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8 *State of Arizona, Andy Tobin, and Paul Shannon*

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF ARIZONA

11 Russell B. Toomey,  
12 Plaintiff,

13 v.

14 State of Arizona, *et al.*  
15 Defendants.

No. 4:19-cv-00035

**JOINT MOTION TO RESCHEDULE  
ORAL ARGUMENT**

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18 The parties respectfully move the Court to reschedule the oral argument currently  
19 scheduled for 10:00 a.m. on Friday, July 15, 2022, regarding State Defendants' (State of  
20 Arizona, Andy Tobin, and Paul Shannon) Motion for Reconsideration (Doc. 261).

21 The Court set the oral argument through a minute entry on July 1, 2022. On behalf  
22 of State Defendants, Timothy Berg has been preparing for the oral argument but just tested  
23 positive for COVID-19. Other counsel for State Defendants are unavailable due to family  
24 travel commitments including a child's wedding, taking a deposition in another matter, or  
25 are otherwise unable to properly prepare for and attend the oral argument. Counsel for State  
26 Defendants approached counsel for Plaintiff and counsel for the Arizona Board of

1 Regents/University Defendants today regarding these recent developments and all parties  
2 have agreed to this joint motion seeking to reschedule the oral argument after a short delay.  
3 The parties believe the oral argument could be scheduled after a short delay of one week,  
4 or any date thereafter, except July 25 – 28, 2022, when Plaintiff Dr. Toomey’s counsel will  
5 be unavailable.

6 DATED this 13th day of July, 2022.

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By: s/ Ryan Curtis  
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9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF ARIZONA

11 Russell B. Toomey,  
12 Plaintiff,

No. 4:19-cv-00035

**[PROPOSED] ORDER**

13 v.

14 State of Arizona, *et al.*

15 Defendants.

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17 This matter coming before the Court on the Joint Motion to Reschedule Oral  
18 Argument (Doc. \_\_\_\_ ) on State Defendants’ pending Motion for Reconsideration (Doc. 261),  
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20 IT IS HEREBY ORDERED that the Oral argument currently scheduled for 10:00  
21 a.m. on July 15, 2022, is rescheduled to take place at \_\_\_\_\_ a.m./p.m., on  
22 \_\_\_\_\_, 2022, in Courtroom \_\_\_\_, 405 West Congress Street, Tucson, AZ  
23 85701 before Judge Rosemary Marquez.

24 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
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