

CLASSACT,CLOSED,PROTO,STD

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:09-cv-02402-JWS**

Diaz et al v. Brewer et al
Assigned to: Judge John W Sedwick
Case in other court: Ninth Circuit, 10-16797
Cause: 42:1983 Civil Rights Act

Date Filed: 11/17/2009
Date Terminated: 01/12/2015
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Tracy Collins
TERMINATED: 09/09/2013

represented by **Desmund Wu**
Lambda Legal Defense & Education Fund
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TERMINATED: 09/08/2010

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Plaintiff

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Plaintiff

Judith McDaniel
TERMINATED: 10/13/2010

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Plaintiff

Keith B Humphrey
TERMINATED: 09/09/2013

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Plaintiff

Beverly Seckinger

represented by **Daniel Clayton Barr**
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Plaintiff

Stephen Russell

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Plaintiff

Deanna Pflieger

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Rhonda Lorraine Barnes
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Plaintiff

Carrie Sperling
TERMINATED: 09/09/2013

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TERMINATED: 04/05/2010

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TERMINATED: 04/02/2015

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TERMINATED: 10/20/2011
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Plaintiff

Leslie Kemp
TERMINATED: 09/09/2013

represented by **Daniel Clayton Barr**
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TERMINATED: 09/08/2010

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TERMINATED: 04/02/2015

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TERMINATED: 10/20/2011
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Plaintiff

Corey Seemiller
TERMINATED: 09/22/2014

represented by **Daniel Clayton Barr**
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TERMINATED: 09/08/2010

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Rhonda Lorraine Barnes
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TERMINATED: 10/20/2011
ATTORNEY TO BE NOTICED

Tara L Borelli
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ATTORNEY TO BE NOTICED

V.

Defendant

Janice K Brewer
*in her official capacity as Governor of the
State of Arizona*

represented by **Alisa Ann Blandford**
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1275 W Washington
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TERMINATED: 08/29/2013

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Defendant

David Raber
*in his official capacity as Interim Director
 of the Arizona Department of
 Administration and Personnel Board*
 TERMINATED: 09/09/2013

represented by **Alisa Ann Blandford**
 (See above for address)
 TERMINATED: 08/29/2013

Charles Arnold Grube
 (See above for address)
 ATTORNEY TO BE NOTICED

Kathryn J Winters
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

Kathy Peckardt
*in her official capacity as Director of
 Human Resources for the Arizona
 Department of Administration and
 Personnel Board*
 TERMINATED: 09/09/2013

represented by **Alisa Ann Blandford**
 (See above for address)
 TERMINATED: 08/29/2013

Charles Arnold Grube
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 ATTORNEY TO BE NOTICED

Kathryn J Winters
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Defendant

Philip Hamilton
*in his official capacity as Assistant
 Director of the Benefits Services Division
 of the Arizona Department of
 Administration and Personnel Board*
 TERMINATED: 03/15/2010

represented by **Alisa Ann Blandford**
 (See above for address)
 TERMINATED: 08/29/2013

Charles Arnold Grube
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 ATTORNEY TO BE NOTICED

Kathryn J Winters
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Defendant

Unknown Parties
named as Does 1 through 100

Defendant

Brian McNeil
*in his official capacity as Director of the
 Arizona Department of Administration as
 named on the second amended complaint*

represented by **Charles Arnold Grube**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/17/2009	<u>1</u>	COMPLAINT. Filing fee received: \$ 350.00, receipt number 0970-3365151, filed by Stephen Russell, Judith McDaniel, Deanna Pflieger, Leslie Kemp, Joseph R. Diaz, Carrie Sperling, Tracy Collins, Keith Humphrey, Corey Seemiller, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Civil Cover Sheet)(Barr, Daniel) (Entered: 11/17/2009)

11/17/2009	<u>2</u>	SUMMONS Submitted by Tracy Collins, Joseph R. Diaz, Keith Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Barr, Daniel) (Entered: 11/17/2009)
11/17/2009	<u>3</u>	SUMMONS Submitted by Tracy Collins, Joseph R. Diaz, Keith Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Barr, Daniel) (Entered: 11/17/2009)
11/17/2009	<u>4</u>	SUMMONS Submitted by Tracy Collins, Joseph R. Diaz, Keith Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Barr, Daniel) (Entered: 11/17/2009)
11/17/2009	<u>5</u>	SUMMONS Submitted by Tracy Collins, Joseph R. Diaz, Keith Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Barr, Daniel) (Entered: 11/17/2009)
11/17/2009	11	MINUTE ORDER: This case has been reassigned to United States District Judge John W Sedwick. Future filings should reflect the case umbe CV 09-2402-PHX-JWS. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry.(AMB) (Entered: 11/19/2009)
11/17/2009	<u>12</u>	Notice re Magistrate consent form. (AMB) (Entered: 11/19/2009)
11/18/2009	<u>6</u>	NOTICE of Appearance by Rhonda Lorraine Barnes on behalf of Tracy Collins, Joseph R. Diaz, Keith Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Barnes, Rhonda) (Entered: 11/18/2009)
11/18/2009	<u>7</u>	NOTICE of Appearance by James Evans Barton on behalf of Tracy Collins, Joseph R. Diaz, Keith Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Barton, James) (Entered: 11/18/2009)
11/18/2009	<u>8</u>	MOTION for Admission Pro Hac Vice as to attorney Tara L Borelli on behalf of plaintiffs Tracy Collins, Joseph R. Diaz, Keith Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, and Carrie Sperling. (BAS) (Entered: 11/19/2009)
11/18/2009	<u>9</u>	MOTION for Admission Pro Hac Vice as to attorney Jennifer C Pizer on behalf of plaintiffs Tracy Collins, Joseph R. Diaz, Keith Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, and Carrie Sperling. (BAS) (Entered: 11/19/2009)
11/19/2009		PRO HAC VICE FEE PAID. \$ 50, receipt number PHX090783 as to Jennifer C Pizer. (BAS) (Entered: 11/19/2009)
11/19/2009		PRO HAC VICE FEE PAID. \$ 50, receipt number PHX090784 as to Tara L Borelli. (BAS) (Entered: 11/19/2009)
11/19/2009	10	ORDER pursuant to General Order 05-25 granting <u>8</u> Motion for Admission Pro Hac Vice; granting <u>9</u> Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 11/19/2009)
11/19/2009	<u>13</u>	Summons Issued as to Janice K. Brewer, Phillip Hamilton, Kathy Peckardt, David Raber. (Attachments: # <u>1</u> David Raber, # <u>2</u> Kathy Peckardt, # <u>3</u> Phillip Hamilton)(AMB). *** IMPORTANT: You must select "Document and stamps" or "Document and comments" on the print screen in order for the court seal to appear on the summons you print. Modified on 11/19/2009 TO NOTE THAT SUMMONS WERE DATED/ISSUED ON 11/18/09 (REW,). (Entered: 11/19/2009)
11/20/2009	<u>14</u>	NOTICE of Appearance by Tara L Borelli on behalf of Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Borelli, Tara) (Entered: 11/20/2009)

