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*Attorneys for Defendants Arizona Board of Regents,  
Ron Shoopman, Larry Penley, Ram Krishna,  
Bill Ridenour, Lyndel Manson, Karrin Taylor Robson,  
Jay Heiler, and Fred DuVal*

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

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

**JOINT MOTION FOR  
EXTENSION OF INITIAL  
DISCLOSURE DEADLINE**

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.

Counsel for Plaintiff Russell B. Toomey (“Plaintiff”) and counsel for Defendants Arizona Board of Regents, Ron Shoopman, Larry Penley, Ram Krishna, Bill Ridenour, Lyndel Manson, Karrin Taylor Robson, Jay Heiler, and Fred DuVal (“Answering Defendants”) have conferred and jointly submit this stipulated motion to extend the initial disclosure deadline until such time as Defendants State of Arizona, Gilbert Davidson, and Paul Shannon (“State Defendants”) may be required to submit their initial disclosure.

On March 18, 2019, Answering Defendants filed an Answer in response to Plaintiff’s Complaint.

The same day, State Defendants filed a Motion to Dismiss Plaintiff’s Complaint.

Accordingly, there is good cause to postpone the initial disclosure deadline until such time as State Defendants may be required to submit their initial disclosure because such a postponement would preserve attorney and judicial resources because the postponement would allow all parties to submit their initial disclosures at the same time.

Absent an extension, Plaintiff and Answering Defendants would need to submit their initial disclosures pursuant to Mandatory Initial Discovery Pilot Project General Order 17-08 on or before April 17, 2019.

For the foregoing reasons, Plaintiff and Answering Defendants jointly request and propose that the deadline for submitting their initial disclosures be postponed until such time as State Defendants may be required to submit their initial disclosure. Plaintiff and Answering Defendants submit a proposed order to this effect with this joint motion.

RESPECTFULLY SUBMITTED this April 5, 2019.

**PERKINS COIE LLP**

By s/ Paul F. Eckstein  
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*Attorneys for Defendants Arizona Board of Regents, Ron Shoopman, Larry Penley, Ram Krishna, Bill Ridenour, Lyndel Manson, Karrin Taylor Robson, Jay Heiler, and Fred DuVal*

RESPECTFULLY SUBMITTED this April 5, 2019.

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

By s/ James Burr Shields (with permission)  
James Burr Shields  
Heather A. Macre  
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*Attorneys for Plaintiff Russell B. Toomey*

CERTIFICATE OF SERVICE

I hereby certify that on April 5, 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 this April 5, 2019 to:

<p>James Burr Shields                  Heather A. Macre                  Natalie B. Virden  <b>Aiken Schenk Hawkins &amp; Ricciardi P.C.</b>                  2390 East Camelback Road, Suite 400                  Phoenix, AZ 85016                  jbs@aikenschenk.com                  ham@aikenschnek.com                  nbv@aikenschenk.com</p>	<p>C. Christine Burns                  Kathryn Hackett King                  Sarah N. O'Keefe  <b>BURNSBARTON PLC</b>                  2201 East Camelback Road, Ste. 360                  Phoenix, AZ 85016                  Phone: (602) 753-4500                  christine@burnsbarton.com                  kate@burnsbarton.com                  sarah@burnsbarton.com</p> <p><i>Attorneys for Defendants State of Arizona, Gilbert Davidson, and Paul Shannon</i></p>
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s/ Clair Wendt

IN THE UNITED STATES DISTRICT COURT  
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**Russell B. Toomey,**

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**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. CV 19-00035-TUC-RM  
(LCK)

**PROPOSED ORDER**

The Court having reviewed the joint motion between Plaintiff Russell B. Toomey (“Plaintiff”) and Defendants Arizona Board of Regents, Ron Shoopman, Larry Penley, Ram Krishna, Bill Ridenour, Lyndel Manson, Karrin Taylor Robson, Jay Heiler, and Fred

DuVal (“Answering Defendants”) to extend the current initial disclosure deadline of April 17, 2019 established under Mandatory Initial Discovery Pilot Project General Order 17-08 until such time as Defendants State of Arizona, Gilbert Davidson, and Paul Shannon (“State Defendants”) may be required to submit their initial disclosure, and good cause appearing, the joint motion is GRANTED.

IT IS HEREBY ORDERED THAT Plaintiff and Answering Defendants are not required to submit their initial disclosures until such time as State Defendants may be required to submit their initial disclosure.