

1 Daniel C. Barr (#010149)  
Janet M. Howe (#034615)  
2 **PERKINS COIE LLP**  
2901 North Central Avenue, Suite 2000  
3 Phoenix, Arizona 85012-2788  
Telephone: 602.351.8000  
4 Facsimile: 602.648.7000  
DBarr@perkinscoie.com  
5 JHowe@perkinscoie.com  
DocketPHX@perkinscoie.com

6  
7 Brent P. Ray (*admitted pro hac vice*)  
Ariana Elizabeth Fuller (*admitted pro hac vice*)  
8 **KING & SPALDING LLP**  
110 North Wacker Drive, Suite 3800  
Chicago, Illinois 60606  
9 Telephone: 312 995 6333  
Facsimile: 312 995 6330  
10 bray@kslaw.com  
afuller@kslaw.com

11 Andrew J. Chinsky (*admitted pro hac vice*)  
12 **KING & SPALDING LLP**  
1180 Peachtree Street, NE, Suite 1600  
13 Atlanta, Georgia 30309  
Telephone: +1 404 572 4600  
14 Facsimile: +1 404 572 5100  
achinsky@kslaw.com

15 *Attorneys for Plaintiff*  
16 (Additional Counsel on Signature Page)

17 UNITED STATES DISTRICT COURT

18 DISTRICT OF ARIZONA

19 D.H., by and through his mother, Janice  
Hennessy-Waller, and John Doe, by his  
20 guardian and next friend, Susan Doe, on  
behalf of themselves and all others  
21 similarly situated,

22 Plaintiffs,

23 v.

24 Jami Snyder, Director of the Arizona  
Health Care Cost Containment System, in  
her official capacity,

25 Defendant.  
26

No. CV-20-00335-TUC-SHR

**STIPULATED MOTION FOR  
SCHEDULING ORDER**

1 Pursuant to Federal Rule of Civil Procedure 16, Plaintiff John Doe, by his  
 2 guardian and next friend, Susan Doe, and Defendant Jami Snyder (collectively, the  
 3 “Parties”) jointly move the Court for an order establishing deadlines in this litigation  
 4 through the filing of motions for summary judgment and motions to exclude expert  
 5 testimony. In support of their motion, the Parties state as follows:

6 1. On January 28, 2022, the Court held a status conference at which the  
 7 Parties reported that discovery was moving forward on schedule. At this and other status  
 8 conferences, the Court indicated it would set the remaining deadlines for the disposition  
 9 of this matter as discovery progressed further.

10 2. Since the Court’s last status conference, the Parties have continued to work  
 11 together cooperatively to move discovery forward despite unexpected delays in taking  
 12 certain depositions. By the end of March 2022, the Parties will have completed written  
 13 discovery and the depositions of all fact witnesses with the exception of the deposition of  
 14 John Doe and the continued deposition of Dr. Sara Salek. John Doe’s deposition is  
 15 currently scheduled for April 29, 2022. Dr. Salek’s deposition was left open and has not  
 16 been rescheduled because the scope of Plaintiff’s questions will depend on the outcome  
 17 of the Motion to Compel Documents and Testimony Plaintiff filed on February 28, 2022  
 18 [Dkt. 133].

19 3. Over the past month, the Parties have negotiated extensively over the  
 20 schedule to govern the remainder of discovery in this matter and the filing of dispositive  
 21 motions. Through those negotiations, the Parties have agreed upon the following  
 22 deadlines:

<i>Event</i>	<i>Date</i>
Close of fact discovery, with exception of the deposition of John Doe and Dr. Sara Salek	April 1
Opening expert reports due	May 13
Responsive expert reports due	June 10

1	Reply expert reports due	July 1
2	Close of expert discovery	August 12
3	Last day to file motions for summary judgment and to exclude expert testimony	September 9

4           4.       The Parties believe the schedule set forth above best serves their needs and  
5 the interest of judicial economy.