11/20/2009	<u>15</u>	NOTICE of Appearance by Jennifer C Pizer on behalf of Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Pizer, Jennifer) (Entered: 11/20/2009)
12/10/2009	<u>16</u>	NOTICE of Appearance by Charles Arnold Grube on behalf of Janice K Brewer, Phillip Hamilton, Kathy Peckardt, David Raber (Grube, Charles) (Entered: 12/10/2009)
12/10/2009	<u>17</u>	STIPULATION FOR EXTENSION OF TIME TO ANSWER COMPLAINT by Janice K Brewer, David Raber, Phillip Hamilton, Kathy Peckardt. (Attachments: # <u>1</u> Text of Proposed Order Order extending time)(Grube, Charles) (Entered: 12/10/2009)
12/11/2009	<u>18</u>	ORDER granting <u>17</u> Stipulation For Extension of Time To Answer Complaint. Defendants' answer due 1/8/2010. Signed by Judge John W Sedwick on 12/11/09. (JWS,) (Entered: 12/11/2009)
01/07/2010	<u>19</u>	AMENDED COMPLAINT for <i>Injunctive and Declaratory Relief</i> against Janice K Brewer, Phillip Hamilton, Kathy Peckardt, David Raber, Unknown Parties, filed by Stephen Russell, Judith McDaniel, Deanna Pflieger, Leslie Kemp, Joseph R Diaz, Carrie Sperling, Tracy Collins, Keith B Humphrey, Corey Seemiller, Beverly Seckinger.(Barton, James) (Entered: 01/07/2010)
01/08/2010	<u>20</u>	Additional Attachments to Main Document re <u>19</u> Amended Complaint, <i>Index of Exhibits and Exhibits A, B and C</i> by Plaintiffs Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Barton, James) (Entered: 01/08/2010)
01/25/2010	<u>21</u>	MOTION to Dismiss Case for Lack of Jurisdiction by Philip Hamilton. (Attachments: # <u>1</u> Affidavit Declaration of Philip Hamilton)(Grube, Charles) (Entered: 01/25/2010)
01/25/2010	<u>22</u>	MOTION to Dismiss Case by Janice K Brewer, Kathy Peckardt, David Raber. (Grube, Charles) (Entered: 01/25/2010)
02/11/2010	<u>23</u>	RESPONSE to Motion re <u>22</u> MOTION to Dismiss Case by <i>Defendants Brewer, Raber and Peckardt</i> filed by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Borelli, Tara) (Entered: 02/11/2010)
02/12/2010	<u>24</u>	*** DOCUMENT STRICKEN PER COURT ORDER <u>28</u> , FILED 2/23/10 *** Notice of Appearance filed by Pasquale (not a party to the case) (REW) Modified on 2/23/2010 (KMG). (Entered: 02/16/2010)
02/12/2010	<u>25</u>	*** DOCUMENT STRICKEN PER COURT ORDER <u>28</u> , FILED 2/23/10 *** Additional Attachments to Main Document; Exhibits re <u>24</u> Notice filed by Pasquale (not a party to the case) (REW) Modified on 2/23/2010 (KMG). (Entered: 02/16/2010)
02/16/2010	<u>26</u>	RESPONSE to Motion re <u>21</u> MOTION to Dismiss Case for Lack of Jurisdiction by <i>Defendant Philip Hamilton</i> filed by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Barton, James) (Entered: 02/16/2010)
02/22/2010	<u>27</u>	REPLY in Support re <u>22</u> MOTION to Dismiss Case filed by Janice K Brewer, Kathy Peckardt, David Raber. (Grube, Charles) (Entered: 02/22/2010)
02/23/2010	<u>28</u>	ORDER – At docket <u>24</u> Pasquale Labate purports to join in this litigation. Pasquale Labate is not a party to this lawsuit. The Clerk is directed to strike the filing at docket <u>24</u> and the related materials at docket <u>25</u> from the record of this case. Signed by Judge John W Sedwick on 2/22/10. (KMG) (Entered: 02/23/2010)
02/24/2010	<u>29</u>	REPLY in Support re <u>21</u> MOTION to Dismiss Case for Lack of Jurisdiction filed by Philip Hamilton. (Grube, Charles) (Entered: 02/24/2010)
03/15/2010	<u>30</u>	MINUTE ORDER from the Chambers of Judge John W Sedwick granting Defendant Hamilton's <u>21</u> Motion to Dismiss..(REW) (Entered: 03/15/2010)
04/01/2010	<u>31</u>	MOTION for Preliminary Injunction by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Attachments: # <u>1</u> Affidavit of Beverly

