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20 *Attorneys for Plaintiffs Joseph R. Diaz, Beverly*  
21 *Seckinger, Stephen Russell, Deanna Pfleger, and Corey*  
22 *Seemiller, on behalf of themselves and all others*  
23 *similarly situated*

24 UNITED STATES DISTRICT COURT  
25 DISTRICT OF ARIZONA

26 Joseph R. Diaz, Beverly Seckinger, Stephen  
Russell, Deanna Pfleger, and Corey Seemiller,  
on behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

Janice K. Brewer, personally and in her official  
capacity as Governor of the State of Arizona;  
et al.,

Defendants.

No. CV09-02402-PHX-JWS

**STIPULATION CONCERNING  
CLASS CERTIFICATION**

1 Plaintiffs Joseph R. Diaz, Beverly Seckinger, Stephen Russell, Deanna Pfleger, and  
2 Corey Seemiller (collectively, “Plaintiffs”) and Defendants Janice K. Brewer and Brian  
3 McNeil (collectively, “Defendants”), by and through undersigned counsel, hereby  
4 stipulate as follows:

5 1. WHEREAS, Plaintiffs filed their Second Amended Complaint for Injunctive  
6 and Declaratory Relief in this matter on September 9, 2013 on behalf of a putative class of  
7 lesbian and gay State of Arizona (“State”) employees who are now, or will in the future,  
8 be eligible for family health coverage for their committed same-sex partners and their  
9 partners’ dependents;

10 2. WHEREAS, Plaintiffs have concurrently filed a motion seeking an order  
11 certifying this proceeding as a class action pursuant to Rules 23(a) and 23(b)(2) of the  
12 Federal Rules of Civil Procedure (the “Motion”), and defining the putative class as “all  
13 lesbian and gay employees of the State who are now, or will in the future, be eligible  
14 under the criteria specified in former Ariz. Admin. Code § R2-5-101 to obtain State health  
15 insurance benefits for their committed same-sex partners and their partners’ dependents”;  
16 and

17 3. WHEREAS, Defendants do not oppose the relief sought in Plaintiffs’  
18 Motion, including certification of the putative class and appointment of their current  
19 counsel as class counsel.

20 4. WHEREFORE, the Plaintiffs and Defendants hereby stipulate, subject to  
21 approval of the Court:

22 A. To the certification of the putative class, as defined in paragraph 2  
23 above; and

24 B. To the appointment of Plaintiffs’ current counsel as counsel for the  
25 class.  
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Dated this 20th day of December, 2013.

**PERKINS COIE LLP**

**THOMAS C. HORNE  
ARIZONA ATTORNEY GENERAL**

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*Attorneys for Plaintiffs*

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 20, 2013, I electronically transmitted the above document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Charles A. Grube (charles.grube@azag.gov)  
Kathryn J. Winters (kathryn.winters@azag.gov)

I also certify that on December 20, 2013, I transmitted the attached document by Federal Express overnight delivery to the Honorable John W. Sedwick, United States District Court, Federal Building and United States Courthouse, 222 West 7th Avenue, Box 32, Anchorage, Alaska 99513-9513.

s/ Delana Freouf