

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-CV-2321-JLK

COMMON CAUSE OF COLORADO,
on behalf of itself and its members;
MI FAMILIA VOTA EDUCATION FUND; and
SERVICE EMPLOYEES INTERNATIONAL UNION,
on behalf of itself and its members,

Plaintiffs,

v.

BERNIE BUESCHER, in his official capacity as Secretary of State
for the State of Colorado,

Defendant.

UNOPPOSED MOTION TO FILE UNDER SEAL

Defendant Bernie Buescher, the Secretary of State for the State of Colorado (the "Secretary"), by and through undersigned counsel, asks this Court to file under seal the Secretary's Surreply to Plaintiffs' Motion for Enforcement of Stipulation ("Surreply") with attachments filed electronically on May 28, 2009.

1. The parties have agreed that these documents should be filed under seal to protect the confidentiality of material personally identifiable information. Information may include voters' signatures, electronic mail addresses, telephone numbers, date of birth, driver's license numbers, social security numbers, department of revenue identification numbers, and information required to be kept confidential pursuant to section 24-72-204, C.R.S.
2. The Court has already accepted filing under seal of the original Motion

(Plaintiffs' Motion for Enforcement of Stipulation and brief in support), and the Secretary's Response to the same. The Secretary is contemporaneously filing the Surreply, along with the Motion for Leave to File Surreply to Plaintiffs' Motion for Enforcement of Stipulation. The Secretary does not ask the Court to seal the Motion for Leave to File Surreply; the Secretary only asks that the Surreply itself be sealed.

CONCLUSION

The Secretary requests the Court permit the Secretary to file his Surreply Plaintiffs' Motion for Enforcement of Stipulation with attachments under seal.

Submitted this 28th day of May, 2009.

JOHN W. SUTHERS
Attorney General

s/ Maurice G. Knaizer

MAURICE G. KNAIZER*
Deputy Attorney General

s/ Monica M. Márquez

MONICA M. MÁRQUEZ*
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CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2009, I served a true and complete copy of the within UNOPPOSED MOTION TO FILE UNDER SEAL upon all parties by the method indicated below:

Party Type	Attorney	Firm and/or Address	Method
Plaintiffs	James E. Johnson jejohnson@debevoise.com S. Gale Dick sgdick@debevoise.com	Debevoise & Plimpton, LLP 919 Third Avenue New York, NY 10022	Email and U.S. Mail
Plaintiffs	Richard Rosenblatt Rrosenblatt@cwa-union.org	Richard Rosenblatt & Associates, LLC 8085 East Prentice Avenue Greenwood Village, CO 80111	Email and U.S. Mail
Plaintiffs	Penda D. Hair phair@advancementproject.org Elizabeth S. Westfall ewestfall@advancementproject.org Jessie Allen Jessieallen101@gmail.com	Advancement Project 1730 M Street, NW #910 Washington, DC 20036	Email and U.S. Mail
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s/ Melody Mirbaba
