

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Viviette Applewhite; Wilola :
 Shinholster Lee; Grover :
 Freeland; Gloria Cuttino; :
 Nadine Marsh; Dorothy :
 Barksdale; Bea Bookler; :
 Joyce Block; Henrietta Kay :
 Dickerson; Devra Mirel ("Asher") :
 Schor; the League of Women Voters :
 of Pennsylvania; National Association :
 for the Advancement of Colored People, :
 Pennsylvania State Conference; :
 Homeless Advocacy Project, :
 Petitioners :

v.

No. 330 M.D. 2012

The Commonwealth of Pennsylvania; :
 Thomas W. Corbett, in his capacity :
 as Governor; Carole Aichele, in her :
 capacity as Secretary of the :
 Commonwealth, :
 Respondents :

DISCOVERY ORDER I

AND NOW, this 29th day of April, 2013, after telephone conference with counsel on April 5, 2013, and after consideration of written argument, it is **ORDERED** and **DECREED** as follows:

A. Database Discovery

In response to Petitioners' Eighth Request for Production of Documents, the Court determines the request for further database discovery is relevant and reasonably calculated to lead to the discovery of admissible evidence. Further, based on extensive involvement in prior hearings, the Court determines

that disclosure of partial social security numbers (SSN) from the databases under proposed additional security measures will assist the fact-finder in more accurately estimating the numbers of Pennsylvanians who may be impacted by the voter identification requirements of Act 18, and that privacy concerns will be robustly addressed. Accordingly, for use in this litigation only, Respondents shall produce the following elements from the Department of State (DOS) and the Department of Transportation (DOT) databases as soon as possible, but no later than the close of business on Monday, May 6, 2013:

a. From DOS's SURE database: Voter Table; Name Table; Street Table; CityZip Table; Address Table; VoterIDHistory Table; VotesHistory Table; DOT drivers or non-drivers identification numbers to the extent available in the SURE database; and, the last four digits of SSN without the need for further randomization or encryption.

b. From DOT's database: operator name; operator birth date; operator number; current address; mail address; county code; record type code; sex code; prior mail/operator address; prior name; and, the last four digits of SSN without the need for further randomization or encryption.

To the extent designated as "Confidential Information" at the time of production, disclosure of the above information shall be subject to the Stipulated Protective Order approved by the Court on June 11, 2012, together with any amendments agreed upon by the parties before disclosure. In addition, disclosure shall be

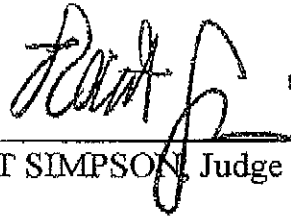
subject to the additional privacy protections proposed in Paragraphs 10 and 11 of the Declaration of Leonard A. Cupingood, Ph.D.

B. Limitation on Further Written Discovery

Respondents shall not be required to provide responses to further written discovery except as set forth by specific court order based upon cause shown.

C. Other Discovery Issues

If necessary, the Court will conduct an additional telephone conference on Friday, May 17, 2013 at noon, to address any outstanding discovery issues. Petitioners shall arrange for a court reporter to be available for the conference.



ROBERT SIMPSON, Judge

Certified from the Record

APR 29 2013

And Order Exit