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*Lead Attorneys for Defendant Christi Jacobsen, in her
official capacity as Montana Secretary of State*

**IN THE MONTANA THIRTEENTH JUDICIAL DISTRICT COURT,
YELLOWSTONE COUNTY**

Montana Democratic Party and Mitch Bohn,

Plaintiffs,

Western Native Voice, *et al.*,

Plaintiffs,

Montana Youth Action, *et al.*,

Plaintiffs,

vs.

Christi Jacobsen, in her official capacity as
Montana Secretary of State,

Defendant.

Consolidated Case No. DV 21–0451

Hon. Michael Moses

**DEFENDANT’S MOTION FOR
PROTECTIVE ORDER RE: DEPOSITION
OF CHRISTI JACOBSEN**

Defendant Christi Jacobsen, in her official capacity as Montana Secretary of State (“Secretary Jacobsen” or the “Secretary”) hereby moves the Court pursuant to Rule 26(c), Mont. R. Civ. P., for a protective order precluding Plaintiffs from taking the individual deposition of Secretary Jacobsen.

On June 9, 2022, all of the Plaintiffs served amended notices of deposition to the Secretary of State, scheduling the individual deposition of Secretary Jacobsen for June 22, 2022, at 9:00 a.m. However, Plaintiffs have already deposed the Secretary of State through the proper procedures of Rule 30(b)(6), Mont. R. Civ. P., and there is no basis to require another deposition wherein Secretary Jacobsen herself must personally appear as a witness, as Plaintiffs demand. For the reasons set forth in the accompanying brief, a protective order should issue under Rules 26(c)(1) and 26(b)(2)(C)(i)-(iii), Mont. R. Civ. P., precluding an individual deposition of Secretary Jacobsen.

Pursuant to Montana Uniform District Court Rule 2(a), the Secretary has contacted Plaintiffs regarding this motion, and Plaintiffs opposed the Motion. The Secretary certifies that, pursuant to Rule 26 (c)(1), Mont. R. Civ. P., the Secretary has in good faith conferred and attempted to confer with Plaintiffs to resolve this dispute without Court intervention.

Dated this 10th day of June, 2022.

By: /s/Leonard H. Smith

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CERTIFICATE OF SERVICE

I, Leonard Hudson Smith, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion for Protective Order to the following on 06-10-2022:

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Electronically signed by Connie Reynolds on behalf of Leonard Hudson Smith
Dated: 06-10-2022