		Seckinger, # <u>2</u> Affidavit of Carrie Sperling, # <u>3</u> Affidavit of Corey Seemiller, # <u>4</u> Affidavit of Deanna Pflieger, # <u>5</u> Affidavit of Joseph R. Diaz, # <u>6</u> Affidavit of Keith B. Humphrey, # <u>7</u> Affidavit of Leslie Kemp, # <u>8</u> Affidavit of Stephen Russell, # <u>9</u> Affidavit of Tracy Collins, # <u>10</u> Text of Proposed Order for Preliminary Injunction)(Borelli, Tara) (Entered: 04/01/2010)
04/01/2010	<u>32</u>	Additional Attachments to Main Document re <u>31</u> MOTION for Preliminary Injunction <i>Declaration of Tara Borelli in Support of Motion for Preliminary Injunction</i> by Plaintiffs Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Attachments: # <u>1</u> Exhibit D, # <u>2</u> Exhibit E)(Borelli, Tara) (Entered: 04/01/2010)
04/01/2010	<u>33</u>	Additional Attachments to Main Document re <u>31</u> MOTION for Preliminary Injunction <i>Certificate of Service for Proposed Order</i> by Plaintiffs Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Borelli, Tara) (Entered: 04/01/2010)
04/02/2010	<u>34</u>	MOTION for Admission Pro Hac Vice as to attorney Desmond Wu on behalf of Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, and Corey Seemiller. (BAS) (Entered: 04/05/2010)
04/05/2010		PRO HAC VICE FEE PAID. \$ 50, receipt number PHX095380 as to Desmond Wu. (BAS) (Entered: 04/05/2010)
04/05/2010	<u>35</u>	ORDER pursuant to General Order 05-25 granting <u>34</u> Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 04/05/2010)
04/05/2010	<u>36</u>	Notice re Substitution by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling (Barnes, Rhonda) (Entered: 04/05/2010)
04/16/2010	<u>37</u>	STIPULATION <i>For Extension of Time to File Response to Motion for Preliminary Injunction</i> by Janice K Brewer. (Attachments: # <u>1</u> Text of Proposed Order)(Winters, Kathryn) (Entered: 04/16/2010)
04/19/2010	<u>38</u>	ORDER granting <u>37</u> Stipulation of time to file response to Motion for Preliminary Injunction. Defendants' response due on or before 5/3/10 and plaintiffs' reply due on or before 5/27/10. Signed by Judge John W Sedwick on 4/19/10. (JWS) (Entered: 04/19/2010)
05/03/2010	<u>39</u>	JUDGE SEDWICK TEXT ORDER re <u>31</u> MOTION for Preliminary Injunction and <u>22</u> MOTION to Dismiss Case: The court will hear argument on the motions at dockets 22 and 31 in Courtroom 401, at the Sandra Day O' Connor Courthouse, 401 West Washington Street, Phoenix, at 9:00 AM on June 28, 2010. The court does not expect that testimony will be needed in connection with the motion for a preliminary injunction, but if a party anticipates the need to present testimony, the party shall file a notice advising of that fact no later than May 28, 2010. The notice must identify each witness, briefly summarize the testimony expected from each witness, and provide an estimate of the duration of direct examination of each witness. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. cc: AZ and AK calendar clerks. (JWS) (Entered: 05/03/2010)
05/03/2010	<u>40</u>	RESPONSE in Opposition re <u>31</u> MOTION for Preliminary Injunction filed by Janice K Brewer, Kathy Peckardt, David Raber. (Attachments: # <u>1</u> Affidavit Declaration of Charles A Grube, # <u>2</u> Affidavit Declaration of Karen Battilana, # <u>3</u> Exhibit Battilana Declaration, Ex. B, Part 1, # <u>4</u> Exhibit Battilana Declaration, Ex. B. Part 2, # <u>5</u> Exhibit Battilana Ex. B, Part 3)(Grube, Charles) (Entered: 05/03/2010)
05/27/2010	<u>41</u>	REPLY in Support re <u>31</u> MOTION for Preliminary Injunction filed by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger,

		Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Borelli, Tara) (Entered: 05/27/2010)
05/27/2010	<u>42</u>	Additional Attachments to Main Document re <u>41</u> Reply in Support of Motion <i>Declaration of M.V. Lee Badgett in Support of Plaintiffs' Reply In Support of Motion for Preliminary Injunction</i> by Plaintiffs Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Attachments: # <u>1</u> Exhibit F, # <u>2</u> Exhibit G, # <u>3</u> Exhibit H)(Borelli, Tara) (Entered: 05/27/2010)
06/18/2010	<u>43</u>	DECLARATION of Tara Borelli in Support of Plaintiffs' Motion for a Preliminary Injunction re <u>31</u> MOTION for Preliminary Injunction by Plaintiffs Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Attachments: # <u>1</u> Exhibit I)(Borelli, Tara) (Entered: 06/18/2010)
06/28/2010	44	Minute Entry. Proceedings held before Judge John W Sedwick. Motion Hearings as to Doc. 31 Motion for Preliminary Injunction and Doc. 22 Motion to Dismiss held on 6/28/2010. Appearances: Tara Borelli, Daniel Barr, Rhonda Barnes, Jennifer Pizer and Kirstin Eldenbach for the Plaintiff. Charles Grube for the Defendant. Also present is Joseph Sciarratta, Jr., client representative for the Defendant. Argument held. Matter is taken under advisement. (Court Reporter/ECR Vicki Reger.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (VAR) (Entered: 06/28/2010)
07/16/2010	<u>45</u>	TRANSCRIPT DESIGNATION AND ORDER FORM by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling for proceedings held on 6/28/2010 before Judge Sedwick. (Borelli, Tara) (Entered: 07/16/2010)
07/22/2010	<u>46</u>	Notice re Report on Extension of Plan Year by Janice K Brewer, Kathy Peckardt, David Raber (Attachments: # <u>1</u> Exhibit State letter regarding extension)(Grube, Charles) (Entered: 07/22/2010)
07/23/2010	<u>47</u>	ORDER granting in part and denying in part <u>22</u> Motion to Dismiss Case : (1) the motion is DENIED with respect to plaintiffs equal protection claim; (2) the motion is GRANTED with respect to plaintiffs substantive due process claim; and (3) the motion is DENIED as to defendant Brewers claim of immunity; and granting <u>31</u> Motion for Preliminary Injunction : 1) Defendants are enjoined from enforcing A.R.S. § 38-651(O) to eliminate family insurance eligibility for lesbian and gay State employees, and their domestic partners and domestic partners children who satisfy the criteria set forth in Ariz. Admin. Code § R2-5-101; 2) Defendants are required to make available family health insurance coverage for lesbian and gay State employees, including plaintiffs, who satisfy the relevant eligibility criteria set forth in Ariz. Admin. Code § R2-5-101 to the same extent such benefits are made available to married State employees; 3) The preliminary injunction shall take effect within ten (10) business days and shall remain in effect pending trial in this action or further order of the court. Signed by Judge John W Sedwick on 7/23/10.(JWS) (Entered: 07/23/2010)
08/06/2010	<u>48</u>	ANSWER to <u>19</u> Amended Complaint, by Janice K Brewer, Kathy Peckardt, David Raber.(Grube, Charles) (Entered: 08/06/2010)
08/16/2010	<u>49</u>	NOTICE OF INTERLOCUTORY APPEAL to 9th Circuit as to <u>47</u> Order on Motion to Dismiss, Order on Motion for Preliminary Injunction,,,,,, by Janice K Brewer, Kathy Peckardt, David Raber. Filing fee received: \$ 455.00, receipt number 0970-4235215 (Attachments: # <u>1</u> Appeal Information Representation Statement)(Grube, Charles) (Entered: 08/16/2010)
08/17/2010	<u>50</u>	Ninth Circuit Case Number 10-16797 for <u>49</u> Notice of Interlocutory Appeal. (ESL) (Entered: 08/17/2010)
08/24/2010	<u>51</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion Hearing Proceedings held on 06/28/2010, before Judge John W Sedwick. Court Recorder Vicki Reger. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 9/14/2010.

