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9
10 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
11
12 IN AND FOR THE COUNTY OF MARICOPA
13

14 JOHN CD DOE, a single man,

15 Plaintiff,

16 v.

17 BIG BROTHERS BIG SISTERS OF
18 AMERICA, a District of Columbia, non-
19 profit corporation; BIG BROTHERS BIG
20 SISTERS OF CENTRAL ARIZONA; an
21 Arizona corporation; JOHN DOE 1-100;
22 JANE DOE 1-100; and BLACK & WHITE
23 CORPORATIONS 1-100,

24 Defendants.
25

Case No.: CV2020-014920

**JOINT REPORT AND PROPOSED
SCHEDULING ORDER, Ariz. R. Civ.
P. 16**

(Assigned to the Hon. Brad Astrowsky)

21 Pursuant to Rule 16(c), Ariz. R. Civ. P., counsel for the parties hereby certify, they met
22 and conferred about the matters set forth in Rule 16, Ariz. R. Civ. P. The parties further certify
23 that this case is not subject to compulsory arbitration pursuant to Rule 72, Ariz. R. Civ. P. With
24 regard to matters upon which the parties could not agree, they have set forth their positions
25 separately in item 12 below. The parties submit a Proposed Scheduling Order with this Joint

Report. Each date in the Joint Report and in the Proposed Scheduling Order includes a specific date.

I. Summary of Rule 16(b) Early Meeting.

Counsel for the parties met by telephone on September 7, 2023. Counsel discussed each date in the proposed scheduling order and agreed that they would likely participate in private mediation but might instead request a settlement conference.

II. Brief description of the case:

Plaintiff alleges Italo Arubulu sexually abused him in approximately 1983 when Plaintiff participated in Defendants' one-on-one mentoring program. Italo Arubulu was a "Big" who was paired with Plaintiff.

Defendants deny the allegations.

1. **Current case status:** Every defendant has been served or dismissed?

☒ YES ☐ NO

2. **Amendments:** A party anticipates filing an amendment to a pleading that will add a new party to the case. ☐ YES ☒ NO

3. **Settlement:** The parties agree to engage in settlement discussions with ☐ a settlement judge assigned by the court, or ☒ a private mediator, however, the parties may request a court appointed settlement judge. The parties will be ready for mediation by **October 18, 2024.**

If the parties will not engage in a settlement conference or a private mediation, state the reason(s): **N/A**.

4. **Readiness:** The case will be ready for trial after: **November 1, 2024**

5. **Jury:** A trial by jury is demanded. ☒ YES ☐ NO

6. **Length of trial:** The estimated length of trial is 8 days.

7. **Summary Jury:** The parties agree to a summary jury trial.

☐ YES ☒ NO

1 8. **Preference:** This case is entitled to a preference for trial pursuant to the
2 following statute or rule: N/A.

3 9. **Special Requirements:** At a pretrial conference or at trial, a party will require
4 the use of a jury questionnaire due to the sensitive nature of the facts and issues.

5 10. **Scheduling conference:** The parties request a Rule 16(d) scheduling
6 conference: **No.**

7 11. **Other matters:** Other matters that the parties wish to bring to the court's
8 attention that may affect management of this case: Defendant Big Brother Big
9 Sisters of Central Arizona intends to file a motion to dismiss for failure to
10 prosecute.

11 12. **Items upon which the parties do not agree:** None

12 13. **Certification**

13 Pursuant to Rule 7.1(h), Ariz. R. Civ. P., undersigned counsel for Plaintiff and
14 Defendants, hereby certify that they participated in an early meeting on September 7, 2023 have
15 attempted in good faith to prepare the Joint Report.

16 **DATED** this 8th day of September, 2023.

17
18 **MONTOYA, LUCERO & PASTOR, P.A.**

19 By: /s/Robert E. Pastor

20 Robert E. Pastor

21 Attorneys for Plaintiff

22 **QUARLES & BRADY LLP**

23 By: /s/John M. O'Neal

24 John M. O'Neal

25 Attorneys for Defendant Big Brothers
Big Sisters of Central Arizona

1 **BERK LAW FIRM, PLLC**

2 By: /s/Lori V. Berke

3 Lori V. Berke

4 *Attorney for Defendant Big Brothers*

5 *Big Sisters of America*

6 ORIGINAL of the foregoing e-filed

7 And a COPY emailed this 8th day of September, 2023 to:

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