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d/b/a University of Arizona; 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 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)

**SECOND 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, Andy Tobin, 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).

1 Previously, the parties stipulated and jointly moved to extend this deadline to
2 January 17, 2020 (Dkt. 71). The Court granted that stipulation on January 10, 2020 (Dkt.
3 73). However, while conferring about class action discovery and briefing deadlines, the
4 parties have also been discussing class action issues and exploring and reviewing potential
5 options to limit the burden and expense of class certification discovery and briefing
6 (which, in turn, could impact the timing of such discovery and briefing). To allow the
7 parties sufficient time to continue evaluating such issues, the parties respectfully request
8 an additional two weeks, to January 31, 2020, to submit a joint proposed discovery and
9 briefing schedule to the Court with respect to Plaintiff's Motion for Class Certification.
10

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

12 RESPECTFULLY SUBMITTED this 14th day of January, 2020.

13 **BURNSBARTON PLC**

14 By /s/ Kathryn Hackett King
15 C. Christine Burns
16 Kathryn Hackett King
Alison Pulaski Carter

17 **PERKINS COIE LLP**

18
19 By /s/ Paul F. Eckstein (w/permission)

20 **AMERICAN CIVIL LIBERTIES UNION**
21 **FOUNDATION**

22 By /s/ Joshua A. Block (w/permission)
23 Joshua A. Block
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CERTIFICATE OF SERVICE

I hereby certify that on January 14, 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 14 day of January, 2020 to:

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Ram Krishna; Bill Ridenour; Lyndel Manson; Karrin
Taylor Robson; Jay Heiler; and Fred Duval*

s/ Carolyn Galbreath

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IN THE UNITED STATES DISTRICT COURT
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Plaintiff,

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Defendants.

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

[PROPOSED] ORDER GRANTING SECOND 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’ Second 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. 74) 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 31, 2020.