		Redacted Transcript Deadline set for 9/24/2010. Release of Transcript Restriction set for 11/22/2010. (BAS) (Entered: 08/24/2010)
08/27/2010	<u>52</u>	AMENDED ANSWER to <i>Amended Complaint</i> by Janice K Brewer, Kathy Peckardt, David Raber. (Grube, Charles) (Entered: 08/27/2010)
09/08/2010	<u>53</u>	NOTICE of Attorney Substitution by Tara L Borelli (Borelli, Tara) (Entered: 09/08/2010)
10/07/2010	<u>54</u>	STIPULATION for <i>Dismissal Without Prejudice of Plaintiff Judith McDaniel and Stay of Proceedings Pending Preliminary Injunction Appeal</i> by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Attachments: # <u>1</u> Text of Proposed Order)(Borelli, Tara) (Entered: 10/07/2010)
10/13/2010	<u>55</u>	ORDER – Upon <u>54</u> Stipulation for Dismissal of Pla Judith McDaniel Without Prejudice and for Stay of District Court Proceedings Pending Interlocutory Appeal, IT IS ORDERED that Pla Judith McDaniel is dismissed from this action without prejudice. FURTHER ORDERED that all proceedings in this Court, with the exception of further proceedings, if any, related to the preliminary injunction, shall be stayed until fourteen (14) days after the United States Court of Appeals for the Ninth Circuit issues its ruling on review of the 7/23/2010 order of this Court granting Plas' <u>47</u> request for a preliminary injunction. Signed by Judge John W Sedwick on 10/12/10. (SAT) (Entered: 10/13/2010)
01/05/2011	<u>56</u>	NOTICE re Firm Name Change by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Barnes, Rhonda) (Entered: 01/05/2011)
01/11/2011	<u>57</u>	MOTION to <i>Terminate Noticing</i> by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Attachments: # <u>1</u> Text of Proposed Order)(Barnes, Rhonda) (Entered: 01/11/2011)
01/18/2011	<u>58</u>	ORDER granting Plaintiffs' <u>57</u> Motion to Terminate Noticing; James E Barton II's e-mail address to be removed from the Court's electronic noticing of filings in this matter. Signed by Judge John W Sedwick on 1/14/11.(REW) (Entered: 01/18/2011)
03/28/2011	<u>59</u>	NOTICE of Attorney Substitution by Jennifer C Pizer (Pizer, Jennifer) (Entered: 03/28/2011)
06/06/2011	<u>60</u>	MANDATE of USCA as to <u>49</u> Notice of Interlocutory Appeal, appeal case number 10-16797 filed by David Raber, Janice K Brewer, Kathy Peckardt. Plaintiffs-appellees' unopposed motion to dismiss Tracy Collins without prejudice is GRANTED. (Attachments: # <u>1</u> NDA)(ESL) (Entered: 06/06/2011)
10/20/2011	<u>61</u>	NOTICE re Withdrawal of Counsel of Rhonda L. Barnes by Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling . (Eidenbach, Kirstin) (Entered: 10/20/2011)
05/21/2012	<u>62</u>	MANDATE of USCA re 10-16797 affirming District Court decision as to <u>49</u> Notice of Interlocutory Appeal, filed by David Raber, Janice K Brewer, Kathy Peckardt. (Attachments: # <u>1</u> Order, # <u>2</u> Order, # <u>3</u> Opinion, # <u>4</u> NDA). (LSP) (Entered: 05/21/2012)
05/24/2012	63	JUDGE SEDWICK TEXT ORDER LIFTING STAY. The Court of Appeals' mandate disposing of the interlocutory appeal has been filed at docket 62. The stay of proceedings in this case to permit the interlocutory appeal is, therefore, lifted. The case will now proceed in this court. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (JWS) (Entered: 05/24/2012)
05/24/2012	<u>64</u>	INITIAL CASE STATUS REPORT AND CASE SCHEDULING AND PLANNING ORDER. Counsel for all parties must meet within 21 days from service of this order for purposes of jointly completing a scheduling and planning report. Within 28 days from service of this order, counsel for plaintiff shall serve and file the parties' report with the court. (JWS) (Entered: 05/24/2012)

