

APPENDIX TO
PETITION FOR WRIT OF CERTIORARI

1. Opinion of U.S. Court of Appeals Dated September 7, 2017.....	A1
2. U.S. District Court Order Dated June 1, 2016.....	A17
3. Complaint	A39
4. Excerpts from Exhibit A to Complaint.....	A125
5. Excerpts from Exhibit B to Complaint.....	A170
6. First Amended Complaint	A174
7. Excerpts from Exhibit F to First Amended Complaint.....	A276
8. Excerpts from Exhibit G to First Amended Complaint.....	A281
9. Exhibit A to Second Affidavit of Jonathan A. Strauss Dated February 19, 2016.....	A283
10. Exhibit B to Second Affidavit of Jonathan A. Strauss Dated February 19, 2016	A295

United States Court of Appeals
For the Eighth Circuit

No. 16-3063

Jennifer Ray Heglund; Jamie Lee Heglund,
Plaintiffs – Appellants

v.

Aitkin County; City of Aitkin; City of Babbitt; City of
Biwabik; City of Breitung; City of Chisholm; City of
Cloquet; Cook County; City of Cook; Crow Wing
County; City of Deer River; Douglas County; City of
Duluth; City of Ely; City of Emily; City of Eveleth;
City of Floodwood; City of Forest Lake; City of
Gilbert,
Defendants,

City of Grand Rapids,
Defendant – Appellee,

Hennepin County; City of Hermantown; City of
Hibbing; City of Hill City; City of Hoyt Lakes; City of
International Falls; Itasca County; City of Keewatin;
Lake County; City of Leech Lake; City of Maple
Grove; City of Minneapolis; City of Nashwauk;
Norman County; City of Orono; Pine County; Ramsey
County; City of Roseau; City of Sartell; Scott County;
Sherburne County; City of St. James; St. Louis
County; City of St. Paul; City of Two Harbors; City of

Virginia; Washington County; Winona County;
Michael Campion, in his individual capacity as the
Commissioner of the Department of Public Safety;
Ramona Dohman, in her individual capacity as the
Commissioner of the Department of Public Safety;
John and Jane Does (1-600), acting in their
individual capacity as supervisors, officers, deputies,
staff, investigators, employees or agents of the other
governmental agencies; Department of Public Safety
Does (1-30), acting in their individual capacity as
officers, supervisors, staff, employees, independent
contractors or agents of the Minnesota Department
of Public Safety; Entity Does (1-100), including cities,
counties, municipalities and other entities sited in
Minnesota,

Defendants

Frank Scherf, acting in his individual capacity as the
Assistant Chief of the Grand Rapids Police
Department,

Defendant – Appellee,

Kevin Friebe, acting in his individual capacity as a
Sergeant of the St. Louis County Sheriff's Office; Eric
Hanegmon, acting in his individual capacity as a
Deputy of the St. Louis County Sheriff's Office; David
Lovaas, acting in his individual capacity as a Deputy
of the St. Louis County Sheriff's Office; Diane
McComesky, acting in her individual capacity as an
employee of St. Louis County; Linda Smith, acting in
her individual capacity as an employee of the St.
Louis County Sheriff's Office; Wayne Toewe, acting
in his individual capacity as a Deputy of the St.
Louis County Sheriff's Office; Kenneth Weis, acting
in his individual capacity as a Deputy of the St.

Louis County Sheriff's Office; Roberta Nyland;
William Evans, acting in his individual capacity as a
Deputy of the St. Louis County Sheriff's Office,
Defendants.

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: May 11, 2017
Filed: September 7, 2017

Before SMITH, Chief Judge, COLLOTON and
KELLY, Circuit Judges.

COLLOTON, Circuit Judge.

Jennifer Heglund and her husband Jamie Heglund sued numerous Minnesota cities and counties, state officials, and hundreds of John and Jane Does, alleging that police officers had improperly accessed their private information in the State's driver's license database. The Heglunds later amended their complaint to replace one of the John Does with Frank Scherf, the former Grand Rapids assistant chief of police. The district court granted summary judgment for Scherf and Grand Rapids on the ground that the claim was barred by the statute of limitations. The court concluded that the

Heglunds' amended complaint naming Scherf did not relate back to the timely original complaint, because the Heglunds did not make a "mistake" within the meaning of Federal Rule of Civil Procedure 15(c) by suing "John Doe" rather than Scherf in their original complaint. We agree with the district court's¹ conclusion that the Heglunds' use of the John Doe pleading device was not a "mistake" under Rule 15(c), and therefore affirm.

I.

Jennifer Heglund is a former law enforcement officer who worked for a few different cities and one county in Minnesota. In 2013, Jennifer and her husband Jamie requested an audit from the Minnesota Department of Public Safety to determine whether their private information had been accessed through the State's driver's license database. According to the complaint, they requested the audit because Jennifer's ex-husband, a Minnesota State Trooper, had harassed Jamie on several occasions, and Jennifer was concerned that her ex-husband had obtained the couple's private information.

The audit showed that Jennifer's information had been accessed 446 times between 2003 and 2013, and that Jamie's had been accessed 34 times from 2006 to 2013. On September 9, 2013, the Heglunds sent notice-of-claim letters to the entities identified in the official audits; one was the City of Grand

¹ The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota.

Rapids. The letter listed the dates and times of the accesses that the Heglunds claimed were in violation of the federal Driver's Privacy Protection Act (DPPA), 18 U.S.C. § 2721.

The DPPA forbids state motor vehicle departments from disclosing personal information contained in motor vehicle records—such as an individual's name, address, or photograph—except for uses explicitly enumerated in the statute. *See* 18 U.S.C. §§ 2721(a)-(b), 2725(3). One such permissible use is by “any government agency, including any court or law enforcement agency, in carrying out its functions.” *Id.* § 2721(b)(1). A person who knowingly obtains, discloses, or uses an individual's personal information from a motor vehicle record “for a purpose not permitted” is liable to the individual. *Id.* § 2724(a). The Minnesota Department of Public Safety collects personal information in the process of registering and licensing drivers of motor vehicles. State and local law enforcement, including the Grand Rapids police department, have access to this information through an Internet portal.

On January 31, 2014, the Heglunds sued nearly three dozen cities, more than a dozen counties, the current and former commissioners of the Minnesota Department of Public Safety, and hundreds of John and Jane Does. The Heglunds brought claims for violations of the DPPA under the Act itself and under 42 U.S.C. § 1983, as well as state-law claims for common-law invasion of privacy. Many of the defendants, including Grand Rapids, promptly moved to dismiss the claims as insufficiently pleaded and barred by the applicable

four-year statute of limitations. *See* 28 U.S.C. § 1658(a); *McDonough v. Anoka County*, 799 F.3d 931, 939, 943 (8th Cir. 2015). The district court dismissed most of the DPPA claims as untimely and dismissed the § 1983 and invasion-of-privacy claims for failure to state a claim.

