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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

UNITED STATES DEPARTMENT OF
JUSTICE, DRUG ENFORCEMENT
ADMINISTRATION,

Petitioner,

v.

UTAH DEPARTMENT OF COMMERCE and
UTAH DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING,

Respondents.

Case No. 2:16-cv-611-DN

**DECLARATION OF KAREN
MCCREARY IN SUPPORT OF
MOTION TO INTERVENE**

Chief Judge David Nuffer

UNITED STATES DEPARTMENT OF
JUSTICE, DRUG ENFORCEMENT
ADMINISTRATION,

Petitioner,

v.

IAFF LOCAL 1696 et al.,

Respondents–Intervenors.

I, Karen McCreary, hereby declare and state as follows:

1. I submit this declaration based on my personal knowledge in support of Movants' Motion to Intervene in the above captioned case.

2. I am the Executive Director of the American Civil Liberties Union of Utah ("ACLU of Utah"), which is one of the entities seeking to intervene in this action.

3. The ACLU of Utah is a membership organization with more than 1600 members, who are distributed across 26 counties of Utah.

4. The ACLU of Utah works to defend and preserve the individual rights and liberties guaranteed to all people in this country by the Constitution and the laws of the United States and the State of Utah.

5. In particular, the ACLU of Utah advocates for the privacy rights of all Utahns, including its members.

6. Members of the ACLU of Utah include Utahns who fill prescriptions for medications that constitute controlled substances under the federal Controlled Substances Act or Utah Code Ann. § 58-37-4. Therefore, its members' prescription drug information is recorded and maintained in Utah's Controlled Substance Database ("UCSD").

7. Members of the ACLU of Utah also include licensed Utah physicians who write prescriptions for medications that are recorded and maintained in the UCSD. These physicians have an interest in maintaining the privacy of their patients' records.

8. Therefore, members of the ACLU of Utah have a privacy interest in their prescription records stored in the UCSD. The ACLU of Utah represents those members in asserting their privacy rights under the United States Constitution and Utah law in this action.

Pursuant to 28 U.S.C. § 1746, I hereby declare and state under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

DATED this 26 day of July, 2016.


Karen McCreary