

1 FENNEMORE CRAIG, P.C.
Timothy J. Berg (No. 004170)
2 Amy Abdo (No. 016346)
Ryan Curtis (No. 025133)
3 Shannon Cohan (No. 034429)
2394 E. Camelback Road
4 Suite 600
Phoenix, Arizona 85016
5 Telephone: (602) 916-5000
Email: tberg@fclaw.com
6 Email: amy@fclaw.com
Email: rcurtis@fclaw.com
7 Email: scohan@fclaw.com

8 *Attorneys for Defendants*
State of Arizona, Andy Tobin, and Paul Shannon

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF ARIZONA

12 RUSSELL B. TOOMEY,
13 Plaintiff,
14 v.
15 STATE OF ARIZONA; *et al.*,
16 Defendants.

No. 4:19-cv-00035

**DEFENDANTS STATE OF
ARIZONA’S, ANDY TOBIN’S, AND
PAUL SHANNON’S LAY WITNESS
DISCLOSURE**

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18 Defendants State of Arizona, Andy Tobin as Director of the Arizona Department of
19 Administration, and Paul Shannon as Acting Assistant Director of the Benefits Services
20 Division of the Arizona Department of Administration (collectively, the “State
21 Defendants”) submit their Disclosure of Lay Witnesses in accordance with the Court’s
22 November 2, 2020 Scheduling Order and Federal Rule of Civil Procedure 26(a)(3). The
23 State Defendants reserve the right to supplement this disclosure as necessary.

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1. Paul Shannon
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 6900
Phoenix, Arizona 85016

Paul Shannon is currently Acting Director of the Benefits Services Division of the Arizona Department of Administration. Mr. Shannon has information concerning his employment with the Arizona Department of Administration, as well as certain information about the self-funded health plan administered by the Arizona Department of Administration.

2. Andy Tobin
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 6900
Phoenix, Arizona 85016

Andy Tobin is currently Director of the Arizona Department of Administration. Mr. Tobin has information concerning his employment with the Arizona Department of Administration, as well as certain information about the self-funded health plan administered by the Arizona Department of Administration.

3. Scott Bender
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 6900
Phoenix, Arizona 85016

Scott Bender is currently the Plan Administration Manager for the Arizona Department of Administration. Mr. Bender has information concerning his employment with the Arizona Department of Administration, the self-funded health plan administered by the Arizona Department of Administration, and the circumstances giving rise to this litigation.

4. Russell B. Toomey

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c/o ACLU Foundation of Arizona
3707 North 7th Street, Ste 235
Phoenix, AZ 85014
Phone: (602) 650-1854

American Civil Liberties Union Foundation
125 Broad Street, Floor 18
New York, NY 10004
Phone: (212) 549-2650

The State Defendants are informed and believe Plaintiff Russell Toomey possesses relevant, discoverable information about his claims in this lawsuit, including the nature of those claims, the alleged evidentiary basis of these claims, and any facts alleged in support thereof. The State Defendants also expect Dr. Toomey to possess information regarding his employment, his health plan, his request for gender reassignment surgery (and the response to such request), his medical condition(s) giving rise to the request for gender reassignment surgery, his role and dealings with the State Defendants, Arizona Board of Regents, and University of Arizona, his alleged damages, and his efforts to mitigate those damages.

5. Marie Isaacson
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 6900
Phoenix, Arizona 85016

Marie Isaacson is the former Director of the Benefits Services Division of the Arizona Department of Administration. Ms. Isaacson has information concerning her employment with the Arizona Department of Administration, the self-funded health plan administered by the Arizona Department of Administration, and the circumstances giving rise to this litigation.

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6. Yvette Medina
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 600
Phoenix, Arizona 85016

Yvette Medina is the Plan Administrator of the Benefits Services Division of the Arizona Department of Administration. Ms. Medina has information concerning her employment with the Arizona Department of Administration, the self-funded health plan administered by the Arizona Department of Administration, and the circumstances giving rise to this litigation.

7. Michael Meisner
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 600
Phoenix, Arizona 85016

Michael Meisner is an Actuary I in the Benefits Services Division of the Arizona Department of Administration. Mr. Meisner has information concerning his employment with the Arizona Department of Administration, the self-funded health plan administered by the Arizona Department of Administration, and the circumstances giving rise to this litigation.

