

Steven W. Cheifetz (011824) swc@cimlaw.com
Jacob A. Kubert jak@cimlaw.com
CHEIFETZ IANNITELLI MARCOLINI, P.C.
111 West Monroe Street, 17th Floor
Phoenix, Arizona 85003
Tel. (602) 952-6000
Fax (602) 952-7020

Attorneys for Plaintiff/Appellant
Colette McNally

**IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE**

COLETTE MCNALLY,

Plaintiff/Appellant,

-vs-

SUN LAKES HOMEOWNERS
ASSOCIATION #1, INC., an Arizona
non-profit corporation,

Defendant/Appellees.

CA-CV-15-0744

MARICOPA COUNTY
SUPERIOR COURT
CASE NO. CV2014-009496

JUDGE ASSIGNED:
The Honorable James T. Blomo

**APPELLANT'S MOTION TO FILE
OPENING BRIEF, REPLY BRIEF
AND APPENDICES UNDER SEAL**

Appellant, Colette McNally (“Appellant”), by and through undersigned counsel, hereby moves to file her Opening Brief, Reply Brief and Appendices under seal.

Appellant is currently a Board Member for appellee Sun Lakes

Homeowners Association #1, Inc. (the “Association”). As will be set forth in her Opening Brief, the issues presented in her appeal largely involve whether Board Members are violating A.R.S. § 33-1804 (the “Open Meeting Law”) by improperly discussing matters in executive session that should be discussed openly with the community in open board meetings.

On June 23, 2015, the Honorable James T. Blomo entered a Stipulated Protective Order between Appellant and the Association whereby the parties agreed to keep certain information confidential, including the Association’s Executive Session Minutes. As part of the Stipulated Protective Order, the parties further agreed to file under seal any pleadings that contained this confidential information.

While Appellant’s appeal contains arguments to support her position that certain matters discussed in executive session and identified in the Executive Session Minutes should not have been discussed in executive session in the first place, Appellant’s Opening Brief and her Appendices contain the Executive Session Minutes and other confidential information subject to the Stipulated Protective Order. She presumes that her Reply Brief will also contain confidential information subject to the Stipulated Protective Order. Therefore, Appellant respectfully requests that her Motion to File her Opening Brief, Reply Brief and Appendices Under Seal be

granted.

DATED this 10th day of November, 2015.

CHEIFETZ IANNITELLI MARCOLINI, P.C.

By: /s/ Jacob A. Kubert
Steven W. Cheifetz
Jacob A. Kubert
Attorneys for Appellant

ORIGINAL of the foregoing e-filed
with the Clerk of the Court of Appeals and a **COPY**
mailed and e-mailed this 10th day of November 2015, to:

Robert Grasso, Jr., Esq.
rgrasso@grassolawfirm.com
Jenny J. Winkler, Esq.
jwinkler@winklerlawfirm.com
GRASSO LAW FIRM, P.C.
2121 West Chandler Boulevard, Suite 100
Chandler, Arizona 85224
Attorneys for Defendant

By: /s/ Julie B. Mills

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