Aaron T. Martin (AZ 028358)
Catie B. Kelley (No. 037066)
Martin Law & Mediation PLLC
11811 N. Tatum Blvd., Suite 3031
Phoenix, AZ 85028
(602) 812-2680
aaron@martinlawandmediation.com
catie@martinlawandmediation.com

Ángel J. Valencia (*Pro hac vice*)
District of Columbia Bar No. 1552471
Jesse Leon (*Pro hac vice*)
Liberty Justice Center
1629 K Street, N.W. Ste. 300
Washington, D.C. 20006
(512) 481-4400
avalencia@libertyjusticecenter.org

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

Dr. Matthew Abraham, an individual, Plaintiff, v. Arizona Board Of Regents, for and on behalf of the University of Arizona, Defendant.	No. CV-25-00656-TUC-RCC (EJM) **Motion for Leave to File Second Amended Complaint**

Plaintiff Dr. Matthew Abraham ("Abraham"), through the undersigned counsel, respectfully files the instant Motion for Leave to File Second Amended Complaint pursuant to Federal Rule of Civil Procedure 15(a)(2) and Local Civil Rule 15.1. A redlined version of the Second Amended Complaint, showing all changes from the First Amended Complaint, is attached hereto as Exhibit 1.

I. Background

On April 23, 2026, the parties filed their Joint Rule 26(f) Report, in which both

parties agreed to June 30, 2026 as the deadline for amending pleadings (Dkt. 20). On April 30, 2026, the Court held a Rule 16 scheduling conference, which was followed by a Scheduling Order formally adopting June 30, 2026 as the deadline to amend pleadings. (Dkt. 22 at 1). On June 30, 2026, Abraham sought Defendant Arizona Board Of Regents' ("ABOR") written consent to the filing but was unable to secure it prior to this filing.

II. Argument

The Court's Scheduling Order, entered April 30, 2026, expressly authorizes the amendment of pleadings through June 30, 2026—a deadline jointly proposed by both parties in their Rule 26(f) Report and adopted by the Court. Abraham files squarely within that authorized window.

Under Rule 15(a)(2), leave to amend shall be "freely given when justice so requires." *Franklin v. Csaa Gen. Ins. Co*., 2024 U.S. Dist. LEXIS 247248, at *3 (D. Ariz. 2024) (quoting *Foman v. Davis*, 371 U.S. 178, 182 (1962)). The Supreme Court in *Foman* identified the relevant considerations as undue delay, bad faith, dilatory motive, repeated failure to cure deficiencies, undue prejudice to the opposing party, and futility of amendment. *Id.* None of those factors are present here. ABOR itself agreed to this deadline in the Rule 26(f) Report four months ago and has known since the April 30 Scheduling Order that Abraham could amend through today.

III. Conclusion

Because Abraham files within the Court-ordered deadline that both parties jointly proposed and the Court expressly adopted, leave to amend should be granted. Abraham respectfully requests that the Court grant this motion and accept the Second Amended Complaint.

CERTIFICATE OF SERVICE

It is hereby certified that the undersigned attorney electronically filed the foregoing with the Clerk of Court using the CM/ECF system that will send notification of such filing to all parties and attorneys of record.

DATED this 30th day of June, 2026.

MARTIN LAW & MEDIATION

By /s/*Aaron T. Martin*

Aaron T. Martin
Catie B. Kelley
Martin Law & Mediation PLLC
11811 N. Tatum Blvd., Suite 3031
Phoenix, AZ 85028

/s/*Ángel J. Valencia* (*Pro hac vice*)
Angel J. Valencia
Jesse Leon (*Pro hac vice)*
Liberty Justice Center
1629 K Street, N.W. Ste. 300
Washington, D.C. 20006

Attorneys for Plaintiff Dr. Matthew Abraham