

1 Kathleen E. Brody
2 Molly Brizgys
3 **ACLU Foundation of Arizona**
4 3707 North 7th Street, Suite 235
5 Phoenix, AZ 85014
6 Phone: 602-650-1854
7 kbrody@acluaz.org
8 mbrizgys@acluaz.org

9 Joshua A. Block
10 Leslie Cooper
11 **American Civil Liberties Union Foundation**
12 125 Broad Street, Floor 18
13 New York, NY 10004
14 Phone: (212) 549-2650
15 jblock@aclu.org
16 lcooper@aclu.org

17 James Burr Shields
18 Heather A. Macre
19 Natalie B. Virden
20 **Aiken Schenk Hawkins & Ricciardi P.C.**
21 2390 East Camelback Road, Suite 400
22 Phoenix, AZ 85016
23 Phone: (602) 248-8203
24 jbs@aikenschenk.com
25 ham@aikenschnek.com
26 nbv@aikenschenk.com
27 *Attorneys for Plaintiff*

28 Paul F. Eckstein (#001822)
Austin C. Yost (#034602)
Perkins Coie LLP
2901 North Central Avenue, Suite 2000
Phoenix, Arizona 85012-2788
Telephone: 602.351.8000
Facsimile: 602.648.7000
PEckstein@perkinscoie.com
AYost@perkinscoie.com
DocketPHX@perkinscoie.com
*Attorneys for Defendants Arizona Board of Regents,
d/b/a University of Arizona; Ron Shoopman; Larry Penley;
Ram Krishna; Bill Ridenour; Lyndel Manson;Karrin
Taylor Robson; Jay Heiler; and Fred Duval*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

<p>Russell B. Toomey,</p> <p>Plaintiff,</p> <p>v.</p> <p>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; 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,</p> <p>Defendants.</p>
--

Case No. 4:19-cv-00035-TUC-RM (LCK)

STIPULATION REGARDING EXTENSION OF TIME FOR DEFENDANTS ARIZONA BOARD OF REGENTS, D/B/A UNIVERSITY OF ARIZONA; RON SHOOPMAN; LARRY PENLEY; RAM KRISHNA; BILL RIDENOUR; LYNDEL MANSON; KARRIN TAYLOR ROBSON; JAY HEILER; AND FRED DUVAL TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF’S COMPLAINT

Plaintiff Russell Toomey (“Plaintiff”) served the Complaint on Defendants Arizona Board of Regents, d/b/a University of Arizona; Ron Shoopman; Larry Penley; Ram Krishna; Bill Ridenour; Lyndel Manson; Karrin Taylor Robson; Jay Heiler; and Fred Duval (“Defendants”) on January 25, 2019. Therefore, Defendants response to Plaintiff’s

1 Complaint is due on February 15, 2019. Perkins Coie LLP was retained to represent
2 Defendants on February 12, 2019. Defendants requested a 30-day extension to respond to
3 Plaintiff's Complaint. Plaintiff agreed. Accordingly, Plaintiff and Defendants hereby
4 stipulate and agree that Defendants may have an extension of time, up to and including
5 March 14, 2019, to answer or otherwise respond to Plaintiff's Complaint. This is the
6 parties' first request for extension.

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

8 RESPECTFULLY SUBMITTED this February 13, 2019.

9
10 **PERKINS COIE LLP**

11 By /s/ Paul F. Eckstein
12 Paul F. Eckstein
13 Austin C. Yost

14 **ACLU FOUNDATION OF ARIZONA**

15 By /s/ Kathleen E. Brody (w/permission)
16 Kathleen G. Brody
17 Molly Brizgys

18 **AMERICAN CIVIL LIBERTIES UNION
FOUNDATION**

19 By /s/ Joshua A. Block (w/permission)
20 Joshua A. Block
21 Leslie Cooper

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

23 By /s/ James Burr Shields (w/permission)
24 James Burr Shields
25 Heather A. Macre
26 Natalie B. Virden
27
28

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2019, I electronically transmitted the foregoing 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.

A COPY was also e-mailed on this February 13, 2019 to:

Kathleen E. Brody
Molly Brizgys
ACLU Foundation of Arizona
3707 North 7th Street, Suite 235
Phoenix, AZ 85014
kbrody@acluaz.org
mbrizgys@acluaz.org

Joshua A. Block
Leslie Cooper
American Civil Liberties Union Foundation
125 Broad Street, Floor 18
New York, NY 10004
jblock@aclu.org
lcooper@aclu.org

James Burr Shields
Heather A. Macre
Natalie B. Virden
Aiken Schenk Hawkins & Ricciardi P.C.
2390 East Camelback Road, Suite 400
Phoenix, AZ 85016
jbs@aikenschenk.com
ham@aikenschnek.com
nbv@aikenschenk.com

Attorneys for Plaintiff

/s/ Clair Wendt

143303786.1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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;
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.

Case No. 4:19-cv-00035-TUC-RM (LCK)
[PROPOSED] ORDER

This matter is before the Court on the Stipulation Regarding Extension of Time for Defendants Arizona Board of Regents, d/b/a University of Arizona; Ron Shoopman; Larry Penley; Ram Krishna; Bill Ridenour; Lyndel Manson; Karrin Taylor Robson; Jay Heiler;

1 and Fred Duval to Answer or Otherwise Respond to Plaintiff's Complaint, (Doc. **).
2 Pursuant to the stipulation of the parties,

3 **IT IS ORDERED** approving the Stipulation, (Doc. __), and allowing Defendants
4 Arizona Board of Regents, d/b/a University of Arizona; Ron Shoopman; Larry Penley; Ram
5 Krishna; Bill Ridenour; Lyndel Manson; Karrin Taylor Robson; Jay Heiler; and Fred Duval
6 up to and including March 14, 2019, to answer or otherwise respond to Plaintiff's
7 Complaint, (Doc. 1).
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28