

1 Colin Proksel (034133)  
2 OSBORN MALEDON, P.A.  
3 2929 North Central Avenue, 21st Floor  
4 Phoenix, Arizona 85012-2793  
5 State Bar No. 034133  
6 Telephone: (602) 640-9000  
7 Facsimile: (602) 640-9050  
8 Email: cproksel@omlaw.com

9 *Attorney for Plaintiffs*  
10 *Additional counsel listed in signature block*

11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF ARIZONA**  
13 **TUCSON DIVISION**

14 Jane Doe, by her next friend and parents  
15 Helen Doe and James Doe; and Megan Roe,  
16 by her next friend and parents, Kate Roe and  
17 Robert Roe,

18 Plaintiffs,

19 v.

20 Thomas C. Horne in his official capacity as  
21 State Superintendent of Public Instruction;  
22 Laura Toenjes, in her official capacity as  
23 Superintendent of the Kyrene School  
24 District; Kyrene School District; The  
25 Gregory School; and Arizona Interscholastic  
26 Association Inc.,

27 Defendants,

28 Warren Petersen, in his official capacity as  
President of the Arizona State Senate, and  
Ben Toma, in his official capacity as  
Speaker of the Arizona House of  
Representatives,

Intervenor-Defendants.

Case No. 4:23-cv-00185-JGZ

**JOINT SETTLEMENT STATUS  
REPORT**

1 Pursuant to the Court's Scheduling Order, *see* ECF No. 144, and Rule 16(b) of the  
2 Federal Rules of Civil Procedure, the parties file this Joint Settlement Status Report.  
3 Settlement or resolution of the case among all parties is not likely at this time.

4  
5 Respectfully submitted this 22nd day of April, 2024.

6  
7 /s/ Colin M. Proksel

8 Colin M. Proksel (034133)  
9 OSBORN MALEDON, P.A.  
2929 North Central Avenue, 21st Floor  
Phoenix, Arizona 85012-2793  
Telephone: (602) 640-9000  
Facsimile: (602) 640-9050  
Email: cproksel@omlaw.com

11  
12 Jyotin Hamid\*  
Justin R. Rassi\*  
13 Amy C. Zimmerman\*  
DEBEVOISE & PLIMPTON LLP  
14 66 Hudson Boulevard  
New York, New York 10001  
15 Telephone: (212) 909-6000  
Facsimile: (212) 909-6836  
16 Email: jhamid@debevoise.com  
Email: jrassi@debevoise.com  
17 Email: azimmerman@debevoise.com

18 Amy Whelan\*  
Rachel Berg\*  
19 NATIONAL CENTER FOR LESBIAN RIGHTS  
870 Market Street, Suite 370  
20 San Francisco, California 94102  
Telephone: (415) 343-7679  
21 Facsimile: (415) 392-8442  
Email: awhelan@nclrights.org  
22 Email: rberg@nclrights.org

23 *\*Admitted pro hac vice.*

24  
25 /s/ Karl McKay Worthington (with  
permission)

26 Dennis Ira Wilenchik  
Karl McKay Worthington  
27 WILENCHIK & BARTNESS PC  
2810 N 3rd St., Ste. 103  
28 Phoenix, AZ 85004  
602-606-2810

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  
27  
28

Email: admin@wb-law.com

Maria Syms  
ARIZONA DEPARTMENT OF EDUCATION  
1535 W Jefferson St., BIN 50  
Phoenix, AZ 85007  
602-542-5240

*Attorneys for Defendant Thomas C. Horne*

/s/ Jordan Ellel (with permission)  
Jordan Todd Ellel  
TEMPE TRI-DISTRICT LEGAL  
500 W Guadalupe Rd.  
Tempe, AZ 85283  
480-345-3746  
Email: jellel@tuhsd.k12.az.us

*Attorney for Defendants Laura Toenjes and  
the Kyrene School District*

/s/ David Potts (with permission)  
David Calvin Potts  
Ashley E Caballero-Daltrey  
JONES SKELTON & HOCHULI PLC  
40 N Central Ave., Ste. 2700  
Phoenix, AZ 85004  
602-263-4547  
Email: dpotts@jshfirm.com  
Email: adaltrey@jshfirm.com

*Attorneys for Defendant The Gregory School*

/s/ Kristian Nelson (with permission)  
Kristian Eric Nelson  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
2929 N Central Ave., Ste. 1700  
Phoenix, AZ 85012  
602-385-1040  
Email: kristian.nelson@lewisbrisbois.com

*Attorneys for Defendant Arizona  
Interscholastic Association Incorporated*

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  
27  
28

/s/ Justin D. Smith (with permission)  
D. John Sauer  
Justin D. Smith  
JAMES OTIS LAW GROUP, LLC  
13321 North Outer Forty Road, Suite 300  
St. Louis, MO 63017  
314-562-0031  
Email: john.sauer@james-otis.com

*Attorneys for Intervenor-Defendants  
President Warren Petersen and Speaker Ben  
Toma*