After a series of settlements, the only remaining claim was based on the access of Jennifer's information on March 25, 2010 by someone at the Grand Rapids Police Department.² The Heglunds served Grand Rapids with discovery requests on October 14, 2014. On December 1, the city replied, informing the Heglunds that Frank Scherf was the officer who had accessed Jennifer's information. In February 2015, Grand Rapids moved for summary judgment, but the district court denied the motion so that the Heglunds could conduct discovery. The Heglunds then deposed Scherf. In March 2015, the Heglunds moved to amend the complaint to substitute Scherf for a John Doe defendant. The district court granted the motion to amend.

Grand Rapids and Scherf then moved for summary judgment based on the statute of limitations. The district court granted the motion, concluding that the Heglunds' amended complaint did not relate back to the timely original complaint

² The Heglunds claim that Scherf's access of Jennifer's information counts as five separate accesses under the DPPA. Whether Scherf's alleged actions constituted one access or five is not necessary to our decision, so we do not resolve the question.

because the Heglunds' use of "John Doe" rather than "Scherf" in the original complaint was not a "mistake" within the meaning of Rule 15(c). That rule provides that an amended complaint "relates back" to the original complaint for purposes of timing if the party added in the amendment "knew or should have known that the action would have been brought against it, but for a mistake concerning the proper party's identity." The district court ruled alternatively that even if the action were timely, Scherf would be entitled to summary judgment because the Heglunds failed to demonstrate a genuine issue of material fact as to whether Scherf violated the DPPA.³ The Heglunds appeal.

II.

As a preliminary matter, Scherf and Grand Rapids argue that the Heglunds lack Article III standing to bring their DPPA claim, because they have not demonstrated an injury in fact. Scherf and the city contend that a statutory violation alone is not an injury in fact, and that Jennifer's professed anxiety from knowing that Scherf improperly accessed her personal information is not sufficiently concrete to constitute an injury in fact under Article III. We review standing *de novo*. *Braitberg v. Charter Commc'ns, Inc.*, 836 F.3d 925, 929 (8th Cir. 2016).

³ The Heglunds claim that because Grand Rapids knowingly authorized Scherf to obtain Jennifer's personal information, the city is vicariously liable for Scherf's acts. They do not argue on appeal that there is any separate basis for proceeding against Grand Rapids if the claim against Scherf is barred by the statute of limitations.

To demonstrate Article III standing, a plaintiff “must have (1) suffered an injury in fact, (2) that is fairly traceable to the challenged conduct of the defendant, and (3) that is likely to be redressed by a favorable judicial decision.” *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1547 (2016). An injury in fact must be both particularized to the plaintiff and also concrete—real, not abstract. *Id.* at 1548. Congress cannot supplant Article III’s standing requirements by conferring a statutory right to sue on a plaintiff who would not otherwise have standing. *Id.* at 1547-48. But Congress may elevate *de facto* concrete injuries, whether tangible or intangible, into legally cognizable injuries. *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 578 (1992). To determine whether an intangible harm counts as an injury in fact, we must consider Congress’ judgment and whether the alleged intangible harm has a close relationship to a harm that traditionally provided a basis for suit in the Anglo-American legal system. *Spokeo*, 136 S. Ct. at 1549.

In light of those considerations, we conclude that the Heglunds have standing to bring their DPPA claim. An individual’s control of information concerning her person—the privacy interest the Heglunds claim here—was a cognizable interest at common law. *U.S. Dep’t of Justice v. Reporters Comm. for Freedom of Press*, 489 U.S. 749, 763 (1989); *Pichler v. UNITE*, 542 F.3d 380, 388 (3d Cir. 2008); *cf. Braitberg*, 836 F.3d at 930. In enacting the DPPA, Congress recognized the potential harm to privacy from state officials accessing drivers’ personal information for improper reasons. *See Maracich v. Spears*, 133 S. Ct. 2191, 2195 (2013).

The Heglunds do not allege a bare procedural violation; they claim that Scherf violated the DPPA's substantive protections by invading Jennifer's privacy. This allegation distinguishes the Heglunds' claim from the one advanced in *Braitberg* based on a cable company's procedural violation of its statutory duty to destroy personally identifiable information the cable company lawfully obtained. *See* 836 F.3d at 930. In concluding that the *Braitberg* plaintiff failed to allege an injury in fact, we contrasted the "common law tradition of lawsuits for invasion of privacy"—the tradition that the Heglunds invoke here—with the lack of comparable tradition of suits for retaining information lawfully obtained. *Id.* The intangible harm associated with an alleged violation of the DPPA's substantive protections is sufficient for the Heglunds to establish an injury in fact. *Accord Graczyk v. W. Publ'g Co.*, 660 F.3d 275, 278 (7th Cir. 2011); *Taylor v. Acxiom Corp.*, 612 F.3d 325, 340 n.15 (5th Cir. 2010).

III.

The Heglunds argue that their claim is timely based on two alternative grounds. First, they say that the court should apply equitable estoppel to preclude Scherf from relying on the limitations period as a defense. The doctrine of equitable estoppel prevents a defendant from relying on the statute of limitations if the defendant knowingly allowed the plaintiff to think that she sued the proper party or actually misled the plaintiff as to the proper party's identity. *Schrader v. Royal Caribbean Cruise Line, Inc.*, 952 F.2d 1008, 1013 (8th Cir. 1991). The Heglunds claim that equitable estoppel

applies here, because Grand Rapids and the Minnesota Department of Public Safety prevented them from identifying Scherf at an earlier time. They complain that Grand Rapids delayed discovery by filing an early motion to dismiss, and that the discovery of Scherf's identity was hindered by the Department of Public Safety's initial refusal to disclose which officers accessed the Heglunds' driver's license records.

We conclude that equitable estoppel does not apply. Filing a prompt motion to dismiss is not the sort of inequitable conduct that calls for application of the doctrine. The Heglunds point to language in *Schrader* that “[a] defendant’s actions making it difficult for the plaintiff to learn the intended defendant’s proper name until after the limitations period expire[s]” may form the basis for equitable estoppel. 952 F.2d at 1013. But read in context, that language refers to a defendant’s affirmative conduct that was designed to, or was unmistakably likely to, mislead the plaintiff. *Id.*; see also *Bell v. Fowler*, 99 F.3d 262, 268-69 (8th Cir. 1996). Grand Rapids did not engage in misleading conduct here. The Heglunds submitted the discovery request to Grand Rapids on October 14, 2014, more than six months after the statute of limitations expired. And any delay by the Minnesota Department of Public Safety is not attributable to Grand Rapids or Scherf.