06/05/2012	<u>65</u>	STIPULATION FOR STAY PENDING APPLICATION FOR CERTIORARI by Janice K Brewer, Kathy Peckardt, David Raber. (Attachments: # <u>1</u> Text of Proposed Order)(Grube, Charles) (Entered: 06/05/2012)
06/18/2012	<u>66</u>	ORDER for Stay Pending Application for Certiorari, pursuant to the Parties' <u>65</u> Stipulation: Staying this case pending the Defendants' filing of a petition for certiorari to the United States Supreme Court and until 2 weeks after Supreme Court proceedings are complete; continuing the preliminary injunction in this case unless and until the same is modified or terminated by subsequent order of this Court; providing that the parties may, without being in violation of the stay entered by this order, apply to this Court at any time for modification of the preliminary injunction for good cause. Signed by Judge John W Sedwick on 6/18/12. (REW) (Entered: 06/18/2012)
12/11/2012	<u>67</u>	JUDGE SEDWICK TEXT STATUS REPORT ORDER. On or before January 15, 2013, counsel for defendants will please file a report advising the court of the status of the petition for certiorari. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (JWS) (Entered: 12/11/2012)
01/22/2013	<u>68</u>	STATUS REPORT on <i>Petition for Certiorari</i> by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Judith McDaniel, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Borelli, Tara) (Entered: 01/22/2013)
01/24/2013	<u>69</u>	ORDER FROM CHAMBERS – The court has reviewed plaintiffs' status report at docket <u>68</u> and appreciates receiving the information which the court had asked defendants to provide, but which defendants failed to provide. Defense counsel will please act with improved diligence in the future. Based on the status report at docket <u>68</u> , this matter will remain stayed. The next status report on the petition for certiorari shall be filed by defendants on July 1, 2013, and if they fail to do so, plaintiffs may file the report on or before July 8, 2013. If defendants fail to timely comply with this order, the court will consider imposition of sanctions. (KMG) (Entered: 01/24/2013)
07/01/2013	<u>70</u>	REPORT of Status of Application for Certiorari by Defendants Janice K Brewer, Kathy Peckardt, David Raber. (Grube, Charles) (Entered: 07/01/2013)
07/02/2013	<u>71</u>	INITIAL CASE STATUS REPORT / CASE SCHEDULING AND PLANNING ORDER: Counsel for all parties must meet within 21 days from service of this order for purposes of jointly completing a scheduling and planning report. Within 28 days from service of this order, counsel for plaintiff shall serve and file the parties' report with the court. In the event the parties to this case are already actively engaged in settlement negotiations, counsel for plaintiff shall so advise the court within seven (7) days following the entry of this order, and shall specify the date by which the parties expect to conclude their settlement negotiations. (JWS) (Entered: 07/02/2013)
07/12/2013	<u>72</u>	NOTICE of Appearance by Kirstin T Eidenbach on behalf of Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Eidenbach, Kirstin) (Entered: 07/12/2013)
07/12/2013	<u>73</u>	NOTICE of Appearance by Jerica Lyn Peters on behalf of Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Peters, Jerica) (Entered: 07/12/2013)
07/30/2013	<u>74</u>	REPORT of Rule 26(f) Planning Meeting by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Peters, Jerica) (Entered: 07/30/2013)
07/31/2013	<u>75</u>	SCHEDULING AND PLANNING ORDER: Fact Discovery due by 4/25/2014. Dispositive motions due by 9/15/2014. (See document for further details). Signed by Judge John W Sedwick on 7/31/13. (LAD) (Entered: 07/31/2013)
08/01/2013	<u>76</u>	NOTICE re Service of Plaintiffs' Initial Disclosures (Local Civil Rule 5.2) by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling . (Borelli, Tara) (Entered: 08/01/2013)
08/05/2013	<u>77</u>	NOTICE re Defendants' Notice of Service of Initial Disclosures and Preliminary Witness List by Janice K Brewer, Kathy Peckardt, David Raber . (Grube, Charles)

		(Entered: 08/05/2013)
08/29/2013	<u>78</u>	NOTICE of Attorney Substitution by Charles Arnold Grube. (Grube, Charles) (Entered: 08/29/2013)
09/06/2013	<u>79</u>	STIPULATION to File Second Amended Complaint by Tracy Collins, Joseph R Diaz, Keith B Humphrey, Leslie Kemp, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller, Carrie Sperling. (Attachments: # <u>1</u> Exhibit 1 Proposed Second Amended Complaint, # <u>2</u> Exhibit A to Second Amended Complaint, # <u>3</u> Exhibit B to Second Amended Complaint, # <u>4</u> Exhibit C to Second Amended Complaint, # <u>5</u> Text of Proposed Order, # <u>6</u> Certificate of Service)(Borelli, Tara) (Entered: 09/06/2013)
09/09/2013	<u>80</u>	ORDER that Plaintiffs are granted leave to file a Second Amended Complaint <u>79</u> ; FURTHER ORDERED that Plaintiffs shall file a non-redlined version of their Second Amended Complaint within seven (7) days of this Order; FURTHER ORDERED that service shall be perfected on all Defendants by Plaintiffs' filing and service of the non-redlined Second Amended Complaint on Defendants' counsel, Charles A. Grube, through the electronic case filing system; IT IS FURTHER ORDERED that Defendants may file a responsive pleading within twenty-one (21) days of Plaintiffs' filing of the Second Amended Complaint; IT IS FURTHER ORDERED that the clerk shall add Brian McNeil to the electronic docket as a defendant and shall designate David Raber as terminated; FURTHER ORDERED that based on Defendants' stipulation that (i) complete relief is available from Defendants Brewer and McNeil, and (ii) Defendants Brewer and McNeil will ensure full compliance with all injunctive relief that the Court has previously and may in the future grant to Plaintiffs, and based on Plaintiffs' reliance on those stipulations, Ms. Isaacson is dismissed from the case, and the clerk shall designate her predecessor, Kathy Peckardt, as terminated on the electronic docket; and IT IS FURTHER ORDERED that upon the filing of the Second Amended Complaint, Plaintiffs Tracy Collins, Keith B. Humphrey, Carrie Sperling, and Leslie Kemp are dismissed without prejudice and will be terminated on the docket. Signed by Judge John W Sedwick on 9/9/2013. (KMG) (Entered: 09/09/2013)
09/09/2013	<u>81</u>	AMENDED COMPLAINT (<i>Second</i>) against Janice K Brewer, Brian McNeil, Unknown Parties filed by Deanna Pflieger, Joseph R Diaz, Stephen Russell, Corey Seemiller, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit A to Second Amended Complaint, # <u>2</u> Exhibit B to Second Amended Complaint, # <u>3</u> Exhibit C to Second Amended Complaint)(Borelli, Tara) (Entered: 09/09/2013)
09/17/2013	<u>82</u>	Joint MOTION for Protective Order by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Attachments: # <u>1</u> Text of Proposed Order)(Peters, Jerica) (Entered: 09/17/2013)
09/17/2013	<u>83</u>	(Filed at doc.#85) LODGED Proposed Stipulated Protective Order re: <u>82</u> Joint MOTION for Protective Order . Document to be filed by Clerk if Motion or Stipulation for Leave to File or Amend is granted. Filed by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Peters, Jerica) Modified on 9/18/2013 (KMG). (Entered: 09/17/2013)
09/18/2013	<u>84</u>	ORDER that the Motion is GRANTED. IT IS FURTHER ORDERED that the Clerk's Office file the Stipulated Protective Order lodged at Doc. <u>83</u> . Signed by Judge John W Sedwick on 9/18/2013.(KMG) (Entered: 09/18/2013)
09/18/2013	<u>85</u>	STIPULATED PROTECTIVE ORDER (See PDF for full details.) (KMG) (Entered: 09/18/2013)
09/30/2013	<u>86</u>	ANSWER to <u>81</u> Amended Complaint, by Janice K Brewer, Brian McNeil.(Grube, Charles) (Entered: 09/30/2013)
11/04/2013	<u>87</u>	NOTICE OF ATTORNEY'S CHANGE OF ADDRESS/FIRM NAME by Tara L Borelli. (Borelli, Tara) (Entered: 11/04/2013)
12/13/2013	<u>88</u>	NOTICE of Service of Discovery filed by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Borelli, Tara) (Entered: 12/13/2013)
12/20/2013	<u>89</u>	MOTION for Class Certification (Unopposed) by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Attachments: # <u>1</u> Text of Proposed Order)(Peters, Jerica) (Entered: 12/20/2013)

