

**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,

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