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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

16 STATE OF ARIZONA *ex rel.*
17 ATTORNEY GENERAL
18 MARK BRNOVICH,
19
20 Plaintiff,

21 v.

22 WESTERN UNION FINANCIAL
23 SERVICES, INC.,
24
25 Defendant.

No: CV 2010-005807

JOINT MOTION FOR ENTRY OF
ORDER OF DISMISSAL WITH
PREJUDICE TO CONCLUDE CASE

(Assigned to Hon. Warren J. Granville)

The State of Arizona ex rel. Mark Brnovich, Attorney General (“State”), and
Western Union Financial Services, Inc. (“Western Union”), respectfully move the Court

1 to enter an Order of Dismissal With Prejudice to conclude this case. A proposed Order
2 of Dismissal With Prejudice, approved as to form by the parties through their signatures
3 below, is being lodged along with the filing of this joint motion.

4 On February 24, 2010, the Court approved the Settlement Agreement between the
5 State and Western Union and, on January 31, 2014, the Court approved the parties'
6 Amendment to Settlement Agreement which was later modified by various orders
7 including, but not limited to, an Order Granting Stipulation to Extend Time for
8 Production of Data filed October 17, 2014. A Final Order concluding the matter
9 between the parties was entered on June 9, 2017, but the Court retained jurisdiction for
10 the limited purpose of remaining available to assist with the continuing obligations under
11 paragraphs 12.7 and 17.1.6 of the Settlement Agreement, as amended, and the Court's
12 Order dated January 31, 2014. Those limited continuing obligations conclude on June
13 30, 2019.

14 The parties represent that each has complied with its obligations under the
15 instruments noted in the preceding paragraph and that Western Union has adhered to its
16 obligations to provide data to the State. The parties agree that all data provided to the
17 State through June 30, 2019, shall remain subject to the terms and conditions of the
18 Amendment to the Settlement Agreement and the Court's Order dated January 31, 2014,
19 until the data is destroyed.

20 No further matters remain pending and an Order of Dismissal concluding the civil
21 cause number may be entered.

22 This Court has commented previously on the genesis of this case; the parties'
23 agreement that, instead of engaging in a complex court litigation, they would attempt to
24 create a best practices for an anti-money laundering program; and on the parties' entry of
25 a Settlement Agreement, as amended, under which the parties worked cooperatively and
26 collaboratively and committed vast human and financial resources in order to achieve
27 that purpose. The Court has commended the parties for those efforts and stated that the
28 commitment and dedication of the Arizona Attorney General's Office and Western

1 Union have resulted in a much broader and longer lasting benefit to the people of
2 Arizona and the United States than would have been accomplished by any litigation. As
3 a result, this case was designated as historically significant and repositied in the Arizona
4 State Library Archives and Public Records.

5 The parties would be remiss in moving for the entry of a concluding order without
6 offering their respect, appreciation, and gratitude for the judicial oversight and
7 stewardship provided in this action by the Hon. Warren J. Granville. Without his
8 considerable contributions to this action, the Settlement Agreement might not have been
9 reached, the results of the Settlement Agreement and Amendment would not have been
10 achieved, and the case's historical significance and, most importantly, its benefit to the
11 people of this state and country certainly could not have been realized.

12

13 RESPECTFULLY SUBMITTED this 25th day of June, 2019.

14

15 /s/ Paul Ahler
16 Paul Ahler
17 Chief Counsel, Criminal Division
18 Arizona Attorney General's Office
19 Attorney for the State of Arizona

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20 /s/ Larry A. Hammond /s/ Grace E. Rebling
21 Larry A. Hammond Grace E. Rebling
22 Osborn Maledon, P.A.
23 Attorneys for Western Union Financial Services, Inc.

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24 Joint Motion and proposed final
25 Order of Dismissal With Prejudice
26 distributed to Hon. Warren J. Granville
27 and parties

27

28 HB Doc No. 7996811