12/20/2013	<u>90</u>	DECLARATION of Daniel C. Barr re <u>89</u> MOTION for Class Certification (Unopposed) by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Attachments: # <u>1</u> Exhibit A)(Peters, Jerica) (Entered: 12/20/2013)
12/20/2013	<u>91</u>	DECLARATION of Tara L. Borelli re <u>89</u> MOTION for Class Certification (Unopposed) by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Attachments: # <u>1</u> Exhibit A)(Peters, Jerica) (Entered: 12/20/2013)
12/20/2013	<u>92</u>	DECLARATION of Joseph R. Diaz re <u>89</u> MOTION for Class Certification (Unopposed) by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Peters, Jerica) (Entered: 12/20/2013)
12/20/2013	<u>93</u>	DECLARATION of Beverly Seckinger re <u>89</u> MOTION for Class Certification (Unopposed) by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Peters, Jerica) (Entered: 12/20/2013)
12/20/2013	<u>94</u>	DECLARATION of Stephen Russell re <u>89</u> MOTION for Class Certification (Unopposed) by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Peters, Jerica) (Entered: 12/20/2013)
12/20/2013	<u>95</u>	DECLARATION of Deanna Pflieger re <u>89</u> MOTION for Class Certification (Unopposed) by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Peters, Jerica) (Entered: 12/20/2013)
12/20/2013	<u>96</u>	STIPULATION RE: <u>89</u> MOTION for Class Certification (Unopposed) by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Attachments: # <u>1</u> Text of Proposed Order)(Peters, Jerica) (Entered: 12/20/2013)
12/23/2013	<u>97</u>	ORDER re pursuant to <u>96</u> Stipulation: No additional briefing is required with respect to Plaintiffs' Unopposed Motion for Class Certification. Signed by Judge John W Sedwick on 12/23/13. (JWS) (Entered: 12/23/2013)
12/23/2013	<u>98</u>	ORDER granting <u>89</u> Motion for Class Certification. Plaintiffs meet the requirements to certify the putative class under Rule 23(a) and 23(b)(2) of the Federal Rules of Civil Procedure. This action is certified as a class action under Rule 23(b)(2). The Court appoints Plaintiffs Joseph R. Diaz, Beverly Seckinger, Stephen Russell, and Deanna Pflieger as Class representatives. The Court appoints Lambda Legal Defense and Education Fund, Inc. and Perkins Coie LLP as Class counsel. Signed by Judge John W Sedwick on 12/23/13.(JWS) (Entered: 12/23/2013)
02/21/2014	<u>99</u>	NOTICE of Service of Discovery filed by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 02/21/2014)
02/24/2014	<u>100</u>	NOTICE of Service of Discovery filed by Joseph R Diaz, Deanna Pflieger, Beverly Seckinger, Corey Seemiller. (Borelli, Tara) (Entered: 02/24/2014)
03/05/2014	<u>101</u>	Witness List by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Borelli, Tara) (Entered: 03/05/2014)
03/05/2014	<u>102</u>	Witness List by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 03/05/2014)
03/18/2014	<u>103</u>	NOTICE of Service of Discovery filed by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Eidenbach, Kirstin) (Entered: 03/18/2014)
04/25/2014	<u>104</u>	NOTICE of Service of Discovery filed by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 04/25/2014)
05/22/2014	<u>105</u>	NOTICE re: of Service of Expert Report by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller . (Peters, Jerica) (Entered: 05/22/2014)
05/23/2014	<u>106</u>	NOTICE re: Notice of Service of Defendants' Notice Concerning Expert Disclosure as Required by Scheduling Order by Janice K Brewer, Brian McNeil . (Grube, Charles) (Entered: 05/23/2014)

