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*Attorneys for City and Library Defendants*

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-JCL

**CITY AND LIBRARY  
DEFENDANTS' BRIEF IN  
SUPPORT OF MOTION FOR  
LEAVE TO FILE REPLY BRIEF  
AND EXHIBITS UNDER SEAL**

This supports the City and Library Defendants' motion for leave to file their motion *in limine* reply brief and attached exhibits under seal. Good cause supports the motion, and it should be granted.

The Court's Order (Doc. 189), filed December 13, 2011, reads, in part, as follows:

. . . The Court also considers the motion as a request that any documents filed by the City Defendants in this case that contain Spreadbury's personal information be filed under seal. The Court finds it appropriate to grant this aspect of Spreadbury's motion to 'suppress.' Therefore, for the reasons set forth,

. . .

IT IS FURTHER ORDERED that Spreadbury's Motion to 'suppress' information is GRANTED to the extent that: (1) the City Defendants shall not disclose outside the bounds of their litigation any of Spreadbury's personal information obtained via the disputed subpoenas; and (2) the City Defendants shall move the Court to file under seal any document containing any of Spreadbury's personal information obtained via the disputed subpoenas. The motion is, however, DENIED in all other respects.

[Doc. 189, pp. 9-10.]

Plaintiff has objected and responded to the City and Library Defendants' Motion *in Limine*. In part, Plaintiff argues the Boone attorneys have defamed him in connection with his medical condition. [Doc. 214, p. 2.] The City and Library Defendants' Motion *in Limine* reply brief and attached exhibits address this argument, including referring to Plaintiff's confidential mental health and social security documents. In order to comply with the Court's Protective Order quoted

above, the City and Library Defendants request leave to file their reply brief and attached exhibits under seal.

Good cause supports this motion. It should be granted.

DATED this 8<sup>th</sup> day of February, 2012.

/s/ William L. Crowley  
William L. Crowley  
BOONE KARLBERG P.C.  
*Attorneys for City and Library Defendants*

**CERTIFICATE OF COMPLIANCE**

Pursuant to Rule 7.1(d)(2)(E), Local Rules of the United States District Court, District of Montana, I hereby certify that the textual portion of the foregoing brief uses a proportionally spaced Times New Roman typeface of 14 point; is double spaced; and contains approximately 272 words, excluding the parts of the brief exempted by L.R. 7.1(d)(2)(E).

DATED this 8<sup>th</sup> day of February, 2012.

/s/ William L. Crowley  
William L. Crowley  
BOONE KARLBERG P.C.  
*Attorneys for City and Library Defendants*

CERTIFICATE OF SERVICE

I hereby certify that, on the 8<sup>th</sup> day of February, 2012, a copy of the foregoing document was served on the following persons by the following means:

- 1,3       CM/ECF
- Hand Delivery
- 2       Mail
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- Fax
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1.     Clerk, U.S. District Court
  
2.     Michael E. Spreadbury  
       700 South Fourth Street  
       Hamilton, MT 59840
  
3.     Jeffrey B. Smith  
       Garlington, Lohn & Robinson, PLLP  
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/s/ William L. Crowley  
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