

**Arizona Supreme Court**  
**Civil Petition for Review - Appeal**

**CV-25-0020-PR**

**ABRAHAM v ARIZONA BOARD OF REGENTS**

**Appellate Case Information**

Case Filed: 27-Jan-2025  
 Case Closed:

**Dept/Composition**

**En Banc**  
 Hon. Ann A. Scott Timmer  
 Hon. John R Lopez  
 Hon. Clint Bolick  
 Hon. James P Beene  
 Hon. William G Montgomery  
 Hon. Maria Elena Cruz  
 Hon. Rebecca White Berch

**Side 1. MATTHEW ABRAHAM, PHD, Plaintiff/Appellant**

(Litigant Group) MATTHEW ABRAHAM, PHD

- Matthew Abraham

**Attorneys for: Plaintiff/Appellant**

Benjamin L Rundall, Esq. (AZ Bar No. 31661)  
 Peter S Kozinets, Esq. (AZ Bar No. 19856)  
 Lauren Whittaker, Esq. (AZ Bar No. 37438)

**Side 2. ARIZONA BOARD OF REGENTS, A LEGALLY ESTABLISHED AGENCY AND POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, Defendant/Appellee**

(Litigant Group) ARIZONA BOARD OF REGENTS, A LEGALLY ESTABLISHED AGENCY AND POLITICAL SUBDIVISION OF THE STATE OF ARIZONA

- Arizona Board of Regents

**Attorneys for: Defendant/Appellee**

Betsy J Lamm, Esq. (AZ Bar No. 25587)  
 Jenna L Brownlee, Esq. (AZ Bar No. 34174)  
 Drew G Wegner, Esq. (AZ Bar No. 39025)

**Side 3. GOLDWATER INSTITUTE, Amicus Curiae**

(Litigant Group) GOLDWATER INSTITUTE

- Goldwater Institute

**Attorneys for: Amicus Curiae**

Timothy Sandefur, Esq. (AZ Bar No. 33670)  
 Jonathan Matthew Riches, Esq. (AZ Bar No. 25712)  
 Parker Dee Jackson, Esq. (AZ Bar No. 37844)

**Side 4. ARIZONA CENTER FOR LAW IN THE PUBLIC INTEREST, Amicus Curiae**

(Litigant Group) ARIZONA CENTER FOR LAW

- Arizona Center for Law in the Public Interest

**Attorneys for: Amicus Curiae**

Nicholas Ansel, Esq. (AZ Bar No. 38448)

**CASE STATUS**

Nov 24, 2025...Submitted	Sep 9, 2025...At Issue
Sep 9, 2025...Oral Argument Granted	Aug 22, 2025...Continued
Jan 27, 2025...Pending	

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
2 CA 2 CA-CV 24-0073					
↳ PIM C20214306			Wayne E Yehling, Judge on PC Comments: (none)		

**30 PROCEEDING ENTRIES**

- 27-Jan-2025 FILED: Unopposed Motion for Extension of Time to File Petition for Review; Certificate of Service (Appellant Abraham)
- 28-Jan-2025 Appellant Abraham filed an "Unopposed Motion for Extension of Time to File Petition for Review" on January 27, 2025. Pursuant to Arizona Rules of Civil Appellate Procedure, Rule 6(b), the caption of a motion for procedural order must include the words, "Motion for Procedural Order." Therefore,  
  
IT IS ORDERED the motion is denied without prejudice to Appellant's ability to file a motion in compliance with ARCAP 6(b). This matter is subject to dismissal if a compliant motion or petition for review is not filed by February 5, 2025. (Tracie K. Lindeman, Clerk)
- 28-Jan-2025 FILED: Motion for Procedural Order to Extend Time to File Petition for Review; Certificate of Service (Appellant Abraham)

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4. 29-Jan-2025 A "Motion for Procedural Order to Extend Time to File Petition for Review" (Appellant Abraham) having been filed on January 28, 2025,  
  
IT IS ORDERED granting a first extension of time to file the petition for review on or before April 7, 2025. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by April 7, 2025. (Tracie K. Lindeman, Clerk)
5. 7-Apr-2025 FILED: Petition for Review; Certificate of Service (Appellant Abraham)
6. 7-Apr-2025 FILED: Appendix; Certificate of Service (Appellant Abraham)
7. 7-Apr-2025 FILED: Record From CofA: Link to Electronic Record
8. 11-Apr-2025 RECEIPT No.: 2025-00084 ; \$330.00, Authorization: 8654008872456103, Applied to: MATTHEW ABRAHAM, PHD - Class A Filing Fee (\$330.00) Paid for: MATTHEW ABRAHAM, PHD - By nCourt LLC
9. 7-May-2025 FILED: Arizona Board of Regents' Response to Petition for Review; Certificate of Service; Certificate of Compliance (Appellee AZ Board of Regents)
10. 28-May-2025 FILED: Brief of Amicus Curiae Goldwater Institute in Support of Petitioner; Certificate of Service; Certificate of Compliance (Amicus Goldwater)
11. 28-May-2025 FILED: Motion for Leave to File Brief of Amicus Curiae Goldwater Institute in Support of Petitioner (Amicus Goldwater)
12. 30-May-2025 A "Motion for Leave to File Brief of Amicus Curiae Goldwater Institute in Support of Petitioner" (Amicus Goldwater) and the brief of amicus curiae were filed on May 28, 2025. After consideration,  
  