Second, the Heglunds contend that under Rule 15(c), the amended complaint naming Scherf relates back to the date of the timely original complaint. As applicable here, Rule 15(c) provides that an amended complaint relates back to the date of the original

complaint when: (1) the claim or defense asserted in the amended complaint arises out of the same conduct, transaction, or occurrence set out in the initial complaint, (2) within 90 days after the original complaint was filed, the party to be added “received such notice of the action that it will not be prejudiced in defending on the merits,” and (3) upon receiving notice, the party to be added “knew or should have known that the action would have been brought against it, but for a mistake concerning the proper party’s identity.” Fed. R. Civ. P. 15(c)(1)(C); 4(m). When those conditions are satisfied, the amended complaint is treated as if it were filed on the date of the original complaint. *See Hayes v. Faulkner County*, 388 F.3d 669, 675- 76 (8th Cir. 2004).

The district court concluded that the Heglunds’ amended complaint failed to satisfy the third requirement because the Heglunds’ use of the John Doe pleading device did not qualify as a “mistake.” The parties agree that the Heglunds sued “John Doe” in their original complaint because they did not then know the name of the officer who accessed Jennifer’s information on March 25, 2010. We review *de novo* the district court’s grant of summary judgment and its interpretation of Rule 15(c).⁴

The Heglunds argue that lack of knowledge of the proper party’s identity qualifies as a mistake

⁴ This court briefly discussed in *Foult v. Charrier*, 262 F.3d 687, 696 (8th Cir. 2001), whether an amendment to replace a “John Doe” defendant will relate back under Rule 15(c), but the court resolved that case on other grounds.

under Rule 15(c). Scherf and Grand Rapids contend that the Heglunds’ decision to name a John Doe defendant cannot be characterized as a mistake because the Heglunds knew that they lacked knowledge of the defendant’s true identity—there was no misunderstanding or misconception. They argue that the Heglunds intentionally represented their lack of knowledge about the identity of the defendant, so there was no mistake, and the Heglunds’ amended complaint does not relate back under Rule 15(c).

In *Krupski v. Costa Crociere S. p. A.*, 560 U.S. 538 (2010), the Supreme Court reasoned that relation back under Rule 15(c) depends on “what the prospective *defendant* knew or should have known during the Rule 4(m) period, not what the *plaintiff* knew or should have known at the time of filing her original complaint.” *Id.* at 548. The Court stated that a plaintiff’s knowledge is “relevant only if it bears on the defendant’s understanding of whether the plaintiff made a mistake.” *Id.* At the same time, however, the Court affirmed that a plaintiff’s deliberate choice, made with a full understanding of the legal and factual situation, is “the antithesis of making a mistake.” *Id.* at 549. By contrast, a mistake occurs if a plaintiff knows that two or more parties exist but chooses to sue the wrong one based on a misunderstanding about that party’s status or role. *Id.*

The Court defined mistake as “[a]n error, misconception, or misunderstanding; an erroneous belief.” *Id.* at 548 (quoting *Black’s Law Dictionary* 1092 (9th ed. 2009)). It also described a mistake as “a

misunderstanding of the meaning or implication of something”; “a wrong action or statement proceeding from faulty judgment, inadequate knowledge, or inattention”; “an erroneous belief”; or “a state of mind not in accordance with the facts.” *Id.* at 548-49 (quoting *Webster’s Third New International Dictionary* 1446 (2002)).

We conclude that naming a John Doe defendant is not a “mistake.” Mistake implies inadvertence or a sincere but wrong belief. “Error,” which *Krupski* recognized as synonymous with mistake, is defined as “an act involving an *unintentional* deviation from truth or accuracy.” *Webster’s Third New International Dictionary* 772 (2002) (emphasis added). That same dictionary entry notes that while error and mistake are synonyms, error implies “a deviation from correct . . . course,” and mistake “suggests a *misunderstanding*, wrong decision, or *inadvertent* wrong action.” *Id.* (emphases added). The very definition of “mistake” cited in *Krupski* reflects this meaning when the coordinate subsense of the word is reproduced in full: “a wrong action or statement proceeding from faulty judgment, inadequate knowledge, or inattention : *an unintentional error*.” *Id.* at 1446 (emphasis added). Other lay dictionaries confirm that “mistake” implies an unintentional error through lack of understanding. See *American Heritage Dictionary* 1128 (5th ed. 2011) (“An error or fault resulting from defective judgment, deficient knowledge, or carelessness” or “[a] misconception or misunderstanding.”); *Oxford English Dictionary* (2d ed. 1989) (“A misconception or misapprehension of the meaning of something; *hence*, an error or fault in thought or action.”); *Webster’s New World Dictionary*

of the American Language: College Edition 942-43 (1968) (“A fault in understanding, perception, interpretation, etc.”).

The same is true in legal dictionaries. The definition from *Black’s Law Dictionary* cited in *Krupski*—“[a]n error, misconception, or misunderstanding; an erroneous belief”—implies a lack of intentionality. Earlier editions of *Black’s* expressly include the modifier “unintentional” in the definition of mistake. The fourth edition, which prevailed in 1966 when Rule 15 was amended to add the “mistake” language, defined the term as “[s]ome *unintentional* act, omission, or error arising from ignorance, surprise, imposition, or misplaced confidence.” *Black’s Law Dictionary* 1152-53 (4th ed. 1951) (emphasis added); *see also Black’s Law Dictionary* 1152-53 (4th rev. ed. 1968) (same).

The Heglunds argue that their John Doe pleading qualifies as a “mistake” because it is “a wrong . . . statement proceeding from . . . inadequate knowledge,” one of the definitions from *Webster’s* that was cited in *Krupski*. To be sure, the Heglunds used the John Doe device because they had inadequate knowledge of Scherf’s identity, but the inclusion of “John Doe” was not a “wrong statement” in the sense of the definition. The device accurately conveyed that the Heglunds did not know Scherf’s identity. The statement was not the result of a misunderstanding or misconception; it was an intentional misidentification, not an unintentional error, inadvertent wrong action, or “mistake.”