6           THEREFORE, the Parties respectfully request the Court enter the attached order  
7 establishing deadlines in this matter through the filing of motions for summary judgment  
8 and motions to exclude expert testimony

9       Dated: April 4, 2022

**PERKINS COIE LLP**

By: */s/ Janet M. Howe*

Daniel C. Barr (#010149)  
Janet M. Howe (#034615)  
2901 North Central Avenue, Suite 2000  
Phoenix, Arizona 85012-2788  
DBarr@perkinscoie.com  
JHowe@perkinscoie.com

Brent P. Ray (*admitted pro hac vice*)

**KING & SPALDING LLP**  
110 N. Wacker Drive, Suite 3800  
Chicago, Illinois 60606  
Telephone: 312 995 6333  
Facsimile: 312 995 6330  
bray@kslaw.com

Andrew J. Chinsky (*admitted pro hac vice*)

**KING & SPALDING LLP**  
1180 Peachtree Street, NE, Suite 1600  
Atlanta, Georgia 30309  
Telephone: +1 404 572 4600  
Facsimile: +1 404 572 5100  
achinsky@kslaw.com

Asaf Orr (*admitted pro hac vice*)

**NATIONAL CENTER FOR LESBIAN  
RIGHTS**  
870 Market Street, Suite 370  
San Francisco, CA 94102  
Telephone: 415 392 6257  
Facsimile: 415 392 8442  
aorr@nclrights.org

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Abigail K. Coursolle (*admitted pro hac vice*)  
Catherine McKee (*admitted pro hac vice*)  
**NATIONAL HEALTH LAW PROGRAM**  
3701 Wilshire Boulevard, Suite 750  
Los Angeles, CA 90010  
Telephone: 310 204 6010  
coursolle@healthlaw.org  
mckee@healthlaw.org

*Attorneys for Plaintiff*

**JOHNSON LAW OFFICES, P.L.C.**

By: /s/ Logan T. Johnston (with permission)  
Logan T. Johnston (#009484)  
14040 N. Cave Creek Rd., Suite 309  
Phoenix, Arizona 85022  
ltjohnston@live.com

**BURNSBARTON PLC**

By: /s/ David T. Barton (with permission)  
David T. Barton (#016848)  
C. Christine burns (017108)  
2201 E. Camelback Road, Suite 360  
Phoenix, AZ 85016  
david@burnsbarton.com  
christine@burnsbarton.com

*Counsel for Defendant*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

I hereby certify that on April 4, 2022, I electronically transmitted the attached documents 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:

Logan T. Johnston  
JOHNSTON LAW OFFICES, P.L.C.  
14040 N. Cave Creek Rd., Suite 309  
Phoenix, Arizona 85022  
ltjohnston@live.com

David Barton  
C. Christine Burns  
BURNSBARTON PLC  
2201 E. Camelback Road, Suite 360  
Phoenix, AZ 85016  
david@burnsbarton.com  
christine@burnsbarton.com

*Attorneys for Defendant*

*s/ Marie C. van Olffen*  
\_\_\_\_\_

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

D.H., by and through his mother, Janice Hennessy-Waller, and John Doe, by his guardian and next friend, Susan Doe, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

Jami Snyder, Director of the Arizona Health Care Cost Containment System, in her official capacity,

Defendant.

No. CV-20-00335-TUC-SHR

**[PROPOSED] ORDER GRANTING THE PARTIES' STIPULATED MOTION FOR SCHEDULING ORDER**

The Court, having considered the Parties' Stipulated Motion for Scheduling Order (the "Motion") and for good cause shown, **IT IS ORDERED** that the Motion is **GRANTED**.

**IT IS FURTHER ORDERED** that the following deadlines are established:

<i>Event</i>	<i>Date</i>
Close of fact discovery, with exception of the deposition of John Doe and Dr. Sara Salek	April 1
Opening expert reports due	May 13
Responsive expert reports due	June 10
Reply expert reports due	July 1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Close of expert discovery	August 12
Last day to file motions for summary judgment and to exclude expert testimony	September 9