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11 *Attorneys for Defendant*  
12

13 **SUPERIOR COURT OF ARIZONA**  
14 **MARICOPA COUNTY**

15	NORMAN ZWICKY,	) NO. CV2015-051911
16		)
17	Plaintiff,	) <b>STIPULATION TO FILE UNDER</b>
18	v.	) <b>SEAL SUPPLEMENTAL</b>
19	PREMIERE VACATION COLLECTION	) <b>DECLARATION OF KATHY</b>
20	OWNERS ASSOCIATION, f.k.a. Premiere	) <b>WHEELER AND ATTACHED</b>
21	Vacation Club, an Arizona nonprofit	) <b>EXHIBITS</b>
22	corporation,	) <b>(Expedited Consideration Requested)</b>
23	Defendant.	) (Assigned to the Honorable John Hannah)
24		)

25 The Supplemental Declaration of Kathy Wheeler and supporting Exhibits attached  
26 thereto contain references to information that Defendant Premiere Vacation Collection Owners  
27 Association (“PVCOA”) deems confidential and protected trade secret information. Pursuant  
28 to Ariz. R. Civ. P. 5.4(c)(2) and LR 2.19(c), an overriding and compelling interest exists that

1 supports filing the document under seal and overcomes the right of public access to it; a  
2 substantial probability exists that PVCOA would be prejudiced if it is not filed under seal; the  
3 proposed restriction on public access to the document is no greater than necessary to preserve  
4 the confidentiality of the information subject to the overriding interest; and no reasonable, less  
5 restrictive alternative exists to preserve the confidentiality of the information subject to the  
6 overriding and compelling interest.

7 PVCOA has conferred with Plaintiff's counsel and Plaintiff's counsel stipulates that the  
8 Supplemental Declaration of Kathy Wheeler and the supporting Exhibits, which are attached  
9 as Ex. 1 to Defendant's Reply in Support of its Motion Requesting that the Court Preserve  
10 Confidential Designation and Nature of Certain Documents filed June 15, 2018, should be  
11 filed under seal.

12 Defendant PVCOA respectfully requests that the Court allow the Supplemental  
13 Declaration of Kathy Wheeler and its supporting Exhibits to be filed under seal.

14 A proposed form of Order is attached hereto.

15 RESPECTFULLY REQUESTED this 15<sup>th</sup> day of June, 2018.

16 **COPPERSMITH BROCKELMAN PLC**

17 By /s/Katherine L. Hyde  
18 John E. DeWulf  
19 Katherine L. Hyde  
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21 **BAKERHOSTETLER**

22 By: /s/Brandon Crossland (Pro Hac Vice)

23 *Attorneys for Defendant*

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**PHELPS & MOORE**

By: /s/ Shannon Lindner (with permission)

Jon L. Phelps  
Shannon Lindner

*Attorneys for Plaintiff*

**LAW OFFICE OF EDWARD L. BARRY**

By: /s/ Edward L. Barry (with permission)

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*Co-Counsel for Plaintiff*

**ORIGINAL** e-filed and e-mailed this  
15<sup>th</sup> day of June, 2018, to:

/s/ Verna Colwell