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Michael K Jeanes, Clerk of Court
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SUPERIOR COURT OF THE STATE OF ARIZONA

COUNTY OF MARICOPA

THE FLAGSTAFF LIVING WAGE COALITION, an unincorporated association; STEVEN LEVIN, a single person; and, NICOLE MARIE RUIZ, a single person, Plaintiffs, v. STATE OF ARIZONA, a body politic; MARK BRNOVICH, Attorney General of the State of Arizona, in his official capacity, Defendants.	No. CV2015-004240 **FINAL STIPULATED JUDGMENT**

The Court, pursuant to Rule 54, Arizona Rules of Civil Procedure, and A.R.S.

§ 12-1831, having considered the parties' agreement to this Final Stipulated Judgment as evidenced by their respective counsels' signatures below, the Court declares as follows:

1. Plaintiffs in this matter seek to establish a higher local minimum wage in Flagstaff.

2. The Arizona legislature passed A.R.S. § 23-362 in 1997, declaring the regulation of minimum wage to be a matter of statewide concern and barring regulation of minimum wage by political subdivisions.

3. Proposition 202 (2006), entitled the "Raise the Arizona Minimum Wage For Working Arizonan's Act," adopted by the voters of Arizona, and codified in relevant part at A.R.S. section 23-361(I), allows counties, cities and towns in Arizona the right to establish local minimum wages that exceed the state mandated minimum wage. A.R.S. § 23-361(I), as part of a voter-passed initiative, is protected by the Voter Protection Act (1998), Ariz. Const., art. 4, pt. 1, Section 1 (6)(C) and (14).

4. The legislature later passed A.R.S. § 23-204, which prohibits the regulation of employee compensation by cities, towns, and other political subdivisions.

5. A.R.S. § 23-362, passed in 1997, has been impliedly repealed by Proposition 202.

6. A.R.S. § 23-204, to the extent that it operates to prevent political subdivisions from regulating minimum wage, violates the Voter Protection Act.

7. As plaintiffs brought this lawsuit only in order to seek to establish a higher local minimum wage and this lawsuit may be resolved on those grounds, the Court makes no findings regarding any other provision of A.R.S. § 23-204.

8. The State of Arizona will pay $7,500 in attorney's fees and costs. This resolves all claims to attorney's fees and costs in this matter.

9. Pursuant to Rule 54(c), Arizona Rules of Civil Procedure this is a final judgment disposing of all matters in this action.

DATED: _____

Honorable Roger Brodman
MARICOPA COUNTY SUPERIOR COURT

The undersigned agree to the form and content of this Final Stipulated Judgment.

MIKKEL (MIK) JORDAHL, P.C.

DATED: June 29, 2015. By */s/ Mikkel Jordahl – State Bar No. 012211*
Mikkel Jordahl
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AIKEN SCHENK HAWKINS & RICCIARDI P.C.

DATED: June 29, 2015. By */s/ Shawn K. Aiken – State Bar No. 009002*
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MARK BRNOVICH
Attorney General of the State of Arizona

DATED: June 29, 2015. By */s/ James Driscoll-MacEachron – State Bar No. 027828*
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COPY of the foregoing e-filed and lodged with the Clerk of the Court and electronically transmitted this 29th day of June, 2015, to:

Clerk of the Court
Maricopa County Superior Court
201 West Jefferson Street
Phoenix, Arizona 85003-2243

COPY of the foregoing mailed (and electronically transmitted if marked *) this date to:

Rep. David M. Gowan, Sr.
Office of the Speaker
Arizona House of Representatives
1700 W. Washington Street, Suite H
Phoenix, AZ 85007-2844

Sen. Andy Biggs
Office of the President
Arizona State Senate
1700 W. Washington Street, Suite H
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/s/ Maureen Riordan

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eSignature Page 1 of 1

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/S/ Roger Brodman Date: 6/30/2015
Judicial Officer of Superior Court

ENDORSEMENT PAGE

CASE NUMBER: CV2015-004240 SIGNATURE DATE: 6/30/2015

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JAMES DRISCOLL-MACEACHRON

MIKKEL S JORDAHL