8. Elizabeth Schafer
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 600
Phoenix, Arizona 85016

Elizabeth Schafer is the former Plan Administrator of the Benefits Services Division of the Arizona Department of Administration. Ms. Schafer has information concerning her employment with the Arizona Department of Administration, the self-funded health plan administered by the Arizona Department of Administration, and the circumstances giving rise to this litigation.

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- 9. Allison Vaillancourt, Ph.D.
c/o Perkins Coie, LLP
2901 North Central Ave., Suite 2000
Phoenix, Arizona 85012

Allison Vaillancourt, Ph.D. is the Vice President for Business Affairs and HR at the University of Arizona. Dr. Vaillancourt has information concerning the Plan and the University of Arizona’s communications with the Arizona Department of Administration and beneficiaries of the Plan.

- 10. Helena Rodrigues, Ph.D.
c/o Perkins Coie, LLP
2901 North Central Ave., Suite 2000
Phoenix, Arizona 85012

Helena Rodrigues, Ph.D. is the Vice President and Chief Human Resources Officer at the University of Arizona. Dr. Rodrigues has information concerning the Plan and the University of Arizona’s communications with the Arizona Department of Administration and beneficiaries of the Plan.

- 11. Staci Wilson
c/o Perkins Coie, LLP
2901 North Central Ave., Suite 2000
Phoenix, Arizona 85012

Staci Wilson is the Assistant Vice President of Human Resources at the University of Arizona. Ms. Wilson has information concerning the Plan and the University of Arizona’s communications with the Arizona Department of Administration and beneficiaries of the Plan.

- 12. Judith Cato
c/o Perkins Coie, LLP
2901 North Central Ave, Suite 2000
Phoenix, Arizona 85012

Judith Cato is the Benefits Director at Arizona State University. Ms. Cato has information concerning the Plan and the Arizona State University’s communications with

1 the Arizona Department of Administration and beneficiaries of the Plan.

2 13. Chanelle Bergren
3 c/o Fennemore Craig, P.C.
4 2394 East Camelback Road, Suite 600
5 Phoenix, Arizona 85016

6 Chanelle Bergren is the former Plan Administration Manager for the Arizona
7 Department of Administration. Ms. Bergren has information concerning duties she
8 performed during her employment with the Arizona Department of Administration, the self-
9 funded health plan administered by the Arizona Department of Administration, and the
10 circumstances giving rise to this litigation.

11 14. Christina Corieri
12 c/o Fennemore Craig, P.C.
13 2394 East Camelback Road, Suite 600
14 Phoenix, Arizona 85016

15 Christina Corieri is a Senior Policy Advisor for the Arizona Governor's Office. Ms.
16 Corieri has information concerning duties she performed during her employment with the
17 Arizona Governor's Office, the self-funded health plan administered by the Arizona
18 Department of Administration, and the circumstances giving rise to this litigation.
19 Communications between Ms. Corieri and other State of Arizona representatives are
20 covered by the attorney-client privilege, and the State of Arizona is not waiving such
21 privilege by listing Ms. Corieri as a person with knowledge.

22 15. Jennifer Bowling
23 c/o Fennemore Craig, P.C.
24 2394 East Camelback Road, Suite 600
25 Phoenix, Arizona 85016

26 Jennifer Bowling is a Benefit Operations Manager for the Arizona Department of
Administration. Ms. Bowling has information concerning duties she performed during her
employment with the Arizona Department of Administration, the self-funded health plan

1 administered by the Arizona Department of Administration, and the circumstances giving
2 rise to this litigation.

3 16. Christina Kuhl
4 c/o Perkins Coie, LLP
5 2901 North Central Ave., Suite 2000
6 Phoenix, Arizona 85012

7 Christina Kuhl is the Assistant Benefits Director at Northern Arizona University.
8 Ms. Kuhl has information concerning the Plan and the Northern Arizona University's
9 communications with the Arizona Department of Administration and beneficiaries of the
10 Plan.

11 17. Representative of UnitedHealthcare
12 1 E Washington Street, Suite 1700
13 Phoenix, AZ 85004

14 UnitedHealthcare has information concerning the self-funded health plan
15 administered by the Arizona Department of Administration, the exclusion for
16 gender-transition surgery, and the circumstances giving rise to this litigation.

