

ARIZONA SUPREME COURT

KAREN FANN, an individual; RUSSELL “RUSTY” BOWERS, an individual; DAVID GOWAN, an individual; VENDEN LEACH, an individual; REGINA COBB, an individual; JOHN KAVANAUGH, an individual; MONTIE LEE, an individual; STEVE PIERCE, an individual; FRANCIS SURDAKOWSKI, M.D., an individual; NO ON 208 an Arizona political action committee; ARIZONA FREE ENTERPRISE CLUB, an Arizona non-profit corporation,

Plaintiffs/Appellants,

v.

STATE OF ARIZONA; KIMBERLY YEE, in her official capacity as Arizona State Treasurer; ARIZONA DEPARTMENT OF REVENUE, an agency of the State of Arizona,

Defendants/Appellees,

and

INVEST IN EDUCATION (SPONSORED BY AEA AND STAND FOR CHILDREN), a political action committee; DAVID LUJAN, an individual,

Intervenor-
Defendants/Appellees

No. CV 21-0058-T/AP

Court of Appeals
No. 1 CA-CV 21-0087

Maricopa County Superior Court
No. CV2020-015495
No. CV2020-015509
(Consolidated)

**APPELLANTS’ NOTICE OF
FILING NOTICE OF
SUPPLEMENTAL AUTHORITY
IN SUPERIOR COURT**

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Plaintiffs-Appellants Karen Fann, Russell (“Rusty”) Bowers, David Gowan, Venden Leach, Regina Cobb, John Kavanagh, Montie Lee, Steve Pierce, Francis Surdakowski, No on 208, and Arizona Free Enterprise Club (“Plaintiffs”) hereby give notice that on June 22, 2021, pursuant to the Parties’ stipulation, the Superior Court granted to a stay of superior court proceedings pending a decision from this Court.

Plaintiffs previously moved to stay the superior court proceedings on February 18, 2021, contending that the current appeal raised case-determinative legal issues. Although Intervenor-Defendants previously opposed that request, they have now agreed that a stay is necessary and appropriate.

The Order entering the Parties’ Stipulated Stay of Proceedings Pending a Decision from the Arizona Supreme Court is attached hereto as **Exhibit A**.

RESPECTFULLY SUBMITTED this 25th day of June, 2021.

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EXHIBIT A

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2020-015495

06/24/2021

HONORABLE JOHN R. HANNAH JR

CLERK OF THE COURT
A. Walker
Deputy

KAREN FANN, et al.

BRETT W JOHNSON

v.

STATE OF ARIZONA, et al.

BRIAN M BERGIN

DANIEL J ADELMAN
ROOPALI HARDIN DESAI
JOHN SUD
STEPHEN W TULLY
JUDGE HANNAH

ORDER SIGNED

The Court has received the parties' Stipulation to Stay of Proceedings Pending a Decision from the Arizona Supreme Court, electronically filed on June 18, 2021,

IT IS ORDERED approving/granting parties' Stipulation to Stay of Proceedings Pending a Decision from the Arizona Supreme Court, electronically filed on June 18, 2021, all in accordance with the formal written Order signed by the Court on June 22, 2021, and filed (entered) by the Clerk on June 24, 2021.

IT IS FURTHER ORDERED vacating the Trial Setting Conference set on August 11, 2021 at 9:00 a.m. in this division.

Please note: The court has signed a paper copy of the order which was originally provided electronically. After the order has been scanned and docketed by the Clerk of Court, copies of this order will be available through the ECR online at www.clerkofcourt.maricopa.gov or through www.AZTurboCourt.gov and from the Public Access Terminals at the Clerk of Court's offices located throughout Maricopa County.