Other circuits likewise have concluded that a plaintiff's lack of knowledge of a defendant's identity is not a "mistake" under Rule 15(c). *See Smith v. City of Akron*, 476 F. App'x 67, 69 (6th Cir. 2012); *Garrett v. Fleming*, 362 F.3d 692, 696 (10th Cir. 2004); *Wayne v. Jarvis*, 197 F.3d 1098, 1103 (11th Cir. 1999), *overruled in part on other grounds by Manders v. Lee*, 338 F.3d 1304 (11th Cir. 2003) (en banc); *Jacobsen v. Osborne*, 133 F.3d 315, 320-21 (5th Cir. 1998); *Barrow v. Wethersfield Police Dep't*, 66 F.3d 466, 469-70 (2d Cir. 1995); *Worthington v. Wilson*, 8 F.3d 1253, 1256-57 (7th Cir. 1993). *But see Varlack v. SWC Caribbean, Inc.*, 550 F.2d 171, 175 (3d Cir. 1977). Although most of these cases predated *Krupski*, we are not convinced that the Court's analysis dictates that "mistake" includes wrong acts or statements made with full knowledge that the named party is not the proper defendant. While *Krupski* concluded that Rule 15(c) focuses largely on what a prospective defendant knew or should have known, the Court was not confronted with an intentional error by a plaintiff that is incompatible with the very definitions of "mistake" that governed the Court's decision. 560 U.S. at 548-49.

The Heglunds urge us to recognize John Doe pleadings as "mistakes" so that plaintiffs with inadequate knowledge will not be subjected to shorter statutes of limitation than plaintiffs who list the wrong defendant in an original complaint. There may well be sound policy arguments for permitting relation back when a plaintiff amends a John Doe pleading to substitute a real person and can satisfy the other requirements under Rule 15(c). *See Singletary v. Pa. Dep't of Corr.*, 266 F.3d 186, 201 n.5 (3d Cir. 2001). But we think these concerns are best

directed to the rulemakers, because it would unduly strain the plain language of the present rule to say that Rule 15(c) encompasses the Heglunds' amendment. Under Rule 15(c), relation back is permitted only when the action originally is brought against the wrong person because of a "mistake." Regardless of when Scherf learned of the action or what he knew about whether the plaintiffs would like to have sued him, the Heglunds did not make a "mistake" in the ordinary sense of the word when they intentionally sued "John Doe" while knowing that he was not the proper defendant.

The judgment of the district court is affirmed.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 14-296 (ADM/LIB)

Jennifer Rae Heglund and
Jamie Lee Heglund,
Plaintiffs,

MEMORANDUM
OPINION AND
ORDER

v.

Aitkin County; City of Aitkin; City of Babbitt; City of Biwabik; City of Breitung; City of Chisholm; City of Cloquet; Cook County; City of Cook; Crow Wing County; City of Deer River; Douglas County; City of Duluth; City of Ely; City of Emily; City of Eveleth; City of Floodwood; City of Forest Lake; City of Gilbert; City of Grand Rapids; Hennepin County; City of Hermantown; City of Hibbing; City of Hill City; City of Hoyt Lakes; City of International Falls; Itasca County; City of Keewatin; Lake County; City of Leech Lake; City of Maple Grove; City of Minneapolis; City of Nashwauk; Norman County; City of Orono; Pine County; Ramsey County; City of Roseau; City of Sartell; Scott County; Sherburne County; City of St. James; St. Louis County; City of St. Paul; City of Two Harbors; City of Virginia; Washington County; Winona County; Frank Scherf, acting in his individual capacity as the Assistant Chief of the Grand Rapids Police Department; William Evans, acting in his individual capacity as a Deputy of the St. Louis County Sheriff's Office; Kevin Friebe, acting in his individual capacity as a Sergeant of the St. Louis County Sheriff's Office; Eric

Hanegmon, acting in his individual capacity as a Deputy of the St. Louis County Sheriff's Office; David Lovaas, acting in his individual capacity as a Deputy of the St. Louis County Sheriff's Office; Diane McComesky, acting in her individual capacity as an employee of St. Louis County; Linda Smith, acting in her individual capacity as an employee of the St. Louis County Sheriff's Office; Wayne Toewe, acting in his individual capacity as a Deputy of the St. Louis County Sheriff's Office; Kenneth Weis, acting in his individual capacity as a Deputy of the St. Louis County Sheriff's Office; Roberta Nyland; Michael Champion, in his individual capacity as the Commissioner of the Department of Public Safety; Ramona Dohman, in her individual capacity as the Commissioner of the Department of Public Safety; John and Jane Does (1 - 600) acting in their individual capacity as supervisors, officers, deputies, staff, investigators, employees or agents of the other governmental agencies; Department of Public Safety Does (1-30) acting in their individual capacity as officers, supervisors, staff, employees, independent contractors or agents of the Minnesota Department of Public Safety; and Entity Does (1-100) including cities, counties, municipalities, and other entities sited in Minnesota,

Defendants.

Sonia L. Miller-Van Oort, Esq., and Jonathan A. Strauss, Esq., Sapientia Law Group, Minneapolis, MN, on behalf of Plaintiffs.

Susan M. Tindal, Esq., Iverson Reuvers Condon, Bloomington, MN, on behalf of Defendants City of Grand Rapids and Frank Scherf.

I. INTRODUCTION

On March 24, 2016, the undersigned United States District Judge heard oral argument on Defendants City of Grand Rapids (“Grand Rapids”) and Frank Scherf’s (collectively, the “Defendants”) Motion for Summary Judgment [Docket No. 202]. Plaintiffs Jennifer Rae Heglund and Jamie Lee Heglund (collectively, the “Plaintiffs”) oppose the motion. For the reasons set forth below, Defendants’ motion is granted.

II. BACKGROUND

This action arises from allegedly unlawful accesses of Plaintiffs’ driver’s license information from 2003–2013. Jennifer Heglund (“Jennifer”)¹ is a former law enforcement officer who, between 1996 and 2012, worked for the Biwabik Police Department, the Hoyt Lakes Police Department, the Eveleth Police Department, and the St. Louis County Sheriff’s Department. Jennifer Heglund Decl. [Docket No. 170] ¶¶ 2–6. Prior to her current marriage to Jamie Heglund (“Jamie”), Jennifer was married to a Minnesota State Trooper until their divorce in 2005. *Id.* ¶¶ 7–8. Jennifer avers her ex-husband has harassed Jamie on multiple occasions and Jennifer is concerned he has obtained both her and Jamie’s private information. *Id.* ¶¶ 9-10.

¹ Since Plaintiffs have the same last name, first names will be used to distinguish them.

