

1 MARK BRNOVICH
2 Attorney General
3 Firm Bar No. 14000
4 James Driscoll-MacEachron (027828)
5 Kara Karlson (029407)
6 Karen J. Hartman-Tellez (021121)
7 Assistant Attorney General
8 1275 W. Washington Street
9 Phoenix, AZ 85007
10 Telephone (602) 542-4951
11 Facsimile (602) 542-4385
12 james.driscoll-maceachron@azag.gov
13 kara.karlson@azag.gov
14 karen.hartman@azag.gov
15 *Attorneys for State Defendants*

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF ARIZONA**

13	Leslie Feldman, et al.,)	Case No. CV-16-01065-PHX-DLR
14)	
15	Plaintiffs,)	
16	v.)	ORIGINAL PLAINTIFFS AND STATE
17)	DEFENDANTS' JOINT STIPULATION
18	Arizona Secretary of State's Office, et al.,)	AND NOTICE TO PRODUCE
19)	STATEWIDE VOTER
20	Defendants.)	REGISTRATION DATABASE
21)	SUBJECT TO REDACTION OF
22)	SENSITIVE INFORMATION

22 The original Plaintiffs, Leslie Feldman, Luz Magallanes, Mercedes Hymes, Julio
23 Morera, Alejandra Ruiz, Cleo Ovalle, Marcia Baker, Former Chairman and First
24 President of the Navajo Nation Peterson Zah, Democratic National Committee,
25 Democratic Senatorial Campaign Committee, the Arizona Democratic Party, Kirkpatrick
26 for U.S. Senate, and Hillary for America ("Original Plaintiffs") and the Arizona Secretary
27 of State's Office, Secretary of State Michele Reagan, and Attorney General Mark
28

1 Brnovich (collectively, the “State Defendants”) hereby file this Joint Stipulation and
2 Notice for the State Defendants to Produce the Statewide Voter Registration Database
3 Subject to Redaction of Sensitive Information.

4 The Original Plaintiffs and State Defendants conferred in good faith on a number
5 of discovery-related issues, including the Original Plaintiffs’ expedited discovery request
6 to the State Defendants to produce the statewide voter registration database. As a result
7 of these discussions, the Original Plaintiffs and State Defendants have agreed to the
8 following terms:
9

- 10 1. The Secretary will produce available information from the state-wide voter
11 registration database at the Secretary’s office, as ordered by the Court in its
12 May 10, 2016 Minute Entry, subject to paragraph 2 of this Stipulation;
- 13 2. The Secretary shall not provide any sensitive voter information identified as
14 non-disclosable by A.R.S. § 16-168(F), voter telephone numbers, or any
15 information from participants in the Arizona Address Confidentiality
16 Program pursuant to A.R.S. §§ 41-161, *et seq.*, and eligible persons under
17 A.R.S. § 16-153 who have taken the steps required by statute to keep their
18 information confidential;
- 19 3. The Secretary agrees to provide the Original Plaintiffs with the total
20 number of voters whose information is not being provided because they
21 participate in the Arizona Address Confidentiality Program pursuant to
22 A.R.S. §§ 41-161, *et seq.*, or are eligible under A.R.S. § 16-153 to keep
23 their information confidential on a county-by-county basis, pursuant to the
24 terms set forth above;
- 25 4. The Secretary will produce the state-wide voter registration database in
26 electronic format, in files of a reasonable size (such as county-wide), on
27
28

1 storage media provided by Original Plaintiffs for this purpose, and subject
2 to appropriate data-security protocols as agreed to by the parties to this
3 Stipulation; and

- 4 5. The Original Plaintiffs and State Defendants agree to negotiate in good
5 faith to develop a protective order for this production between themselves
6 and with all other parties to the litigation.
7

8 In light of the agreement reached between the Original Plaintiffs and the State
9 Defendants, a motion for protective order is no longer necessary, and the State
10 Defendants will not be filing one with the Court.

11 RESPECTFULLY SUBMITTED this 13th day of May, 2016.

12 MARK BRNOVICH
13 Attorney General

14
15 s/ Elisabeth C. Frost (with permission)

16 Daniel C. Barr
17 Sarah R. Gonski
18 PERKINS COIE LLP
19 2901 North Central Avenue
Suite 2000
Phoenix, Arizona 85012-2788

20 Marc E. Elias
21 Bruce V. Spiva
22 Elisabeth C. Frost
23 Amanda R. Callais
24 PERKINS COIE LLP
25 700 Thirteenth Street NW, Suite 600
26 Washington, D.C. 20005-3960
27 *Attorneys for Plaintiffs*
28

By: s/ Kara Karlson

James Driscoll-MacEachron
Kara Karlson
Karen J. Hartman-Tellez
Assistant Attorneys General
1275 West Washington Street
Phoenix, Arizona 85007
Attorneys for State Defendants

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2016, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System for filing and transmittal of a notice of electronic filing to the EM/ECF registrants.

s/ Maureen Riordan