

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2013-010915

01/24/2014

HON. JOHN REA

CLERK OF THE COURT  
L. Gilbert  
Deputy

JENNIFER WRIGHT, et al.

CLINT BOLICK

v.

GREGORY J STANTON, et al.

JOHN A DORAN

PAIGE A MARTIN  
DAVID L NIEDERDEPPE  
CAROLINE A PILCH

MINUTE ENTRY

East Court Building – Courtroom 414

1:40 p.m. This is the time set for Oral Argument on 1) Defendant Phoenix Police Sergeants and Lieutenants Association's September 19, 2013 Motion to Dismiss Plaintiffs' Complaint for Declaratory and Injunctive Relief; and 2) Defendants City of Phoenix, Stanton, Gates, Williams, Waring, Simplot, Valenzuela, Diciccio, Nowakowski, Johnson, and Cavazos' September 19, 2013 Motion to Dismiss and Request for Attorneys' Fees; 3) Defendant Phoenix Police Pension Board's November 8, 2013 Motion to Dismiss or Alternative Motion for Stay of Proceedings; and 4) Defendant The Public Safety Personnel Retirement System's November 8, 2013 Motion to Dismiss and Request for Attorneys' Fees and Costs. Plaintiffs are represented by counsel, Clint Bolick and Jonathan Riches. Defendants City of Phoenix, Stanton, Gates, Williams, Waring, Simplot, Valenzuela, Diciccio, Nowakowski, Johnson, and Cavazos are represented by counsel, John A. Doran and Matthew Hesketh. Defendant Phoenix Police Sergeants and Lieutenants Association is represented by counsel, Caroline A. Pilch. Defendant The Public Safety Personnel Retirement System is represented by counsel, Marc R. Lieberman.

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Defendant City of Phoenix Police Pension Board (“the Board”) is represented by counsel, David L. Niederdeppe and J. Kenney Kelley.

A record of the proceedings is made by audio/videotape in lieu of a court reporter.

Argument is presented.

For the reasons stated on the record,

IT IS ORDERED denying Defendant Phoenix Police Sergeants and Lieutenants Association’s Motion to Dismiss Plaintiffs’ Complaint for Declaratory and Injunctive Relief; Defendants City of Phoenix, Stanton, Gates, Williams, Waring, Simplot, Valenzuela, Diciccio, Nowakowski, Johnson, and Cavazos’ Motion to Dismiss; Defendant Phoenix Police Pension Board’s Motion to Dismiss; and Defendant The Public Safety Personnel Retirement System’s Motion to Dismiss.

Counsel advise the Court that a “fact gathering meeting” by the Board is scheduled for February 14, 2014, wherein the Board will review the existing facts and allegations and make a decision as to whether or not this matter should proceed to litigation.

Accordingly,

IT IS ORDERED granting Defendant Phoenix Police Pension Board’s Motion for Stay of Proceedings on a limited basis.

IT IS FURTHER ORDERED all Defendants shall file an answer no later than **February 4, 2014.**

IT IS FURTHER ORDERED setting a Telephonic Status Conference to discuss the status of the Board’s position on litigation on **February 21, 2014 at 8:45 a.m. (time allotted: 10 minutes)**, in this division.

**HONORABLE JOHN C. REA  
MARICOPA COUNTY SUPERIOR COURT  
EAST COURT BUILDING  
101 W. JEFFERSON  
4<sup>TH</sup> FLOOR, COURTROOM 414  
PHOENIX, AZ 85003  
602-372-0382**

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**NOTE:** Counsel for the Plaintiffs is to initiate the telephonic conference by first arranging the presence of all other counsel or self-represented parties on the conference call and by calling this division at the scheduled time.

The proceeding will take place in the Superior Court's "e-courtroom." A record of the proceedings will be made by videotape and CD in lieu of a court reporter. Should you want an unofficial copy of the proceedings, the parties or counsel may request a videotape or CD of the proceedings for a \$20.00 charge. If a CD or videotape is requested, please obtain a form from the courtroom clerk or from the Self Service Center to request a daily copy of a court hearing or trial proceeding being conducted. Pay the applicable fee **at the Self Service Center**. Attach the receipt showing payment of the fee and present both the receipt and the form to the bailiff. **For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.** Should an official transcript be required, you may request that the court prepare it. The party ordering the transcript must pay for it. To request a transcript, call 602-506-7100 and provide the date of the proceeding, the case number, the case caption, if the transcript is for an appeal, and your name, address, and telephone number.

**With this new technology, a court reporter is likely not required and the parties are encouraged to experience the court's video recording system before requesting a court reporter.** If a court reporter is required, the Court must receive a written request at least three (3) court days before the commencement of the proceeding. Failure to timely request a court reporter will be deemed consent to proceed without a court reporter.

**PLEASE NOTE:** This division requires that all motions, responses, replies and other Court requested filings in this case must be submitted individually. Counsel shall not combine any motion with a responsive pleading. All motions are to be filed separately and designated as such. No pleadings will be accepted if filed in combination with another.

2:45 p.m. Matter concludes.

**ALERT:** The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.