In 2013, Plaintiffs contacted the Minnesota Department of Public Safety (“DPS”) and requested an audit to determine if their private information had been accessed through the Minnesota Driver and Vehicle Services Division database (the “DVS Database”). Id. ¶¶ 16–17. The audit revealed that between 2003 and 2013, Jennifer’s personal information had been accessed 446 times. Id. ¶¶ 17, 19, Ex. 3. The audit further revealed that between 2006 and 2013, Jamie’s information had been accessed 34 times. Am. Compl. [Docket No. 185] at 3. Plaintiffs aver that the accesses were initiated by name, as opposed to license plate number, and that the individual defendants accessing the information did not have a permissible law enforcement purpose legally justifying their access. Jennifer Heglund Decl. ¶¶ 13–14, 16, 23; Jamie Heglund Decl. [Docket No. 169] ¶¶ 10–11, 13. The accesses were initiated from the northern part of Minnesota, in and around the cities and counties where Jennifer worked. See Jennifer Heglund Decl. Ex. 3.

On January 31, 2014, Plaintiffs filed this lawsuit alleging violations of the federal Driver’s Privacy Protection Act, 18 U.S.C. § 2721, et seq. (“DPPA” or “the Act”), 42 U.S.C. § 1983, and common law invasion of privacy against all defendants. See Compl. [Docket No. 1] ¶¶ 473–561. The original Complaint named as defendants nearly three dozen Minnesota cities; over one dozen Minnesota counties; the current and former Commissioner of the DPS; 30 Department of Public Safety Does; 600 John and Jane Does; and 100 Doe entities, including cities, counties, and municipalities. See generally Compl. Plaintiffs named the Doe defendants because at the time the original Complaint was filed Plaintiffs did not know the actual identities of the proper parties.

Tindal Aff. [Docket No. 206] Ex. 3 (“Jennifer Heglund Dep.”) at 106:1–10.

On July 22, 2014, the Court issued an Order [Docket No. 132], amended on September 5, 2014 [Docket No. 138], dismissing Plaintiffs’ DPPA claims against multiple cities and counties on statute of limitations grounds for accesses or “lookups” that occurred more than four years before the filing of the January 31, 2104 Complaint. See Heglund v. Aitkin Cty., No. 14-296, 2014 WL 4414821, at *3 (D. Minn. Sept. 5, 2014) (“Dismissal Order”). In addition to the time- barred claims, the Court dismissed Plaintiffs’ DPPA claims against the former and current DPS Commissioners, as well as the invasion of privacy and § 1983 claims against all defendants. See id. at *6-7.

As a result of the Dismissal Order, the only remaining defendants were St. Louis County and the Cities of Grand Rapids, Virginia, and Hibbing. Id. at *3, *7–8. Plaintiffs stipulated to the dismissal of the City of Hibbing in February 2015 [Docket No. 157] and the City of Virginia in March 2015 [Docket No. 181] and have settled their claims with St. Louis County. Pls.’ Mem. Opp’n Summ. J. [Docket No. 208] at 8 n.4. Therefore, the only remaining lookup at issue in this case is an access of Jennifer’s data by the City of Grand Rapids Police Department on March 25, 2010.

On October 14, 2014, Plaintiffs served written discovery on the Defendant municipalities to learn the identities of those who had obtained Jennifer’s driver’s license information. Strauss Aff. [Docket No.168] ¶ 2. On December 1, 2014, Grand Rapids disclosed in its discovery responses that the access by the Grand Rapids Police Department on March 25,

2010 was made by then Grand Rapids Assistant Chief of Police Frank Scherf. Id. ¶¶ 3–4, Ex. 1.

Jennifer was one of ten individuals Scherf looked up in the DVS database from March 24, 2010 to March 25, 2010. Tindal Aff. Ex. 1 (“Scherf Dep.”) at 76:10–13; Ex. 2. There are no police records or reports documenting the reason Scherf accessed Jennifer’s data. Scherf Dep. 62:1–63:8. Scherf claims he does not know Jennifer, and although he does not recall why he accessed her information, he maintains he did not access her information “for personal reasons or out of personal curiosity.” Scherf Aff. [Docket No.161] ¶ 2. Scherf recognizes the name of Jennifer’s former husband but does not recall ever meeting him and does not know what he looks like. Scherf Dep. at 56:12–57:3. While working at the Itasca Sheriff’s Department in Grand Rapids, Scherf occasionally saw a trooper who was a good friend of Jennifer’s ex-husband. Id. at 58:4–11; Jennifer Heglund Dep. at 112. Scherf did not know that the trooper was friends with Jennifer’s former husband and does not recall the trooper ever discussing Jennifer or her ex-husband. Scherf Dep. at 72:14–73:5.

In February 2015, Grand Rapids moved for early summary judgment on the basis that Plaintiffs had adduced no evidence showing that Scherf’s access was unlawful. Plaintiffs opposed the motion, arguing summary judgment was premature because they had not had an opportunity to conduct any discovery about Scherf. Plaintiffs argued that they had noticed the deposition of Scherf and that the deposition might uncover facts to show that Scherf’s access was unlawful. The Court denied Grand Rapids’ early summary judgment motion to allow Plaintiffs to proceed with Scherf’s deposition. Mem.

Op. & Order, May 22, 2015 [Docket No. 192] (“Summary Judgment Order”) at 8–9. In denying summary judgment, the Court noted that it was “highly unlikely that deposing Scherf w[ould] bear fruit in light of his statement claiming he cannot remember the specific reasons why he accessed Jennifer’s information in a single minute some five years ago.” Id. at 9. The Court further stated that “if Scherf’s deposition fails to raise facts to rebut Scherf’s assertion that the lookup was not in violation of the DPPA, Grand Rapids may renew its summary judgment motion at that time.” Id.

On April 21, 2015, Heglund filed an Amended Complaint that substituted Scherf for a Doe defendant.² The Amended Complaint also replaced other Doe defendants with the names of individual defendants identified in an audit produced by DPS on January 23, 2015. See Strauss Aff. ¶ 5. The DPS produced the audit in response to a subpoena served by Plaintiffs on December 30, 2014. See id.; Stipulation [Docket No. 151] ¶ 1.

Scherf and Grand Rapids now move for summary judgment, arguing Plaintiffs’ DPPA claim fails based on the statute of limitations, qualified immunity, unclean hands, the doctrine of *in pari delicto*, the absence of an injury to confer Article III standing, and the rule of lenity.

² The Amended Complaint continues to include defendants and claims that were previously dismissed by the Court. Plaintiffs recognize that these defendants and claims have been previously dismissed and will not be further litigated in this case, but have included them in the Amended Complaint to preserve their appellate rights. Am. Compl. 7 n.1.

