to bind District 19 RPC; and

WHEREAS, Dave Smith ("Smith") succeeded to Ms. Kais as Chairperson of the PCRP, and thus, succeeded to Ms. Kais as the defendant in the Litigation; and

WHEREAS, Smith, in his capacity as PCRP Chairperson, and the Plaintiffs, have reached amicable settlement of the matters disputed in the Litigation;

Smith and the Plaintiffs hereby agree as follows:

1. District 19 RPC and PCRP jointly recognize District 19 RPC as the only lawful Republican Party Committee for Arizona Legislative District 19, and jointly recognize that the duly-elected officers of District 19 RPC are the only persons competent to take action on behalf of District 19 RPC.
2. District 19 RPC and PCRP recognize that any efforts to usurp the functions of District 19 RPC by Defendant Kais were and are unlawful, null and void, and of no legal effect.
3. Neither Smith, nor his successors as Chairperson of PCRP, shall take any further actions to usurp the proper functions of District 19 RPC, including, but not limited to making any representations that another organizational meeting for District 19 RPC will occur, and taking any steps to effectuate such unlawful organizational meeting.
4. In accordance with A.R.S. Section 16-823, paragraphs B and C, the duly-formed District 19 RPC is independent of any County-level party organization, and PCRP has no statutory or other authority to interfere in the affairs of District 19 RPC.
5. District 19 RPC is an independent and sovereign organization, subject to its own governance, as the Precinct Committeemen of same shall determine through the Bylaws and rules of governance for District 19 RPC.
6. The duly-formed District 19 RPC properly elected State Committeepersons at its first meeting on November 19, 2022, and that District 19 RPC has the

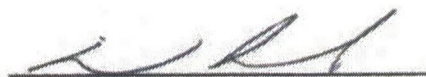


authority to elect/appoint State Committeepersons to the State Committee, in accordance with A.R.S. Section 16-823 and A.R.S. Section 16-825, and District 19 RPC's own Bylaws and rules of governance.

7. PCRП recognizes the authority of District 19 RPC to elect State Committeepersons and confer them to the State Committee without modification or manipulation by PCRП.
8. Any vacancy in the office of a State Committeeperson elected by District 19 RPC shall be filled in accordance with A.R.S. Section 16-825.01(B).
9. Within seven days of the execution of this Settlement Agreement, Plaintiffs and Smith will file a stipulated motion to dismissal the Litigation with prejudice, with each party to bear its own attorney's fees and costs incurred.
10. Nothing in this Settlement Agreement shall be interpreted as contradicting, circumventing, or superseding the Revised Statutes or Constitution of the State of Arizona, or as limiting the rights of any person to seek appropriate relief for claims arising in the future.

Effective on the date of the last signature below:

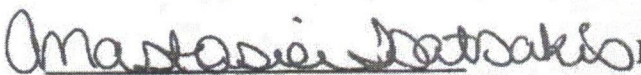
**Defendant**



Dave Smith, Chairman  
Pima County Republican Party  
*Succeeding to defendant Shelly Kats*

Dated: 3/21/23

*Approved by:*



Anastasia Tsatsakis  
2<sup>nd</sup> Vice Chariwoman, Pima County Republican Party

Dated: 3/21/23

**Plaintiffs**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff Rafael A. Ihly  
Chairman/Precinct Committeeman, District 19 RPC

\_\_\_\_\_  
Cheryl Caswell

3<sup>rd</sup> Vice Chairwoman, Pima County Republican Party

4<sup>th</sup> Vice-Chairwoman/Precinct Committeewoman, District 19 RPC

Dated: \_\_\_\_\_

\_\_\_\_\_  
Anastasios Tsatsakis

2<sup>nd</sup> Vice Chairman/Precinct Committeeman, District 19 RPC

Dated: \_\_\_\_\_

\_\_\_\_\_  
Suzanne Jenkins

3<sup>rd</sup> Vice-Chairwoman/Precinct Committeewoman, District 19 RPC

Dated: \_\_\_\_\_

\_\_\_\_\_  
Eileen Wilson

1<sup>st</sup> Vice-Chairwoman/Precinct Committeewoman, District 19 RPC

Dated: \_\_\_\_\_

\_\_\_\_\_  
Leiann Anderson

Secretary/Precinct Committeewoman, District 19 RPC

Dated: \_\_\_\_\_

\_\_\_\_\_  
Robert Montgomery

Chairman, Cochise County Republican Party

Dated: \_\_\_\_\_

\_\_\_\_\_  
Elizabeth Speck

Chairwoman, Greenlee County Republican Party

Dated: \_\_\_\_\_

\_\_\_\_\_  
Ronald Hart

Dated: \_\_\_\_\_

Precinct Committeeman, District 19 RPC

Dated: \_\_\_\_\_

\_\_\_\_\_  
Pauline Hart

Precinct Committeewoman, District 19 RPC

Dated: \_\_\_\_\_

\_\_\_\_\_  
Bobby Wilson

Precinct Committeeman, District 19 RPC