05/29/2014	<u>107</u>	Witness List by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Peters, Jerica) (Entered: 05/29/2014)
06/06/2014	<u>108</u>	Witness List by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 06/06/2014)
06/26/2014	<u>109</u>	Witness List by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Borelli, Tara) (Entered: 06/26/2014)
07/28/2014	<u>110</u>	MOTION for Admission Pro Hac Vice as to attorney Peter C. Renn by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Renn, Peter) (Entered: 07/28/2014)
08/01/2014		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX148856 as to Peter C Renn. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 08/01/2014)
08/01/2014	111	ORDER pursuant to General Order 09-08 granting <u>110</u> Motion for Admission Pro Hac Vice. Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. Counsel is advised that they are limited to two (2) additional e-mail addresses in their District of Arizona User Account. (BAS) (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 08/01/2014)
08/08/2014	<u>112</u>	STIPULATION <i>To Continue Discovery Deadlines As Allowed By Scheduling And Planning Order</i> by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 08/08/2014)
08/08/2014	<u>113</u>	*NOTICE of Service of Discovery – Rebuttal Expert Disclosure As Required By Scheduling Order by Janice K Brewer, Brian McNeil . (Grube, Charles) *Modified to correct event on 8/11/2014 (KMG). (Entered: 08/08/2014)
08/18/2014	114	JUDGE SEDWICK TEXT ORDER. The stipulation at docket 112 is approved. The court awaits the joint motion mentioned therein. [COUNSEL ARE REMINDED THAT A COPY OF ALL PROPOSED ORDERS ARE TO BE SENT IN WORD PERFECT OR WORD TO THE PRESIDING JUDGE.] This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (JWS) (Entered: 08/18/2014)
08/20/2014	<u>115</u>	Joint MOTION to Amend/Correct <u>75</u> Scheduling Order by Janice K Brewer, Brian McNeil. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Granting Stipulated Motion to Modify Scheduling and Planning Order)(Grube, Charles) (Entered: 08/20/2014)
08/21/2014	<u>116</u>	ORDER granting <u>115</u> Motion to Modify Scheduling and Planning Order. The scheduling and planning order at docket 75 is VACATED. The parties shall file dispositive cross-motions for summary judgment on or before October 1, 2014. After the Court resolves the cross-motions for summary judgment, unless there is a final judgment disposing of all claims as to all parties, the Court will conduct a Pretrial Conference pursuant to Fed. R. Civ. P. 16, to identify remaining issues and issue a new Scheduling and Planning Order for the resolution of remaining issues, including new deadlines for disclosures and discovery. Signed by Judge John W Sedwick on 8/21/14.(JWS) (Entered: 08/21/2014)
09/22/2014	<u>117</u>	Joint MOTION for Leave to File Excess Pages for Memoranda of Points and Authorities Regarding Motions for Summary Judgment by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Renn, Peter) (Entered: 09/22/2014)
09/22/2014	<u>118</u>	STIPULATION <i>of Voluntary Dismissal of Named Plaintiff Corey Seemiller Pursuant to Fed. R. Civ. P. 41(a)(2)</i> by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger, Corey Seemiller. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Renn, Peter) (Entered: 09/22/2014)
09/22/2014	<u>119</u>	ORDER granting <u>117</u> Motion for Leave to File Excess Pages. Plaintiffs and Defendants may file memoranda of points and authorities in support of or in opposition to motions for summary judgment of no more than 30 pages each and reply

		briefs of no more than 15 pages each. Signed by Judge John W Sedwick on 9/22/14.(JWS) (Entered: 09/22/2014)
09/22/2014	<u>120</u>	ORDER pursuant to the parties' <u>118</u> Stipulation: that Corey Seemiller is dismissed as a named Plaintiff, without prejudice, and with no effect upon any rights Ms. Seemiller may have as a class member. Signed by Judge John W Sedwick on 9/22/2014. (KMG) (Entered: 09/22/2014)
09/29/2014	<u>121</u>	NOTICE of Service of Discovery filed by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Renn, Peter) (Entered: 09/29/2014)
09/30/2014	<u>122</u>	MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>123</u>	STATEMENT of Plaintiffs' Separate Statement of Facts in Support of Their Motion for Summary Judgment re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>124</u>	REQUEST re: Plaintiffs' Request for Judicial Notice in Support of Their Motion for Summary Judgment by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit Index and Exhibits A–O)(Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>125</u>	DECLARATION of Tara L. Borelli re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit Index and Exhibits A–B)(Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>126</u>	DECLARATION of Joseph R. Diaz re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit Index and Exhibits A–C)(Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>127</u>	DECLARATION of Stephen Russell re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>128</u>	DECLARATION of Deanna Pflieger re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>129</u>	DECLARATION of Tania Katan re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit Index and Exhibits A–B)(Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>130</u>	DECLARATION of Mia LaBarbara re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit Index and Exhibits A–C)(Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>131</u>	DECLARATION of William Scott Neeley re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit Index and Exhibits A–C)(Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>132</u>	DECLARATION of M.V. Lee Badgett, Ph.D. re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit Index and Exhibits A–B)(Borelli, Tara) (Entered: 09/30/2014)
09/30/2014	<u>133</u>	DECLARATION of Beverly Seckinger re: <u>122</u> MOTION for Summary Judgment <i>and Memorandum of Points and Authorities in Support Thereof</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit

		Index and Exhibits A–C)(Borelli, Tara) (Entered: 09/30/2014)
10/01/2014	134	MOTION for Summary Judgment by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 10/01/2014)
10/01/2014	135	STATEMENT of Facts in Support of Defendants Motion for Summary Judgment by Defendants Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 10/01/2014)
10/01/2014	136	DECLARATION of Marie Isaacson Supporting Defendants Motion for Summary Judgment by Defendants Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 10/01/2014)
10/01/2014	137	DECLARATION of John Arnold Supporting Defendants Motion for Summary Judgment by Defendants Janice K Brewer, Brian McNeil. (Attachments: # 1 Exhibit)(Grube, Charles) (Entered: 10/01/2014)
10/31/2014	138	*Joint MOTION to Dissolve Preliminary Injunction and to Dismiss Case and <i>NOTICE of Withdrawal of Motions for Summary Judgment</i> by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order Setting Date for Dissolution of Preliminary Injunction and Case Dismissal, # 3 Certificate of Service)(Borelli, Tara) *Modified to include text on 11/3/2014 (KMG). (Entered: 10/31/2014)
11/06/2014	139	ORDER granting 138 Joint Motion. IT IS HEREBY ORDERED that the preliminary injunction, Doc. 47 , is dissolved effective at midnight MST on December 31, 2014; and IT IS FURTHER ORDERED that the case will be dismissed as moot at the same time the preliminary injunction is dissolved, i.e., midnight MST on December 31, 2014, and the case may be closed and judgment shall be entered as soon thereafter as possible. Signed by Judge John W Sedwick on 11/6/14. (LAD) (Entered: 11/06/2014)
11/20/2014	140	MOTION to Vacate 139 Order on Motion for Miscellaneous Relief <i>and to Modify Preliminary Injunction</i> by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # 1 Text of Proposed Order)(Borelli, Tara) (Entered: 11/20/2014)
11/20/2014	141	DECLARATION of Tara L. Borelli re: 140 MOTION to Vacate 139 Order on Motion for Miscellaneous Relief <i>and to Modify Preliminary Injunction</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # 1 Exhibit A)(Borelli, Tara) (Entered: 11/20/2014)
11/20/2014	142	MOTION Shorten Time for Briefing re: 140 MOTION to Vacate 139 Order on Motion for Miscellaneous Relief <i>and to Modify Preliminary Injunction</i> by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # 1 Text of Proposed Order)(Borelli, Tara) (Entered: 11/20/2014)
11/20/2014	143	DECLARATION of Tara L. Borelli re: 142 MOTION Shorten Time for Briefing re: 140 MOTION to Vacate 139 Order on Motion for Miscellaneous Relief <i>and to Modify Preliminary Injunction</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Borelli, Tara) (Entered: 11/20/2014)
11/26/2014	144	ORDER granting 142 MOTION Shorten Time for Briefing re: 140 MOTION to Vacate 139 Order on Motion and to Modify Preliminary Injunction. IT IS HEREBY ORDERED that any opposition to the Motion must be filed on or before December 4, 2014, and any reply filed in support of the Motion must be filed on or before December 10, 2014. Signed by Judge John W Sedwick on 11/25/14. (LAD) (Entered: 11/26/2014)
12/04/2014	145	RESPONSE in Opposition re: 140 MOTION to Vacate 139 Order on Motion for Miscellaneous Relief <i>and to Modify Preliminary Injunction</i> filed by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 12/04/2014)
12/09/2014	146	REPLY to Response to Motion re: 140 MOTION to Vacate 139 Order on Motion for Miscellaneous Relief <i>and to Modify Preliminary Injunction</i> filed by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Renn, Peter) (Entered: 12/09/2014)
12/10/2014	147	ORDER DENYING 140 Motion to Vacate the order at docket 139. (JWS) (Entered: 12/10/2014)

