

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No: 22-cv-01365-CNS-MDB

CITIZENS PROJECT,  
COLORADO LATINOS VOTE,  
LEAGUE OF WOMENS VOTERS OF PIKES PEAK REGION, and  
BLACK/LATINO LEADERSHIP COALITION,

Plaintiffs,

v.

CITY OF COLORADO SPRINGS, and  
SARAH BALL JOHNSON, in her official capacity as CITY CLERK,

Defendants.

---

**JOINT MOTION FOR ENTRY OF STIPULATED ORDER  
PURSUANT TO FED. R. EVID. 502(d)**

---

The parties, by and through their respective counsel, hereby jointly move this Court to enter the accompanying Stipulated Order pursuant to Fed. R. Evid. 502(d) and state in support as follows:

1. The parties are interested in expediting and facilitating the production and use of electronic and hard copy data, information and documents in this proceeding and seek to protect the parties against disclosure of attorney-client privileged communication or work product materials, waiver of privileges and protections attached to that electronic and hard copy data, information, and documents. Fed. R. Evid. 502(d) states “[a] federal court may order that the

privilege or protection is not waived by disclosure connected with the litigation pending before the court—in which event the disclosure is also not a waiver in any other federal or state proceeding.”

*Id.*

Accordingly, the parties respectfully request that the attached Stipulated Order under Fed. R. Evid. 502(d) be adopted by order of the Court.

Respectfully submitted this 24th day of May, 2023.

OFFICE OF THE CITY ATTORNEY  
Wynetta P. Massey, City Attorney

/s/ W. Erik Lamphere

W. Erik Lamphere, Division Chief  
Tracy M. Lessig, Deputy City Attorney  
30 S. Nevada Ave., Suite 501  
Colorado Springs, Colorado 80903  
Telephone: (719) 385-5909  
Facsimile: (719) 385-5535  
[erik.lamphere@coloradosprings.gov](mailto:erik.lamphere@coloradosprings.gov)  
[tracy.lessig@coloradosprings.gov](mailto:tracy.lessig@coloradosprings.gov)  
*Attorneys for Defendants*

/s/ Theresa J. Lee

Theresa J. Lee  
Daniel Hessel\*  
Nicholas Stephanopoulos  
ELECTION LAW CLINIC  
Harvard Law School  
6 Everett Street, Suite 4105  
Cambridge, MA 02138  
[thlee@law.harvard.edu](mailto:thlee@law.harvard.edu)  
[dhessel@law.harvard.edu](mailto:dhessel@law.harvard.edu)  
[nstephanopoulos@law.harvard.edu](mailto:nstephanopoulos@law.harvard.edu)  
*Attorneys for Plaintiffs*

*\*federal practice only*

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on the 24th day of May, 2023, I electronically filed the foregoing **JOINT MOTION FOR ENTRY OF STIPULATED ORDER PURSUANT TO FED. R. EVID. 502(d)** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Theresa J. Lee ([thlee@law.harvard.edu](mailto:thlee@law.harvard.edu))

Daniel Hessel ([dhessel@law.harvard.edu](mailto:dhessel@law.harvard.edu))

Nicholas Stephanopoulos ([nstephanopoulos@law.harvard.edu](mailto:nstephanopoulos@law.harvard.edu))

*Attorneys for Plaintiffs*

/s/ Donnielle Davis

Donnielle Davis

Paralegal