

SCOTT YOUNG (10695)
SNOW CHRISTENSEN & MARTINEAU
10 Exchange Place, 11th Floor
Salt Lake City, Utah 84111
Telephone: (801) 521-9000
rsy@scmlaw.com
Attorneys for Defendants

TANI PACK DOWNING (06122)
JAMI R. BRACKIN (08753)
RYAN N. DOOLEY (17009)
CITY OF ST. GEORGE
175 E. 200 N.
St. George, Utah 84765
tani.downing@sgcity.org
jami.brackin@sgcity.org
ryan.dooley@sgcity.org
Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

SOUTHERN UTAH DRAG STARS, LLC,
and MITSKI AVALOX,

Plaintiffs,

vs.

CITY OF ST. GEORGE, CITY COUNCIL OF
ST. GEORGE, COUNCILMEMBER JIMMIE
HUGHES, COUNCILMEMBER DANIELLE
LARKIN, COUNCILMEMBER NATALIE
LARSEN, COUNCILMEMBER GREGG
MCARTHUR, COUNCILMEMBER
MICHELLE TANNER, MAYOR MICHELE
RANDALL, and CITY MANAGER JOHN
WILLIS,

Defendants.

**STIPULATED MOTION TO LIFT THE
STAY AND PROCEED WITH
DISCOVERY**

Civil No. 4:23CV44

Honorable David Nuffer

Plaintiffs Southern Utah Drag Stars, LLC and Mitski Avalox, and Defendants City of St. George, City Council of St. George, Councilmembers Jimmie Hughes, Danielle Larkin, Natalie Larsen, Gregg McArthur, and Michelle Tanner, Mayor Michelle Randall, and City Manager John

Willis, by and through counsel, hereby move the Court to lift the stay in this litigation. The parties mediated the case on November 22, 2023, and the mediation was unsuccessful. Therefore, the parties jointly move the Court to lift the stay and enter the proposed scheduling order they are submitting via a Stipulated Motion for Revised Scheduling Order. A proposed order granting the stipulated motion to lift the stay is attached hereto as Exhibit A.

DATED this 11th day of December, 2023.

AMERICAN CIVIL LIBERTIES UNION OF
UTAH

/s/ John Mejia (Signed with permission)
John Mejia
Attorney for Plaintiffs

DATED this 12th day of December, 2023.

SNOW CHRISTENSEN & MARTINEAU

/s/ Scott Young
R. Scott Young
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of December, 2023, I electronically filed the foregoing **STIPULATED MOTION TO LIFT THE STAY AND PROCEED WITH DISCOVERY** with the Clerk of the Court using the CM/ECF System, which will notify all counsel of record.

/s/ Annette Gamero

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

SOUTHERN UTAH DRAG STARS, LLC,
and MITSKI AVALOX,

Plaintiffs,

vs.

CITY OF ST. GEORGE, CITY COUNCIL OF
ST. GEORGE, COUNCILMEMBER JIMMIE
HUGHES, COUNCILMEMBER DANIELLE
LARKIN, COUNCILMEMBER NATALIE
LARSEN, COUNCILMEMBER GREGG
MCARTHUR, COUNCILMEMBER
MICHELLE TANNER, MAYOR MICHELE
RANDALL, and CITY MANAGER JOHN
WILLIS,

Defendants.

**ORDER GRANTING STIPULATED
MOTION TO LIFT THE STAY AND
PROCEED WITH DISCOVERY**

Civil No. 4:23CV44

Honorable David Nuffer
Magistrate Paul Kohler

Pursuant to the Stipulated Motion to Lift the Stay and Proceed with Discovery submitted by Plaintiffs Southern Utah Drag Stars, LLC and Mitski Avalox, and Defendants City of St. George, City Council of St. George, Councilmembers Jimmie Hughes, Danielle Larkin, Natalie Larsen, Gregg McArthur, and Michelle Tanner, Mayor Michelle Randall, and City Manager John Willis, and for good cause shown, the Court hereby GRANTS the Stipulated Motion to Lift the Stay and Proceed with Discovery.

IT IS SO ORDERED.

DATED this ____ day of December, 2023.

Magistrate Judge Paul Kohler
United States District Court for the District of Utah

Approved as to Form:

DATED this 11th day of December, 2023.

AMERICAN CIVIL LIBERTIES UNION OF
UTAH

/s/ John Mejia (Signed with permission)_____
John Mejia
Attorney for Plaintiffs

DATED this 12th day of December, 2023.

SNOW CHRISTENSEN & MARTINEAU

/s/ Scott Young_____
R. Scott Young
Attorneys for Defendants