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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;
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 (LAB)

**STIPULATED MOTION FOR
SUBSTITUTION OF PARTY**

Pursuant to Rule 25, Federal Rules of Civil Procedure, Plaintiff Russell B.

1 Toomey and Defendant Gilbert Davidson, by and through undersigned counsel, hereby
2 request that the Court enter an order substituting Andy Tobin as the Director of the
3 Arizona Department of Administration in place of Gilbert Davidson, the former Interim
4 Director of the Arizona Department of Administration.

5 The parties hereby request that the Court enter the form of Order Substituting
6 Defendant Andy Tobin, attached hereto as Exhibit 1. In that regard, the parties further
7 request that the Court instruct the Clerk of the Court to change the caption of this action
8 to reflect the name of the substituted Defendant.

9 DATED this 26th day of June, 2019.

10
11 **ACLU FOUNDATION OF ARIZONA**

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13 By /s/ Heather A. Macre

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BURNSBARTON PLC

By /s/Kathryn Hackett King (w/ permission)

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Shannon

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of June, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and a copy was electronically transmitted to the following:

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/s/ Lisa Harnack _____

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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 Stipulated Motion for Substitution of Party, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT Andy Tobin is hereby substituted as the Director of the Arizona Department of Administration in this action in place and instead of Gilbert Davidson.

IT IS FURTHER ORDERED THAT the Clerk of the Court shall change the caption of this action to reflect the name of the substituted Defendant.