

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, Suite 600  
 4 Phoenix, Arizona 85016  
 Telephone: (602) 916-5000  
 5 Email: tberg@fennemorelaw.com  
 Email: amy@fennemorelaw.com  
 6 Email: rcurtis@fennemorelaw.com  
 Email: scohan@fennemorelaw.com

7 *Attorneys for Defendants*  
 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

**DECLARATION OF PAUL  
 SHANNON IN SUPPORT OF  
 DEFENDANTS STATE OF  
 ARIZONA’S, ANDY TOBIN’S, AND  
 PAUL SHANNON’S MOTION FOR  
 SUMMARY JUDGMENT**

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 17  
 18 I, Paul Shannon, submit this declaration under penalty of perjury pursuant to  
 19 28 U.S.C. § 1746 and declare as follows:

- 20 1. I am the Assistant Director of the Benefit Services Division of the Arizona  
 21 Department of Administration (“ADOA”).  
 22 2. I submit this declaration in support of the State of Arizona’s, Andy Tobin’s,  
 23 and Paul Shannon’s Motion for Summary Judgment, filed concurrently.  
 24 3. I base this declaration on my personal knowledge.  
 25 4. In 2018, ADOA provided three health plan options: an Exclusive Provider  
 26 Organization Plan, a Preferred Provider Organization Plan, and a High Deductible Plan.

1 The coverage provided, and the applicable exclusions, under each plan was identical.

2 5. From 2015-2021, ADOA removed only five exclusions for treatments or  
3 services from its health plan, including:

- 4 a. 2015 – compression garments for treatment of burns;  
5 b. 2016 – none;  
6 c. 2017 – manipulations under anesthesia, counseling and hormone  
7 therapy for the treatment of gender dysphoria;  
8 d. 2018 – midwife services;  
9 e. 2019 – none;  
10 f. 2020 – none; and  
11 g. 2021 – treatment for benign gynecomastia.

12 6. In 2017, ADOA also removed an exclusion for treatments when the  
13 healthcare provider is a family member of the insured. The removal of this exclusion did  
14 not provide coverage for any additional treatments or services.

15 I declare under penalty of perjury that the foregoing is true and correct.

16 EXECUTED this 26th day of September, 2022.

17  
18 By:   
19 Paul Shannon

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