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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 Arizona Board of Regents; **Andy Tobin,** in his official capacity as 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 (LAB)

**STIPULATION AND JOINT MOTION TO EXTEND THE DEADLINE FOR THE PARTIES TO SUBMIT A JOINT PROPOSED DISCOVERY AND BRIEFING SCHEDULE WITH RESPECT TO PLAINTIFF’S MOTION FOR CLASS CERTIFICATION**

Plaintiff Russell Toomey (“Plaintiff”) and Defendants State of Arizona, 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, Fred Duval, Gilbert Davidson, and Paul Shannon (collectively “Defendants”) stipulate and jointly move the Court to extend the deadline for the parties to submit a joint proposed discovery and briefing schedule to the Court with respect to Plaintiff’s Motion for Class Certification (Dkt. 28).

Previously, the Court granted the parties’ Stipulation and Joint Motion to Stay Briefing on Plaintiff’s Motion for Class Certification Pending Ruling on Defendants’ Motion to Dismiss (Dkts. 36 and 38). The Court ordered that in the event the Court

1 denied Defendants' Motion to Dismiss, the parties must file with the Court a joint  
2 proposed discovery and briefing schedule with respect to Plaintiff's Motion for Class  
3 Certification no later than 10 calendar days following the Court's ruling on the Motion to  
4 Dismiss (Dkt. 38). On December 23, 2019, the Court entered an Order denying  
5 Defendants' Motion to Dismiss (Dkt. 69).

6 Pursuant to the Court's Order (Dkt. 38), the deadline for the parties to submit a  
7 joint proposed discovery and briefing schedule with respect to Plaintiff's Motion for Class  
8 Certification is January 2, 2020 (*i.e.*, 10 calendar days after the December 23, 2019 Order  
9 denying the Motion to Dismiss). This deadline falls immediately after the Hanukkah,  
10 Christmas, and New Years Day holidays, which has created scheduling challenges for  
11 counsel to meet and confer to develop the joint proposed discovery and briefing schedule.  
12 Accordingly, the parties hereby stipulate and jointly move to extend the deadline for the  
13 parties to submit the joint proposed discovery and briefing schedule with respect to  
14 Plaintiff's Motion for Class Certification to January 17, 2020.

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

16 RESPECTFULLY SUBMITTED this 2nd day of January, 2020.

17  
18 **BURNSBARTON PLC**

19 By /s/ Kathryn Hackett King  
20 C. Christine Burns  
21 Kathryn Hackett King  
Alison Pulaski Carter

22 **PERKINS COIE LLP**

23  
24 By /s/ Paul F. Eckstein

25 **AMERICAN CIVIL LIBERTIES UNION**  
26 **FOUNDATION**

27 By /s/ Joshua A. Block (w/permission)  
28 Joshua A. Block

CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2020, 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 2nd day of January, 2020 to:

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Taylor Robson; Jay Heiler; and Fred Duval*

s/ Carolyn Galbreath

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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; **Andy Tobin**, in his official capacity as 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 (LAB)

**[PROPOSED] ORDER GRANTING STIPULATION AND JOINT MOTION TO EXTEND THE DEADLINE FOR THE PARTIES TO SUBMIT A JOINT PROPOSED DISCOVERY AND BRIEFING SCHEDULE WITH RESPECT TO PLAINTIFF’S MOTION FOR CLASS CERTIFICATION**

In consideration of the parties’ Stipulation and Joint Motion to Extend the Deadline for the Parties to Submit a Joint Proposed Discovery and Briefing Schedule with Respect to Plaintiff’s Motion for Class Certification (“Joint Motion”) (Dkt. 71) and good cause appearing therefore,

**IT IS HEREBY ORDERED** granting the Joint Motion and extending the deadline

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for the parties to submit the joint proposed discovery and briefing schedule with respect to Plaintiff's Motion for Class Certification to January 17, 2020.