

William L. Crowley
Natasha Prinzing Jones
Thomas J. Leonard
BOONE KARLBERG P.C.
201 West Main, Suite 300
P.O. Box 9199
Missoula, MT 59807-9199
Telephone: (406)543-6646
Facsimile: (406) 549-6804
bcrowley@boonekarlberg.com
npjones@boonekarlberg.com
tleonard@boonekarlberg.com

*Attorneys for Defendants Bitterroot Public Library,
City of Hamilton and Boone Karlberg P.C.*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MICHAEL E. SPREADBURY,

Plaintiff,

v.

BITTERROOT PUBLIC LIBRARY,
CITY OF HAMILTON, LEE
ENTERPRISES, INC., BOONE
KARLBERG P.C., DR. ROBERT
BROPHY, TRISTA SMITH, NANSU
RODDY, JERRY STEELE, STEVE
SNAVELY, STEVEN BRUNER-
MURPHY, RYAN OSTER,
KENNETH S. BELL, and JENNIFER
LINT,

Defendants.

Cause No. CV-11-064-M-DWM

**CITY DEFENDANTS' SECOND
MOTION TO FILE UNDER SEAL**

Pursuant to Local Rule 1.8(b), United States District Court, District of Montana, Defendants Bitterroot Public Library, Dr. Robert Brophy, Trista Smith, Nansu Roddy, City of Hamilton, Jerry Steele, Steve Snavely, Steven Bruner-Murphy, Ryan Oster, Kenneth S. Bell and Jennifer B. Lint (collectively, “City Defendants”) again move the Court for its Order allowing the filing of the City Defendants’ Statement of Undisputed Facts under seal. In the brief filed concurrently herewith, the City Defendants have attempted to provide the information the Court deemed necessary to decide the issue at hand in its October 20, 2011 Order, in which the Court denied the City Defendants’ Motion To File Under Seal “without prejudice.” (See Doc. 125, p. 4.)

In the alternative, the City Defendants request an Order allowing for the redaction of certain information in the police reports: social security numbers and any identifying information other than names of the victims, complainants, and witnesses. In the event the Court deems this approach more appropriate, the City Defendants also request a written finding that “the demands of individual privacy do not clearly exceed the merits of public disclosure,” ensuring the City Defendants’ compliance with Mont. Code Ann. § 44-5-303(1).

Plaintiff objected to the City Defendants’ prior motion to file under seal, and given his position set forth in his briefing, the City Defendants understand that

Plaintiff continues to object to any attempt to file the subject documents under seal.

DATED this 21st day of October, 2011.

/s/Thomas J. Leonard
Thomas J. Leonard
BOONE KARLBERG P.C.
*Attorneys for Defendants
Bitterroot Public Library, City of
Hamilton and Boone Karlberg P.C.*

CERTIFICATE OF SERVICE

I hereby certify that, on the 21th day of October, 2011, a copy of the foregoing document was served on the following persons by the following means:

 1 CM/ECF

 Hand Delivery

 2 Mail

 Overnight Delivery Service

 Fax

 E-Mail

1. Clerk, U.S. District Court
2. Michael E. Spreadbury
700 South Fourth Street
Hamilton, MT 59840

/s/ Thomas J. Leonard
Thomas J. Leonard
BOONE KARLBERG P.C.
*Attorneys for Defendants Bitterroot Public
Library, City of Hamilton,
and Boone Karlberg P.C.*