

SUPREME COURT OF ARIZONA

KAREN FANN, in her official) Arizona Supreme Court
capacity as President of the) No. CV-21-0197-PR
Arizona Senate; WARREN PETERSEN,)
in his official capacity as) Court of Appeals
Chairman of the Senate Judiciary) Division One
Committee; the ARIZONA SENATE, a) No. 1 CA-SA 21-0141
house of the Arizona Legislature,)
) Maricopa County
) Superior Court
)
Petitioner,) No. CV2021-008265
)
v.)
)
THE HONORABLE MICHAEL KEMP,)
Judge of the SUPERIOR COURT OF)
THE STATE OF ARIZONA, in and for) **FILED 08/24/2021**
the County of MARICOPA,)
)
Respondent Judge,)
)
AMERICAN OVERSIGHT,)
)
Real Party in Interest.)
_____)

O R D E R

The Court en banc¹ has considered "Petitioners' Emergency Motion for Stay" filed by Petitioners Fann, *et al.* and "American Oversight's Opposition to Petitioners' Emergency Motion for Stay" filed by real party in interest American Oversight. On August 20, 2021, the Court entered an order temporarily staying the superior court's order to produce public records entered on August 2, 2021 to allow the Court to consider the stay pleadings.

¹Chief Justice Brutinel has recused himself from participating in this matter.

Upon consideration,

IT IS ORDERED extending the stay to enable the Court to fully consider the issues raised in the petition for review. However, this order does not relieve the Petitioners from continuing to review and produce documents Petitioners have already agreed to produce, as noted on pages 2-3 of Petitioners' Petition for Review ("The Senate has produced, or will produce, to American Oversight any documents in the physical possession or physical custody of any of the Senate or of Secretary Bennett that are (1) responsive to American Oversight's public records requests; and (2) not protected from disclosure by any constitutional, statutory or common law privilege or confidentiality.").

IT IS FURTHER ORDERED that any amicus briefs are due no later than 4:00 p.m. on Tuesday, August 31, 2021. Any responses to the amicus briefs are due no later than 4:00 p.m. on Tuesday, September 7, 2021.

The Court will conference this matter on the September 14, 2021 regular agenda.

DATED this 24th day of August, 2021.

/s/

KATHRYN H. KING
Duty Justice

TO:

Kory A Langhofer
Thomas J Basile
L Keith Beauchamp
Roopali H Desai
D Andrew Gaona
Hon. Michael W Kemp
Hon. Jeff Fine
Amy M Wood