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9 **UNITED STATES DISTRICT COURT**
10 **FOR THE DISTRICT OF ARIZONA**

11 Black Star Farms, L.L.C., John Norton,
Gary Frisch, Michelle Frisch, David
12 Monheit, and Melissa Monheit,

13 Plaintiffs,

14 v.

15 Leesa Berens Morrison, in her official
capacity as Director of the State of Arizona
16 Department of Liquor Licenses and Control

17 Defendant.
18

Civil Action No. CV05-2620 PHX MHM

19 **ANSWER TO FIRST AMENDED COMPLAINT**

20 Comes now defendant Leesa Berens Morrison, Director, and answers the First
21 Amended Complaint as follows:

22 1. Defendant admits the allegations of jurisdiction and venue in Paragraphs 2
23 through 4 and admits the allegations in Paragraphs 7 and 8.

24 2. The allegations in Paragraphs 1, 12, 13, 17, 18, 19, 20, 22, 24, and 25 call for
25 a legal conclusion to which no response is required. To the extent that a response is
26 required, the allegations are denied.

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CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2005, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Kent M. Nicholas, Esq.
40 N. Center St., Ste 202
Mesa, AZ 85201

I hereby certify that on November 18, 2005, I served the attached document by mail on the following, who are not registered participants of the CM/ECF System:

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Department of Liquor Licenses and Control
Attn: Leesa Berens Morrison, Director
800 West Washington, Fifth Floor
Phoenix, Arizona 85007

/s/ Christopher Munns

#459096