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12
13 **UNITED STATES DISTRICT COURT**
14 **FOR THE DISTRICT OF ARIZONA**

15 HELEN ROE, a minor, by and through her
parent and next friend MEGAN ROE;
16 JAMES POE, a minor, by and through his
parent and next friend LAURA POE; and
17 CARL VOE, a minor, by and through his
parent and next friend RACHEL VOE,
18

19 Plaintiffs,

20 v.

21 DON HERRINGTON, in his official
capacity as Interim State Registrar of Vital
Records and Interim Director of the
22 ARIZONA DEPARTMENT OF HEALTH
SERVICES,
23

24 Defendant.

Case No. 4:20-cv-484-JAS

**PLAINTIFFS’ NOTICE OF DEPOSITION
PURSUANT TO FED. R. CIV. P. 30(b)(6)**

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9 *Attorneys for Plaintiffs and Proposed Class*

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1 PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules
2 of Civil Procedure, Plaintiffs Helen Roe, James Poe, and Carl Voe, by and through
3 their counsel, will take the deposition upon oral examination of the Arizona
4 Department of Health Services (“the Department”) beginning on February 25, 2022
5 at 9:00 a.m., by way of Remote Video Conferencing, or at such other location, date
6 and time as may be mutually agreed upon by the parties. The deposition will continue
7 from day to day until completed. The deposition will be conducted before an officer
8 authorized by law to administer oaths and will be recorded by stenographic and video
9 means, and may be transcribed live via Livenote or equivalent.

10 Pursuant to Rule 30(b)(6), the Department shall designate one or more
11 knowledgeable officers, directors, or managing agents, or other persons who consent
12 to testify on its behalf, concerning the subjects set forth in Exhibit A.

13 The topics listed in Exhibit A are directed to obtaining testimony from the
14 Department relevant to class certification, and Plaintiffs reserve the right to seek
15 additional testimony related to other issues, including the merits of the case, after the
16 Court resolves the pending motion for class certification. Plaintiffs also reserve the
17 right to seek additional testimony on the topics listed in Exhibit A, as well as other
18 topics, in the event that additional facts or documents become available after the
19 conclusion of the deposition(s) noticed herein.

1 Dated: January 21, 2022

OSBORN MALEDON, P.A.

2 s/Colin M. Proksel

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EXHIBIT A

DEPOSITION TOPICS

1. The Department's interpretation of the surgical requirement in A.R.S. § 36-337(A)(3) and the Department's application of that provision to applications, inquiries about applying, or other attempts to amend, add, alter, delete, correct, modify, substitute, or otherwise change the sex listed on a birth certificate.

2. The Department's understanding and knowledge of the number of transgender people born in Arizona, including the number who have applied, inquired about applying, or otherwise attempted to amend, add, alter, delete, correct, modify, substitute, or otherwise change the sex listed on their birth certificates.

3. The Department's understanding and knowledge of the reasons that transgender people born in Arizona apply, inquire about applying, or otherwise attempt to amend, add, alter, delete, correct, modify, substitute, or otherwise change the sex listed on their birth certificates.

4. The Department's understanding and knowledge of whether Plaintiff's counsel is adequate.