

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION**

EILEEN JANIS and KIM COLHOFF,)	
)	
Plaintiffs,)	
)	
vs.)	Civil Action No. 09-5019
)	
CHRIS NELSON, in his individual and)	
official capacity as Secretary of State of)	
South Dakota and as a member of the State)	
Board of Elections; MATT MCCAULEY,)	
CINDY SCHULTZ, CHRISTOPHER W.)	
MADSEN, RICHARD CASEY, KAREN M.))	
LAYHER, and LINDA LEA M. VIKEN, in))	
their individual and official capacities as))	
members of the State Board of Elections;)	
SUE GANJE, in her official and individual))	
capacity as Auditor for Shannon County;)	
LA FAWN CONROY, in her individual and))	
official capacity as a poll worker for))	
Shannon County)	
)	
Defendants.)	

**PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT
SUE GANJE'S MOTION FOR A PROTECTIVE ORDER**

Plaintiffs, by and through counsel, file this response in opposition to Defendant Sue Ganje's motion for a protective order. In her motion, Defendant Ganje incorporates by reference each of the legal arguments the state defendants raised in their motion for a protective order filed on September 9, 2009 [D.E. 69]. In response to Defendant Ganje's motion, Plaintiffs incorporate by reference thereto each of the legal arguments as stated in Plaintiffs' response in opposition to the state defendants' motion for a protective order [D.E. 77]. For the reasons stated in that opposition, Plaintiffs respectfully request that this Court deny Defendant Ganje's motion.

Respectfully submitted,

By: /s/ Patrick Duffy
PATRICK DUFFY
629 Quincy Street, Suite 105
Rapid City SD 57701
Tel: (605) 342-1963
Fax: (605) 399-9512
pduffy@rushmore.com

LAUGHLIN MCDONALD*
NANCY G. ABUDU*
BRYAN SELLS*
AMERICAN CIVIL LIBERTIES UNION,
VOTING RIGHTS PROJECT
230 Peachtree Street, Suite 1440
Atlanta, GA 30303-1227
Tel: (404) 523-2721
Fax: (404) 653-0331
lmcdonald@aclu.org
nabudu@aclu.org
bsells@aclu.org
*Admitted pro hac vice

ROBERT DOODY
AMERICAN CIVIL LIBERTIES UNION,
SOUTH DAKOTA CHAPTER
401 East 8th Street, Suite 200P
Sioux Falls, SD 57103
Tel: (605) 332-2508
rdoody@aclu.org

ATTORNEYS FOR PLAINTIFFS