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*Pro Se Plaintiff*

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

Cause No.: CV-11-64-DWM-JCL

MICHAEL E. SPREADBURY )  
Plaintiff )  
v. )  
BITTERROOT PUBLIC LIBRARY, )  
CITY OF HAMILTON, )  
LEE ENTERPRISES INC., )  
BOONE KARLBERG PC, )  
Defendants )

**MOTION TO SUPPRESS  
CONFIDENTIAL INFO.**

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Comes now Plaintiff with motion to move court to suppress confidential information released by third parties to this case on invalid request to Defendant Boone Karlberg PC on behalf of Defendants in violation of Plaintiff expectation of privacy breeched by defendants.

Motion:

**WHEREFORE**, Plaintiff moves court suppress the use, disclosure of confidential information unlawfully obtained by Defendants that violate Plaintiff expectation of privacy, without court approval, lacks consent to release by Plaintiff, and in violation of federal statute that protects confidential information.

Brief in Support:

Plaintiff has expectation of privacy, suppression of confidential information obtained by Defendant Boone without court approval or release of protected information. The **Privacy Act**: 5 USC§ 552(a)(b); **HIPPA Act**: 45 CFR§ 160-164; **FERPA 1974**: 20 USC§ 1232g & 34CFR part 99 protect Plaintiff from breach of confidential information. Without lawful subpoena, Defendant issuing unlawful requests to third parties to unlawfully obtain confidential information in violation of Plaintiff lawful expectation of privacy. Confidential information was released by third parties to Defendant Boone which needs suppression by this court to protect Plaintiff expectation of privacy.

Plaintiff has expectation of privacy from unlawful subpoena *US v. Miller 425 US at 442 (1976)*. The issuance of subpoenas by Defendant Boone is controlled by existing legal process *Calif. Bankers Assn. v. Shultz 416 US 21 (1974)*. Plaintiff right to be free from government search and seizure violated as Defendant City of

Hamilton Montana seeks information unreasonably with unlawful subpoena; government objectives violate privacy of Plaintiff which he justifiably relies *Katz v. US 389 US at 353 (1967)*. Information sought and obtained on behalf of government protected by aforementioned federal laws with authority in this Honorable Court.

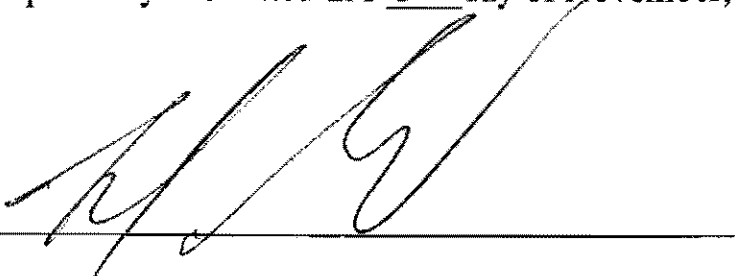
Defense intruded into Plaintiff zone of privacy in violation of 4<sup>th</sup> Amendment US Constitution as Defendants in this cause of action 42 USC§ 1983 for civil rights *Hoffa v. US 385 US at 301-302 (1966) citing Boyd v. US 116 US 616 (1886)*. The nature of the documents needs to be examined for legitimacy, protecting Plaintiff expectation of privacy concerning contents *Couch v. US 400 US at 335 (1973)*.

Court is asked to suppress all information derived by Defendant unlawful subpoena deuces tecum for violation of expectation of Plaintiff privacy without court signature, release by Plaintiff, or applicable order. Information obtained by Defendants violate Plaintiff expectation of privacy, right to be free from government search, seizure of such records protected by federal statute, US Constitution Amendment 4.

Certificate of Compliance

From LR 7(d)(2)(E) US District Court Rules Montana, I certify that this brief conforms with 14 point font, New Times Roman typeface, is double spaced, contains 402 words excluding title page, this compliance.

Respectfully submitted this 28<sup>th</sup> day of November, 2011

A handwritten signature in black ink, appearing to read 'M. E. Spreadbury', is written over a horizontal line.

Michael E. Spreadbury, Pro Se Plaintiff