IT IS ORDERED the "Motion for Leave to File Brief of Amicus Curiae Goldwater Institute in Support of Petitioner" is granted. The brief shall be filed as of May 28, 2025. (Aaron C. Nash, Clerk)
13. 16-Jun-2025 FILED: Arizona Board of Regents' Response to Goldwater Institute's Amicus Brief in Support of Petitioner; Certificate of Service; Certificate of Compliance (Appellee AZ Board of Regents)
14. 22-Aug-2025 ORDERED: Petition for Review = CONTINUED.  
  
ORDERED: Request for Attorneys' Fees (Appellant Abraham) = CONTINUED.  
  
Justice King did not participate in the determination of this matter.
15. 9-Sep-2025 ORDERED: Petition for Review = GRANTED as to issues 1, 2, and 4 only. Issue 2 is rephrased as follows:  
  
Is a public entity's denial of access to a public record a question of law reviewed de novo?  
  
FURTHER ORDERED: The case shall be set for oral argument.  
  
FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than September 29, 2025. Any amicus briefs are due on or before October 14, 2025 and any responses to amicus briefs are due on or before November 3, 2025. Any amicus briefs or responses may not exceed 20 pages in length.  
  
FURTHER ORDERED: Request for Attorneys' Fees (Appellant Abraham) = CONTINUED.  
  
Justice King did not participate in the determination of this matter.
16. 10-Sep-2025 NOTICE OF ORAL ARGUMENT: Set for Monday, November 24, 2025 at 9:30 A.M. (20 minutes per side)
17. 11-Sep-2025 FILED: Record From CofA: Remaining Entire Record  
  
Exhibits- 1 Box
18. 17-Sep-2025 Justice Kathryn H. King is recused and will not participate in the above captioned matter. Therefore, pursuant to Article 6, Section 3 of the Arizona Constitution,  
  
IT IS ORDERED that the Honorable Rebecca White Berch, Justice (Retired) of the Arizona Supreme Court, is designated to sit on the case until it is finally determined. (Hon. Ann A. Scott timmer)
19. 18-Sep-2025 FILED: Notice of Acknowledgment of Oral Argument (Betsy Lamm will argue) (Appellee)
20. 19-Sep-2025 FILED: Notice of Acknowledgment of Oral Argument Benjamin L. Rundall will argue); Certificate of Service (Appellant)
21. 29-Sep-2025 FILED: Petitioner's Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellant Abraham)

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**30 PROCEEDING ENTRIES**

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| 22. | 29-Sep-2025 | FILED: Arizona Board of Regents' Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellee AZ Board of Regents)  |
| 23. | 1-Oct-2025  | RECEIPT No.: 2025-00282 ; \$165.00, Authorization: 83381965534769467, Applied to: MATTHEW ABRAHAM, PHD - Overpayment Class B (\$165.00) Paid for: MATTHEW ABRAHAM, PHD - By nCourt LLC                                       |
| 24. | 14-Oct-2025 | FILED: Brief of Amicus Curiae Arizona Center for Law in the Public Interest in Support of Petitioner (Filed With Consent); Certificate of Service; Certificate of Compliance (Amicus AZ Center for Law)                      |
| 25. | 14-Oct-2025 | FILED: Consent of all Parties (Amicus AZ Center for Law)   |
| 26. | 14-Oct-2025 | FILED: Supplemental Brief of Amicus Curiae Goldwater Institute in Support of Petitioner; Certificate of Service; Certificate of Compliance (Amicus Goldwater)  |
| 27. | 21-Oct-2025 | FILED: Return of Payment in the amount of \$165.00, State of Arizona Warrant No. 114768 dated 10/17/2025 to Zwilling Wulkan PLC for "Notice of Acknowledgment" filed by Appellant Abraham, (See Dkt No. 20)                  |
| 28. | 3-Nov-2025  | FILED: Arizona Board of Regents' Response to Supplemental Brief of Amicus Curiae Goldwater Institute in Support of Petitioner; Certificate of Service; Certificate of Compliance (Appellee AZ Board of Regents)              |
| 29. | 3-Nov-2025  | FILED: Arizona Board of Regents' Response to Brief of Amicus Curiae Arizona Center for Law in the Public Interest in Support of Petitioner; Certificate of Service; Certificate of Compliance (Appellee AZ Board of Regents) |
| 30. | 24-Nov-2025 | ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Benjamin Rundall, Betsy J. Lamm)   |