

Patty A. Ferguson-Bohnee (AZ 020996)  
Patty.Ferguson@SacksTierney.com  
Judith M. Dworkin (AZ 010849)  
Judith.Dworkin@SacksTierney.com  
Joe W. Keene (AZ 032623)  
Joe.Keene@sackstierney.com  
SACKS TIERNEY P.A.  
4250 N. Drinkwater Blvd., 4th Floor  
Scottsdale, AZ 85251-3693  
Telephone: 480.425.2600

Paul Spruhan (NM 12513)  
pspruhan@nndoj.org  
Navajo Nation Dept. of Justice  
P.O. Drawer 2010  
Window Rock, Arizona 86515  
Telephone: (928) 871-6210  
Facsimile: (928) 871-6177  
Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

The Navajo Nation, et al.,

Plaintiffs,

v.

Katie Hobbs, et. al.,

Defendants.

No. CV-18-08329-PCT-DWL

**JOINT MOTION FOR A  
TEMPORARY STAY OF  
PROCEEDINGS (SECOND  
REQUEST)**

Through undersigned counsel, the Parties hereby jointly request a 100 day extension of the May 2, 2019 deadline (Doc. 36) staying this proceeding to allow for continued settlement negotiations so that the Parties can work on a potential settlement to the underlying lawsuit. Since this lawsuit has been filed, the Parties have been engaged in settlement discussions and want to continue these productive discussions.

The Parties agree that it is in the best interest of judicial economy and conservation of the Court's and Parties' resources to allow for settlement discussions and the possibility of settlement before setting any Proposed Scheduling Order. A 100-day extension will

1 allow the Parties to continue settlement discussions and potentially complete a settlement.  
2 If, at the end of the 100-day period, the Parties determine that settlement discussions are  
3 not productive, the Parties will submit to the Court a Notice that settlement will not happen  
4 and will then file within 10 days a Proposed Scheduling Order.

5 This Court has the inherent authority to stay this matter. "The District Court has  
6 broad discretion to stay proceedings incident to its power to control its own docket."  
7 *Clinton v. Jones*, 520 U.S. 681, 706 (1997). "[T]he power to stay proceedings is incidental  
8 to the power inherent in every court to control the disposition of the causes on its docket  
9 with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am.*  
10 *Co.*, 299 U.S. 248, 254 (1936). And because this motion is submitted jointly by the Parties,  
11 there is no potential prejudice to either party if the stay is granted.

12 WHEREFORE, the Parties request that the Court grant the attached proposed Order  
13 staying the proceedings in the litigation for 100 days, to allow the Parties to engage in  
14 settlement discussions in order to resolve this matter.

15 Respectfully submitted this 23rd day of April, 2019.

16 SACKS TIERNEY P.A.

17 By: s/ Patty A. Ferguson-Bohnee

18 Patty A. Ferguson-Bohnee

19 Judith M. Dworkin

20 Joe Keene

21 and

22 Paul Spruhan

23 NAVAJO NATION DEPARTMENT OF  
24 JUSTICE

25 *Attorneys for the Plaintiffs*

26 Mark Brnovich

27 Attorney General

28 By: s/ Joseph E. La Rue

Joseph E. La Rue

Assistant Attorney General

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

*Attorney for Defendant Arizona Secretary of  
State Katie Hobbs*

/s/ Jason S. Moore  
Jason S. Moore  
Deputy County Attorney  
*Attorneys for Doris Clark and Rayleen  
Richards*

WILLIAM P. RING  
Coconino County Attorney

By: s/ Rose Winkeler  
Rose Winkeler  
Deputy County Attorney  
*Attorneys for Coconino County*

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

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2019, I electronically transmitted the foregoing  
JOINT MOTION TO STAY PROCEEDINGS to the Clerk's Office using the CM/ECF  
System for filing.

s/ Rebecca C. Urias

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