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13 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

14 Maria M. Gonzalez, et al.,) No. CV-06-1268-PHX-ROS(Lead)
15) No. CV-06-1362-PCT-JAT(Cons.)
Plaintiffs,) No. CV-06-1575-PHX-EHC(Cons.)
16)
vs.) GONZALEZ PLAINTIFFS'
17) MOTION TO FILE TRIAL
State of Arizona, et al,) EXHIBITS UNDER SEAL
18)
Defendants.) (Assigned to the
19) Honorable Roslyn O. Silver)
20)

21 NOW COME Gonzalez Plaintiffs and file this Motion to File Trial Exhibits
22 Under Seal. In support of their Motion, Gonzalez Plaintiffs will show the following:

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I. Plaintiffs' Trial Exhibits Contain Information Covered by the Stipulation of Confidentiality in This Case

On October 30, 2007 this Court accepted the Parties Stipulation of Confidentiality and Agreement to Abide by Stipulation and Protective Order. *See* Dkt. Entry No. 408; *see also* Dkt. Entry Nos. 406, 407. On July 18, 2008 two declarations were admitted into evidence during the bench trial in this case that also contained copies of partially unredacted uncounted conditional provisional ballot envelopes that are covered by the Stipulation of Confidentiality. *See* Trial Ex. Nos. 967 (Declaration of Brenda Rogers), 968 (Declaration of Donna Fulton). In an abundance of caution, Gonzalez Plaintiffs now file this Motion to ensure the materials attached to Trial Exhibits 967 and 968 are admitted into evidence under seal in accordance with this Court's October 30, 2007 Order. *See* Dkt. Entry No. 408.

CONCLUSION

For the stated reasons, Gonzalez Plaintiffs respectfully request that the Court place the copies of the uncounted conditional provisional ballot envelopes attached to the declarations that are Trial Exhibits 967 and 968 under seal.

RESPECTFULLY SUBMITTED this 18th day of July, 2008

By: s/Diego M. Bernal
Diego M. Bernal

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**Counsel for Plaintiffs
Gonzalez, et al.**

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of July, 2008, I caused the foregoing document to be electronically transmitted to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to CM/ECF registrants.

COPY of the foregoing filed electronically this 18th day of July, 2008.

COPY of the foregoing mailed with Notice of Electronic Filing this 16th day of July, 2008 to:

The Honorable Roslyn O. Silver
United States District Court
Sandra Day O’Connor U.S. Courthouse, Suite 624
401 West Washington Street, SPC 59
Phoenix, AZ 85003-2158

s/Nina Perales
Nina Perales