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Gilbert Davidson, and Paul Shannon

22
23 IN THE UNITED STATES DISTRICT COURT
24 FOR THE DISTRICT OF ARIZONA

25 **Russell B. Toomey,**
26
Plaintiff,

27 v.

28 **State of Arizona; Arizona Board of**

Case No. CV-19-00035-TUC-RM (LCK)

**STIPULATION REGARDING
EXTENSION OF TIME FOR**

Regents, d/b/a University of Arizona, a governmental body of the State of Arizona; **Ron Shoopman**, in his official capacity as Chair of the Arizona Board of Regents; **Larry Penley**, in his official capacity as Member of the Arizona Board of Regents; **Ram Krishna**, in his official capacity as Secretary of the Arizona Board of Regents; **Bill Ridenour**, in his official capacity as Treasurer of the Arizona Board of Regents; **Lyndel Manson**, in her official capacity as Member of the Arizona Board of Regents; **Karrin Taylor Robson**, in her official capacity as Member of the Arizona Board of Regents; **Jay Heiler**, in his official capacity as Member of the Arizona Board of Regents; **Fred Duval**, in his official capacity as Member of the Arizona Board of Regents; **Gilbert Davidson**, in his official capacity as Interim Director of the Arizona Department of Administration; **Paul Shannon**, in his official capacity as Acting Assistant Director of the Benefits Services Division of the Arizona Department of Administration,

Defendants.

DEFENDANTS STATE OF ARIZONA, GILBERT DAVIDSON, AND PAUL SHANNON TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF’S COMPLAINT

Plaintiff Russell Toomey (“Plaintiff”) served the Complaint on Defendant State of Arizona on January 25, 2019. Plaintiff served the Complaint on Defendants Gilbert Davidson and Paul Shannon on January 28, 2019. Therefore, Defendant State of Arizona’s response to Plaintiff’s Complaint is due on February 15, 2019, and Defendants Gilbert Davidson and Paul Shannon’s response is due on February 18, 2019. Undersigned counsel was retained to represent Defendants State of Arizona, Gilbert Davidson, and Paul Shannon on February 11, 2019. Accordingly, Plaintiff and Defendants State of Arizona, Gilbert Davidson, and Paul Shannon hereby stipulate and agree that Defendants State of Arizona, Gilbert Davidson, and Paul Shannon may have an extension of time, up to and including March 13, 2019, to answer or otherwise respond to Plaintiff’s Complaint. This is the parties’ first request for extension.

A proposed form of order consistent with the relief requested is attached.

1 RESPECTFULLY SUBMITTED this 13th day of February, 2019.

2
3 **BURNSBARTON PLC**

4 By /s/ Kathryn Hackett King
5 C. Christine Burns
6 Kathryn Hackett King
7 Sarah N. O'Keefe

8 **ACLU FOUNDATION OF ARIZONA**

9 By /s/ Kathleen E. Brody (w/permission)
10 Kathleen G. Brody
11 Molly Brizgys

12 **AMERICAN CIVIL LIBERTIES UNION**
13 **FOUNDATION**

14 By /s/ Joshua A. Block (w/permission)
15 Joshua A. Block
16 Leslie Cooper

17 **AIKEN SCHENK HAWKINS & RICCIARDI P.C.**

18 By /s/ James Burr Shields (w/permission)
19 James Burr Shields
20 Heather A. Macre
21 Natalie B. Virden

22 **CERTIFICATE OF SERVICE**

23 I hereby certify that on February 13, 2019, I electronically transmitted the
24 foregoing document to the Clerk's Office using the CM/ECF System for filing and
25 transmittal of a Notice of Electronic Filing to the following CM/ECF registrants.

26 A COPY was also e-mailed on this 13th day of February, 2019, to:

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Russell B. Toomey,

Plaintiff,

v.

State of Arizona; Arizona Board of Regents, d/b/a University of Arizona, a governmental body of the State of Arizona;
Ron Shoopman, in his official capacity as Chair of the Arizona Board of Regents;
Larry Penley, in his official capacity as Member of the Arizona Board of Regents;
Ram Krishna, in his official capacity as Secretary of the Arizona Board of Regents;
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Fred Duval, in his official capacity as Member of the Arizona Board of Regents;
Gilbert Davidson, in his official capacity as Interim Director of the Arizona Department of Administration;
Paul Shannon, in his official capacity as Acting Assistant Director of the Benefits Services Division of the Arizona Department of Administration,

Defendants.

Case No. CV-19-00035-TUC-RM (LCK)

[PROPOSED] ORDER

This matter is before the Court on the Stipulation Regarding Extension of Time for

1 Defendants State of Arizona, Gilbert Davidson, and Paul Shannon to Answer or
2 Otherwise Respond to Plaintiff's Complaint (Doc. **). Pursuant to the stipulation of the
3 parties,

4 **IT IS ORDERED** approving the Stipulation (Doc. **) and allowing Defendants
5 State of Arizona, Gilbert Davidson, and Paul Shannon up to and including March 13,
6 2019 to answer or otherwise respond to Plaintiff's Complaint (Doc. 1).
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