III. DISCUSSION

A. Summary Judgment Standard

Federal Rule of Civil Procedure 56 provides that summary judgment shall issue “if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a); see also Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 587 (1986); Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 252 (1986); Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986). On a motion for summary judgment, the Court views the evidence in the light most favorable to the nonmoving party and draws all justifiable inferences in its favor. Ludwig v. Anderson, 54 F.3d 465, 470 (8th Cir. 1995). The nonmoving party may not “rest on mere allegations or denials, but must demonstrate on the record the existence of specific facts which create a genuine issue for trial.” Krenik v. Cty. of Le Sueur, 47 F.3d 953, 957 (8th Cir. 1995) (internal quotation omitted). To withstand a motion for summary judgment, a plaintiff “must substantiate his allegations with sufficient probative evidence that would permit a finding in his favor on more than mere speculation, conjecture, or fantasy. Moody v. St. Charles Cty., 23 F.3d 1410, 1412 (8th Cir. 1994) (internal quotation and alterations omitted).

B. Relation Back Under Fed. R. Civ. P. 15(c)(1)(C)

Defendants argue that the DPPA claims against Scherf are time-barred because the Amended

Complaint does not relate back to the date of the Original Complaint. DPPA claims are subject to the four-year statute of limitations in 28 U.S.C. § 1658(a), which begins to run when the alleged violations occurred. McDonough v. Anoka Cty., 799 F.3d 931, 939–43 (8th Cir. 2015). There is no dispute that the alleged illegal conduct occurred on March 25, 2010. The Amended Complaint was filed April 21, 2015. Therefore, if the Amended Complaint does not relate back to the date of the original Complaint, the claims against Scherf would be time-barred because the alleged violations occurred before April 21, 2011.

Federal Rule of Civil Procedure 15(c) provides that an amended pleading will relate back to the date of an original pleading when:

(B) the amendment asserts a claim or defense that arose out of the conduct, transaction, or occurrence set out—or attempted to be set out—in the original pleading; or

(C) the amendment changes the party or the naming of the party against whom a claim is asserted, if Rule 15(c)(1)(B) is satisfied and if, within the period provided by Rule 4(m) for serving the summons and complaint, the party to be brought in by amendment:

(i) received such notice of the action that it will not be prejudiced in defending on the merits; and

(ii) knew or should have known that the action would have been brought against it, but for a mistake concerning the proper party's identity.

Fed. R. Civ. P. 15(c)(1). The purpose of relation back is “to balance the interests of the defendant protected by the statute of limitations with the preference . . . for resolving disputes on their merits.” Krupski v. Costa Crociere S. p. A., 560 U.S. 538, 550 (2010).

The parties dispute whether the requirement of Rule 15(c)(1)(C)(ii)—that the added party “knew or should have known that the action would have been brought against it, but for a mistake concerning the proper party's identity”—has been satisfied. Defendants argue that naming a Doe defendant is not a “mistake” as to the proper party's identity. Rather, naming a Doe defendant is a representation by the plaintiff that it lacks knowledge of the defendant's name. Plaintiffs disagree, arguing that this interpretation of “mistake” is too narrow and that a mistake includes a plaintiff's inability to identify a defendant due to lack of knowledge.

In interpreting what constitutes a mistake under Rule 15(c)(1)(C), the United States Supreme Court has stated:

A mistake is “[a]n error, misconception, or misunderstanding; an erroneous belief.” Black's Law Dictionary 1092 (9th ed.2009); see also Webster's Third New International Dictionary 1446 (2002) (defining “mistake” as “a misunderstanding of the meaning or

implication of something”; “a wrong action or statement proceeding from faulty judgment, inadequate knowledge, or inattention”; “an erroneous belief”; or “a state of mind not in accordance with the facts”).

Krupski, 560 U.S. at 548-49. Under this definition, a plaintiff’s naming of a Doe defendant is not a mistake because a plaintiff’s decision to name a Doe defendant is not an error, misconception, misunderstanding, erroneous belief, or wrong action. Rather, a plaintiff names a Doe defendant because the plaintiff does not yet know the identity of the defendant; it is a placeholder.

The vast majority of Circuit Courts to have considered this issue hold that a plaintiff’s lack of knowledge of the proper party to be sued is not a “mistake concerning the party’s identity” under Rule 15(c) and thus relation back is not permitted. See Barrow v. Wethersfield Police Dep’t, 66 F.3d 466, 470 (2d Cir. 1995) (“Rule 15(c) explicitly allows the relation back of an amendment due to a ‘mistake’ concerning the identity of the parties . . . , but the failure to identify individual defendants when the plaintiff knows that such defendants must be named cannot be characterized as a mistake.”); Locklear v. Bergman & Beving AB, 457 F.3d 363, 368 (4th Cir. 2006) (“We therefore reaffirm that [Rule 15(c)(1)(C)(ii)] is not satisfied when the claimed mistake consists of a lack of knowledge of the proper party to be sued.”); Jacobsen v. Osborne, 133 F.3d 315, 321 (5th Cir. 1998) (“[T]here was no ‘mistake’ in identifying the correct defendant; rather, the problem was not being able to identify that defendant.”); Force v. City of Memphis, 101 F.3d 702

(6th Cir. 1996) (“[T]he mistake provision of Rule 15(c)[(1)(C)(ii)] requires, as its language suggests, a mistake or misnomer in the name of the original defendant, and . . . a plaintiff’s lack of knowledge of the names of the ‘unknown officers’ is not such a mistake or misnomer.”); Worthington v. Wilson, 8 F.3d 1253, 1256 (7th Cir. 1993) (stating Rule 15(c) “does not permit relation back where . . . there is a lack of knowledge of the proper party”); Garrett v. Fleming, 362 F.3d 692, 696 (10th Cir. 2004) (“[A] plaintiff’s lack of knowledge of the intended defendant’s identity is not a ‘mistake concerning the identity of the proper party’ within the meaning of Rule 15(c)[(1)(C)(ii)].”). As here, many of these cases involved instances where the original complaint named a Doe law enforcement officer or prison official and the plaintiff later attempted to replace the Doe defendant with the name of the defendant once the defendant’s identity was learned through discovery. See, e.g., Barrow, 66 F.3d at 467; Jacobsen, 133 F.3d at 321; Force, 101 F.3d at 702; Worthington, 8 F.3d at 1254–55; Garrett, 362 F.3d at 694.

Although the Eighth Circuit has not directly ruled on the issue of whether an amended complaint identifying a defendant by name will relate back to an earlier complaint filed against a Doe defendant, language from Foulk v. Charrier, 262 F.3d 687 (8th Cir. 2001), suggests that the Eighth Circuit would adopt the majority view. In Foulk, the plaintiff argued that his fifth amended complaint, which was the first to identify the corrections officer by name, related back to the date of the fourth amended complaint naming a John Doe corrections officer. Id.

at 696.³ The plaintiff's relation back argument had not been presented to the district court, and so the Eighth Circuit declined to consider it on the merits. Id. at 696. Nevertheless the Eighth Circuit stated:

The issue of whether an amended complaint identifying a defendant by name will “relate back” to a previously filed complaint against a “John Doe” defendant has typically arisen in the context of statute of limitations issues. Such an amendment ordinarily will not be treated as relating back to the prior pleading, unless certain conditions set forth in Fed. R. Civ. P. 15(c) are satisfied.