01/12/2015	<u>148</u>	ORDER Pursuant to the court's order at docket <u>139</u> , the Clerk of Court will please close this case. Signed by Judge John W Sedwick on 1/12/2015. (KMG) (Entered: 01/12/2015)
01/13/2015	<u>149</u>	CLERK'S JUDGMENT – IT IS ORDERED AND ADJUDGED that pursuant to the Court's order filed November 6, 2014, the preliminary injunction is dissolved and this case is now closed. (KMG) (Entered: 01/13/2015)
01/27/2015	<u>150</u>	MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Text of Proposed Order)(Borelli, Tara) (Entered: 01/27/2015)
01/27/2015	<u>151</u>	DECLARATION of Tara L. Borelli re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibits A–G)(Borelli, Tara) (Entered: 01/27/2015)
01/27/2015	<u>152</u>	DECLARATION of Daniel C. Barr re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibits A–B)(Borelli, Tara) (Entered: 01/27/2015)
01/27/2015	<u>153</u>	DECLARATION of Mark I. Harrison re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> by Plaintiffs Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit A)(Borelli, Tara) (Entered: 01/27/2015)
01/27/2015	<u>154</u>	MOTION Set Schedule for Notice to Class Members re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Borelli, Tara) (Entered: 01/27/2015)
02/13/2015	<u>155</u>	RESPONSE in Opposition re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> filed by Janice K Brewer, Brian McNeil. (Attachments: # <u>1</u> Exhibit Exhibit A)(Grube, Charles) (Entered: 02/13/2015)
02/13/2015	<u>156</u>	RESPONSE in Opposition re: <u>154</u> MOTION Set Schedule for Notice to Class Members re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> filed by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 02/13/2015)
02/21/2015	<u>157</u>	REPLY to Response to Motion re: <u>154</u> MOTION Set Schedule for Notice to Class Members re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> filed by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Attachments: # <u>1</u> Text of Proposed Order)(Borelli, Tara) (Entered: 02/21/2015)
02/21/2015	<u>158</u>	REPLY to Response to Motion re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> filed by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger. (Borelli, Tara) (Entered: 02/21/2015)
03/03/2015	<u>159</u>	NOTICE re: of Supplemental Authority by Joseph R Diaz, Deanna Pflieger, Stephen Russell, Beverly Seckinger re: <u>150</u> MOTION for Attorney Fees <i>and Costs</i> ; <i>Memorandum of Points and Authorities in Support of</i> . (Attachments: # <u>1</u> Exhibit A – Order of the Ninth Circuit)(Borelli, Tara) (Entered: 03/03/2015)
03/06/2015	<u>160</u>	ORDER that within seven days of this order, Plaintiffs shall transmit to Defendants notice of Plaintiffs' motion for attorneys' fees and costs (the "Notice") in envelopes with postage prepaid. The Notice will be in substantially the same form as the letter attached as Exhibit A to Plaintiffs' Motion, but Plaintiffs may make corrections as needed for accuracy; IT IS FURTHER ORDERED that within seven days of receipt of the Notices from Plaintiffs, Defendants must affix address labels and send them by U.S. mail to all State of Arizona employees who received family health coverage for a same–sex domestic partner or domestic partner's child(ren) in 2014; and FURTHER ORDERED that class members shall have 45 days after the date of the Notice to file any objections to Plaintiffs' Motion with the Court. Signed by Judge John W Sedwick on 3/5/2015.(KMG) (Entered: 03/06/2015)

04/02/2015	<u>161</u>	NOTICE of Attorney Withdrawal of <i>Kirstin T. Eidenbach</i> filed by Kirstin T Eidenbach. (Eidenbach, Kirstin) (Entered: 04/02/2015)
04/27/2015	162	ORDER [JUDGE SEDWICK STATUS REPORT ORDER. Counsel for defendants will please file a report within <u>7 days</u> advising the court of the date when the notices required by the order at docket 160 were mailed. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (JWS) (Entered: 04/27/2015)
05/01/2015	<u>163</u>	STATUS REPORT by Janice K Brewer, Brian McNeil. (Grube, Charles) (Entered: 05/01/2015)
06/05/2015	<u>164</u>	ORDER AND OPINION granting <u>150</u> Plaintiffs' Motion for Attorney Fees. Plaintiffs shall be awarded attorneys' fees in the amount of \$305,049.95 and costs in the amount of \$1,936.67. Signed by Judge John W Sedwick on 6/5/15.(KGM) (Entered: 06/05/2015)