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

B.K. by her next friend Margaret Tinsley, et  
al.,  
  
Plaintiffs,  
  
v.  
  
Michael Faust, et al.,  
  
Defendants.

No. CV-15-00185-PHX-ROS  
**ORDER**

A hearing concerning final approval of the settlement is to be held at 2 p.m. on February 12, 2021. Pending before the Court is plaintiffs’ unopposed motion to hold the settlement approval hearing remotely (Doc. 541). The motion will be granted in part and denied in part. As a result of the COVID-19 pandemic, most participants may participate via Zoom if they are able to do so. However, at least one attorney representing plaintiffs and one attorney representing defendants must be present in person. All individuals wishing to comment will be allowed to speak in person if unable to participate remotely. Due to technological constraints, the hearing will be moved to **Courtroom 604** at the Sandra Day O’Connor U.S. Courthouse, 401 W. Washington St., Phoenix, AZ 85003. And counsel are to notify all individuals who submitted papers of this change.

Accordingly,

**IT IS ORDERED** the motion to hold settlement approval hearing remotely (Doc. 541) is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FURTHER ORDERED** the hearing will be conducted as originally

1 scheduled and will also be accessible via Zoom. Due to technological constraints, the  
2 hearing will be moved to **Courtroom 604** at the Sandra Day O'Connor U.S. Courthouse,  
3 401 W. Washington St., Phoenix, AZ 85003. At least one attorney representing plaintiffs  
4 and one attorney representing defendants must be present in person at the hearing.

5 **IT IS FURTHER ORDERED** each individual wishing to be heard will be given  
6 no more than three minutes to speak. Comments must be appropriate, relevant, and  
7 respectful. Individuals requesting to speak will speak in alphabetical order by last name.  
8 Individuals may also submit to counsel written comments that have not previously been  
9 submitted if they prefer not to speak in Court. The new written comments must be filed  
10 with counsel no later than **noon on February 8, 2021**. The new written comments must  
11 then be filed by counsel with the Court no later than **noon on February 9, 2021**.

12 **IT IS FURTHER ORDERED** plaintiffs' and defendants' counsel will be given ten  
13 minutes each regarding the proposed settlement agreement before the comments from  
14 individuals begin. Counsel will have the opportunity to respond to any oral comments at  
15 the close of the individual speakers' comments.

16 **IT IS FURTHER ORDERED** counsel shall file and email to the Courtroom  
17 Deputy the list of speakers in alphabetical order by last name no later than **February 8,**  
18 **2021**.

19 **IT IS FURTHER ORDERED** the parties shall file, no later than **February 9,**  
20 **2021**, a full response to each individual comment submitted to counsel prior to February 8,  
21 2021 (Docs. 535; 540) regarding the settlement agreement. The response must include a  
22 summary of each comment and the parties' response to each comment. If a particular  
23 comment contains confidential information, the parties may respond generally without  
24 compromising confidentiality. If a particular comment is simply a request to speak, the  
25 parties may state so.

26 **IT IS FURTHER ORDERED** the parties shall file a proposed final approval order  
27 no later than **February 9, 2021**. The proposed order must include a summary of each  
28 individual comment submitted to counsel prior to February 8, 2021 and the parties'

1 response to each comment. If a particular comment contains confidential information, the  
2 parties may respond generally without compromising confidentiality. If a particular  
3 comment is simply a request to speak, the parties may state so.

4 **IT IS FURTHER ORDERED** the settlement mediator, Judge Kenneth Fields (ret.)  
5 shall be present in person, virtually, or telephonically at the hearing. Parties must provide  
6 Judge Fields with all written comments on the settlement. Assuming the settlement is  
7 approved, Judge Fields may use the comments and statements made at the hearing as  
8 deemed relevant for implementation and monitoring of the settlement.

9 **IT IS FURTHER ORDERED** the parties shall notify individuals who requested to  
10 speak of the hearing details, including the change of courtroom and option to participate  
11 via Zoom, no later than **February 5, 2021**.

12 **IT IS FURTHER ORDERED** all individuals, including counsel, appearing before  
13 the court via Zoom must display their full name as their name on Zoom. The parties shall  
14 advise individuals requesting to speak of this requirement.

15 **IT IS FURTHER ORDERED** the Zoom information is as follows:

16 Topic: Silver - Settlement Approving Hearing - 2:15-cv-00185-PHX-ROS (Tinsley  
17 v. Flanagan)

18 Time: Feb 12, 2021 02:00 PM Arizona

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20 Join ZoomGov Meeting

21 <https://www.zoomgov.com/j/1612411504?pwd=SkFCRzcyK3lvVUdaNzN1ZlVZ>  
22 [TExmQT09](#)

23  
24 Meeting ID: 161 241 1504

25 Passcode: 824696

26 One tap mobile

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28 +16692161590,,1612411504#,,, \*824696# US (San Jose)

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Dial by your location

+1 669 254 5252 US (San Jose)

+1 669 216 1590 US (San Jose)

+1 551 285 1373 US

+1 646 828 7666 US (New York)

Meeting ID: 161 241 1504

Passcode: 824696

Find your local number: <https://www.zoomgov.com/join/1612411504>

Join by SIP

[1612411504@sip.zoomgov.com](mailto:1612411504@sip.zoomgov.com)

Join by H.323

161.199.138.10 (US West)

161.199.136.10 (US East)

Meeting ID: 161 241 1504

Passcode: 824696

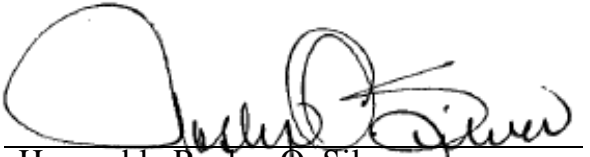
Telephonic participants or those that are experiencing issues with internet/computer audio can call into any of the lines noted under “Dial by your location” and then follow the prompts to enter the conference ID, participant number (# if not connected by video) and passcode. The waiting room feature has been enabled, so each participant will be placed into the waiting room until admitted by a host or co-host.

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1 Participants can test their internet connection, webcam video, microphone and  
2 speakers by joining a Test Meeting at <https://zoomgov.com/test>. If any participant has not  
3 used Zoom or is not comfortable with Zoom or its features, they can schedule a pretest and  
4 training session by contacting AV Support at [av\\_support@azd.uscourts.gov](mailto:av_support@azd.uscourts.gov) or at 602-322-  
5 7160.

6 Dated this 4th day of February, 2021.

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Honorable Roslyn O. Silver  
Senior United States District Judge