Id. (emphasis in original).

The Third Circuit is the only Circuit Court to hold that the naming of a Doe defendant satisfies the “but for a mistake” requirement of Rule 15(c). See Varlack v. SWC Caribbean, Inc., 550 F.2d 171, 174–75 (3d Cir. 1977). However, Varlack did not include any discussion of why the lack of knowledge as to the proper defendant constitutes a mistake concerning the party's identity. Additionally, Varlack was

³ Foult was a § 1983 action filed by a former inmate alleging excessive force by a corrections officer in violation of the Eighth Amendment. 262 F.3d at 691. In seeking relation back of his fifth amended complaint, the plaintiff was attempting to avoid application of the Prison Litigation Reform Act of 1996 (“PLRA”), which was enacted after the plaintiff's fourth amended complaint had been filed. Id. at 693–95. The PLRA requires a plaintiff to exhaust all administrative remedies before filing a § 1983 action based on prison conditions. See 42 U.S.C. § 1997e(a).

decided before the 1991 Advisory Committee Note which clarifies that under Rule 15(c), “a complaint may be amended at any time to correct a formal defect such as a misnomer or misidentification.” Fed. R. Civ. P. 15(c)(3) advisory committee’s note to 1991 amendment (emphasis added). The naming of a Doe defendant based on the lack of knowledge of the defendant’s identity is not a misnomer or misidentification.

Plaintiffs argue that interpreting the “but for a mistake” requirement of Rule 15(c) to exclude the naming of a Doe defendant unfairly disadvantages plaintiffs who do not know the names of the individuals who have wronged them. Plaintiffs reason that if a plaintiff’s amended Doe complaint is not permitted to relate back, then the statute of limitations is effectively shorter for that plaintiff than for those who do know the names of their defendants at the time they file their lawsuit. This concern was raised by the Third Circuit in Singletary v. Pennsylvania Department of Corrections, which includes a lengthy footnote analyzing the perceived “lack of fairness to plaintiffs with ‘John Doe’ complaints that currently inheres in the other Circuits’ interpretation of the Rule.” 266 F.3d 186, 201 n.5 (3d Cir. 2001). In the footnote, the Third Circuit proposed that the “but for a mistake” provision of Rule 15(c) be amended to allow relation back when “the party to be brought in by the amendment . . . knew or should have known that [the action would have been brought against it], but for a mistake or lack of information concerning the identity of the proper party” Id. (citing Edward H. Cooper, “Rule 15(c)(3) Puzzles” at 3–5 (Nov. 1999) (emphasis in original)). In the concluding paragraph of the Singletary opinion, the Third Circuit directed

the Clerk “to send copies of this opinion to the Chairman and Reporter of the Judicial Conference Advisory Committee on Civil Rules and the Standing Committee on Practice and Procedure, calling attention to footnote 5.” Id. at 203. However, in the 15 years since Singletary was decided, the suggested amendment to Rule 15(c) has not been implemented. Therefore, this Court rejects an interpretation of Rule 15(c) that implicitly includes this suggested language.

Plaintiffs also argue that even within circuits that hold the naming of a Doe defendant does not fit within the meaning of mistake, district courts have allowed relation back where the defense fails to timely respond to a plaintiff’s requests for information about a Doe defendant’s identity. See Pls.’ Mem. Opp’n Summ. J. at 27 (citing Byrd v. Abate, 964 F. Supp. 140, 145–46 (S.D.N.Y. 1997) (“To hold that Rule 15(c) does not permit relation back in such circumstances would permit defense counsel to eliminate claims against any John Doe defendant merely by resisting discovery requests until the statute of limitations has ended.”)). Plaintiffs contend that relation back should be permitted here because Defendants delayed the discovery process by filing a motion to dismiss and an early motion for summary judgment. However, Defendants’ motion to dismiss, which was filed jointly with over two dozen other defendants, was not a delay tactic. Rather, the motion was meritorious in dismissing a multitude of time-barred DPPA claims as well as Plaintiffs’ § 1983 and invasion of privacy claims. Moreover, Defendants’ motion for early summary judgment did not impact Plaintiffs’ ability to timely discover Scherf’s identity earlier. By the time the early summary judgment motion was filed in February

2015, the four-year statute of limitations period governing Scherf's March 25, 2010 lookup had been expired for almost a year. Thus, an exception to the "mistake" requirement of Rule 15(c)(1)(C)(ii) is not warranted under the circumstances of this case.

Based on the plain text of Rule 15(c) as interpreted by the majority of Circuit Courts, the Court finds that Plaintiffs naming "John Does from the City of Grand Rapids" was not a mistake concerning the proper party's identity. Therefore, Rule 15(c) is not satisfied and the Amended Complaint does not relate back to the original Complaint. As a result, the DPPA claim based on Scherf's March 25, 2010 access is time-barred.

C. Qualified Immunity

Even if the claim against Scherf had been timely, it would nevertheless fail because Scherf is entitled to qualified immunity. Qualified immunity shields an officer from liability and the burdens of litigation unless his conduct violated "clearly established statutory or constitutional rights of which a reasonable person would have known." Harlow v. Fitzgerald, 457 U.S. 800, 818-19 (1982); Mallak v. City of Baxter, — F.3d —, No. 15-1815, 2016 WL 2909235, at *2 (8th Cir. May 19, 2016). "Because this entitlement constitutes an immunity from suit rather than merely a defense to liability, the Supreme Court 'repeatedly ha[s] stressed the importance of resolving immunity questions at the earliest possible stage in litigation.'" Id. (quoting Hunter v. Bryant, 502 U.S. 224, 227 (1991) (alteration in original)).

To overcome qualified immunity, a plaintiff must show: (1) a violation of a federal statutory or constitutional right, and (2) that the right was “clearly established” at the time of the alleged misconduct. Pearson v. Callahan, 555 U.S. 223, 232 (2009). “When a defendant asserts qualified immunity at the summary judgment stage, the plaintiff must produce evidence sufficient to create a genuine issue of fact regarding whether the defendant violated a clearly established right.” Bishop v. Glazier, 723 F.3d 957, 961 (8th Cir. 2013).

Here, Plaintiffs have shown a clearly established right because the DPPA makes clear that accessing private driver’s license information without a permissible purpose violates the law. See Mallak v. Aitkin Cty., 9 F. Supp. 3d 1046, 1063–64 (D. Minn. 2014). However, Plaintiffs have failed to produce sufficient evidence to create a genuine issue of material fact regarding whether Scherf violated this right.

