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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF ARIZONA**

10 Arizona Democratic Party; Democratic
11 National Committee; and DSCC a.k.a.
Democratic Senatorial Campaign Committee,

12 Plaintiffs,

13 vs.

14 Michele Reagan, in her official capacity as
15 Secretary of State of Arizona; and Mark
16 Brnovich, in his official capacity as Arizona
Attorney General,

17 Defendants.

Case No.: 2:16-01065-PHX-DLR

**MOTION FOR PRIVACY ACT
ORDER AND PROTECTIVE
ORDER**

18 Comes now the non-Party Federal Bureau of Investigation (hereinafter the
19 “Government,” “United States,” or “FBI”); Plaintiffs Arizona Democratic Party;
20 Democratic National Committee; and DSCC a.k.a. Democratic Senatorial Campaign
21 Committee; Michele Reagan, in her official capacity as Secretary of State of Arizona; and
22 Mark Brnovich, in his official capacity as Arizona Attorney General; and Intervenor-
23 Defendants the Arizona Republican Party, Bill Gates, Suzanne Klapp, Debbie Lesko and
24 Tony Rivero, by counsel, and file the following motion for a Privacy Act Order and
25 Protective Order, pursuant to the Privacy Act, 5 U.S.C. § 552a(b)(11) and Fed. R. Civ. P.
26 26(c) to permit the release of records that include information subject to the Privacy Act.
27 In support of this motion, movants state as follows:
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1. On May 31, 2017, Intervenor-Defendants served a subpoena *duces tecum* seeking records from the FBI.

2. Some of the documents responsive to Intervenor-Defendants’ request constitute “records” as defined by the Privacy Act, 5 U.S.C. § 552a, in that they include identifying information about an individual, including names, identifying numbers, addresses, and other information.

3. Pursuant to 5 U.S.C. § 552a(b), this information may not be disclosed without the written consent of the individuals to whom the record pertains unless it falls into one of the statutory exceptions listed at §§552a(b)(1) through (12). One of these statutory exceptions allows the government to disclose information covered by the Privacy Act pursuant to the order of a court of competent jurisdiction. *See*, 5 U.S.C. §552a(b)(11).

4. Therefore, the parties request that the Court enter an Order pursuant to 5 U.S.C. § 552a(b) allowing the FBI to disclose relevant documents in this case which are subject to the Privacy Act. A proposed Order is included herewith.

5. The party submitting this filing has obtained permission by all signatories hereto.

Respectfully submitted this 13TH day of June 2017.

ELIZABETH A. STRANGE
Acting United States Attorney
District of Arizona

s/Diana L. Varela
DIANA L. VARELA
Assistant U.S. Attorney
Counsel for the United States

s/Sara Agne (signed with permission)
Sara Agne
SNELL & WILMER
Counsel for Intervenor-Defendants

s/Joseph E. La Rue (signed with permission)
Joseph E. La Rue
Assistant Attorney General
Office of the Attorney General
Counsel for Defendants

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s/Joshua L. Kaul (signed with permission)
Joshua L. Kaul
PERKINS COIE LLP
Counsel for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2017, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants.

s/Amber Carter
U.S. Attorney’s Office

General Information

Court	United States District Court for the District of Arizona; United States District Court for the District of Arizona
Federal Nature of Suit	Civil Rights - Voting[441]
Docket Number	2:16-cv-01065
Status	CLOSED