17 18. Representative of Cigna
18 5310 E High Street, Suite 200
19 Phoenix, AZ 85054

20 Cigna has information concerning the self-funded health plan administered by the
21 Arizona Department of Administration, the exclusion for gender-transition surgery, and the
22 circumstances giving rise to this litigation.

23 19. Representative of Aetna
24 4500 E Cotton Center Blvd
25 Phoenix, AZ 85040

26 Aetna has information concerning the self-funded health plan administered by the
Arizona Department of Administration, the exclusion for gender-transition surgery, and the
circumstances giving rise to this litigation.

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20. Representative of BlueCross BlueShield of Arizona
8220 N 23rd Ave, Bldg 2
Phoenix, AZ 85021

BlueCross Blue Shield of Arizona has information concerning the self-funded health plan administered by the Arizona Department of Administration, the exclusion for gender-transition surgery, and the circumstances giving rise to this litigation.

21. Joanna Surveyor
c/o Perkins Coie, LLP
2901 North Central Ave., Suite 2000
Phoenix, Arizona 85012

Joanna Surveyor is the Benefits Administration Manager at Arizona State University. Ms. Surveyor has information concerning the Plan and the Arizona State University's communications with the Arizona Department of Administration and beneficiaries of the Plan.

22. Representative of Mercer
17901 Von Karman, Suite 1100
Irvine, California 92614

Mercer has information concerning the self-funded health plan administered by the Arizona Department of Administration, the exclusion for gender-transition surgery, and the circumstances giving rise to this litigation.

23. Representative of Segal
1230 W Washington St, Suite 501
Tempe, Arizona 85281

Segal has information concerning the self-funded health plan administered by the Arizona Department of Administration, the exclusion for gender-transition surgery, and the circumstances giving rise to this litigation.

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24. Gilbert Davidson
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 600
Phoenix, Arizona 85016

Gilbert Davidson is the former Director of the Benefits Services Division of the Arizona Department of Administration. Mr. Davidson has information concerning his employment with the Arizona Department of Administration, as well as certain information about the self-funded health plan administered by the Arizona Department of Administration.

25. Craig Brown
c/o Fennemore Craig, P.C.
2394 East Camelback Road, Suite 600
Phoenix, Arizona 85016

Craig Brown is the former Director of the Benefits Services Division of the Arizona Department of Administration. Mr. Brown has information concerning his employment with the Arizona Department of Administration, as well as certain information about the self-funded health plan administered by the Arizona Department of Administration.

26. Any and all other witnesses listed or identified by any other party believed to have knowledge of this matter.

27. Any fact witness necessary for rebuttal or impeachment.

28. Any and all custodians of record for any exhibits and/or other witnesses necessary to provide foundation for exhibits.

29. Without waiving any legal objections, any and all witnesses, experts or otherwise, disclosed by any party to this matter, whether or not later withdrawn or designated.

DATED this 21st day of December, 2020.

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FENNEMORE CRAIG, P.C.

By: s/ Ryan Curtis
Timothy J. Berg
Amy Abdo
Ryan Curtis
Shannon Cohan
Attorneys for Defendants State of
Arizona, Andy Tobin, and Paul
Shannon

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December, 2020, I electronically transmitted the attached 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:

Victoria Lopez
Christine K. Wee
ACLU FOUNDATION OF ARIZONA
3707 N. 7th Street, Suite 235
Phoenix, AZ 85014
vlopez@acluaz.org
cwee@acluaz.org
Attorneys for Plaintiff

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
Attorneys for Plaintiff

Wesley R. Powell
Matthew S. Friemuth
WILLKIE FARR & GALLAGHER LLP
787 Seventh Ave.
New York, NY 10019
wpowell@willkie.com
mfriemuth@willkie.com
Attorneys for Plaintiff

Paul F. Eckstein
Austin C. Yost
PERKINS COIE, LLP
2901 N. Central Ave., Ste. 2000
Phoenix, AZ 85012
PEckstein@perkinscoie.com
AYost@perkinscoie.com
*Attorneys for Defendants Arizona Board of Regents
dba University of Arizona; Ron Shoopman; Larry Penley; Ram Krishna; Bill Ridenour;
Lyndel Manson; Karrin Taylor Robson; Jay Heiler; and Fred Duval*

/s/ Lynn M. Marble

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