To establish a DPPA violation, a plaintiff must prove that a defendant: (1) knowingly (2) obtained, disclosed, or used personal information (3) from a motor vehicle record (4) for a purpose not permitted. McDonough, 799 F.3d at 945 (citing 18 U.S.C. § 2724(a)). The Act lists 14 permissible purposes for disclosing personal information, the first being: “For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.” 18 U.S.C. § 2721(b)(1). This exception “‘provides law enforcement agencies with latitude in receiving and disseminating this personal information,’ when it is done ‘for the purpose of deterring or preventing crime or other legitimate law

enforcement functions.” Senne v. Vill. of Palatine, Ill., 695 F.3d 597, 607–08 (quoting 139 Cong. Rec. S15,962 (daily ed. Nov. 17, 1993) (statement of Sen. Thomas Harken)). The DPPA’s legislative history reflects law enforcement’s “legitimate need for information contained in state records and the authority to use that information to effectuate the purposes identified in the Act without fear of liability.” Id. at 608.

The Eighth Circuit has identified at least five types of accesses by law enforcement that may indicate a plaintiff’s data was accessed for an impermissible purpose rather than a law enforcement function: (1) accesses by a law enforcement officer who has or had a relationship with the plaintiff; (2) accesses corresponding with a significant event; (3) accesses on the same day as or within a few hours of accesses by other, unrelated entities; (4) multiple late night accesses; or (5) a history of frequent suspicious accesses by a law enforcement officer or entity. See Mallak, 2016 WL 2909235, at *3; McDonough, 799 F.3d at 950. If these types of suspicious accesses are absent and no other facts exist to explain a law enforcement officer’s interest in a plaintiff’s personal information, a DPPA claim will fail. See, e.g., McDonough, 799 F.3d at 952 (dismissing DPPA claims against seven law enforcement agencies that “did not have a history of frequent suspicious access, and Law Enforcement Does did not . . . engage in multiple late-night accesses or participate in any suspicious access patterns through these agencies”).

Here, the record lacks evidence of suspicious access patterns or other facts that would suggest Scherf accessed Jennifer’s records for an impermissible purpose. It is undisputed that the

challenged access occurred on a workday at 11:32 a.m. and was less than one minute in duration. There is no evidence that the timing of this brief, isolated access corresponded with a significant event. Nor is there evidence that Scherf's accesses occurred on the same day or within hours of other unrelated entities, or that Scherf or the Grand Rapids Police department had a history of frequent suspicious accesses. Moreover, Scherf did not know Jennifer and had never met her former husband. Although Jennifer has adduced evidence that Scherf worked in the same building as a trooper who was a good friend of Jennifer's ex-husband, this attenuated personal connection does not cause the March 25, 2010 access to become suspicious.

Not only does the evidence offered by Plaintiffs lack indicia of suspicious access, Plaintiffs have had a full opportunity to depose Scherf and his supervisor about the circumstances of the lookup and have uncovered no facts to show that the access was motivated out of personal interest or some other impermissible purpose.

Plaintiffs argue that Scherf's access was likely the result of personal interest or curiosity because: it was made by searching her name rather than a license plate number; Jennifer had committed no crimes and was not involved in any investigations or incidents that would justify the access; the reason for the access was not documented; and Jennifer was "likely" at work in St. Louis County at the time and "does not believe that she was in Itasca County that day." Jennifer Heglund Decl. ¶¶ 22-23. However, Jennifer admits that as a law enforcement officer she did not prepare a written record for every lookup that she performed, and that the lack of a written record regarding a lookup does not necessarily mean

that it was done for an impermissible purpose. Jennifer Heglund Dep. 15:16–16:3. Moreover, Jennifer’s assertions that she was “likely” in St. Louis County and “does not believe” she was in Itasca County on the day of the access March 25, 2010 are too speculative to assist in determining the purpose for Scherf’s access.

Plaintiffs focus on a DPS Report showing that Scherf viewed four photos from Jennifer’s current and past driver’s licenses when he accessed her information. Plaintiffs intimate that one of the reasons Scherf viewed historical photos was Jennifer’s significant weight loss in 2005. However, to conclude that Scherf accessed Jennifer’s records for this purpose would require one to speculate that: (1) someone told Scherf about Jennifer’s weight loss even though Scherf does not know her and even though the weight loss had occurred five years earlier, and (2) Scherf found this information interesting enough to access Jennifer’s DVS records. Additionally, although Plaintiffs argue there is no law enforcement purpose to be served by viewing historical photos, the pages on which the photos were displayed also included basic demographic information that is useful to law enforcement, such as address, date of birth, driver’s license status, and all associated driver’s license numbers. Second Tindal Aff. [Docket No. 211] Ex. C (“Jacobson Dep.”) at 140:25–141:8, 261:8–263:15; Ex. K (“Jacobson Dep. Ex. 22”).

Plaintiffs have failed to adduce “sufficient probative evidence that would permit a finding in [their] favor on more than mere speculation, conjecture, or fantasy.” Moody, 23 F.3d at 1412. Because the evidence does not create a genuine issue of fact regarding whether Scherf violated the DPPA,

Plaintiffs cannot overcome qualified immunity. Thus, even if Plaintiffs' DPPA claim had been timely, qualified immunity applies and the claim is dismissed.⁴

Having concluded that dismissal is appropriate on at least two independent grounds, the Court does not reach Defendants' additional arguments for dismissal.

⁴ While this matter was under advisement, the Eighth Circuit issued an opinion in Mallak v. City of Baxter, 2016 WL 2909235, which also involved DPPA claims against law enforcement officers. In Mallak, the district court denied qualified immunity for four law enforcement defendants who had moved for early summary judgment. Three of the officers were personally acquainted with the plaintiff, and the fourth officer had looked up the plaintiff's information on the same day the plaintiff's child went on life support. The district court held that granting early summary judgment was premature because a genuine issue of material fact remained as to whether the accesses were for a permissible purpose, and also because the plaintiff had not had an opportunity to conduct full discovery or take the officers' depositions. Id. at *2. The Eighth Circuit dismissed the appeal for lack of jurisdiction because the officers' entitlement to immunity hinged on a factual dispute rather than a question of law. Id. at *4.

After the Mallak opinion was issued, Plaintiffs requested permission to submit a letter brief addressing its relevance to this case. See Letter [Docket No. 213]. Further briefing was unnecessary, however, because Mallak is distinguishable in at least two significant respects. First, Plaintiffs here have had a full opportunity to conduct discovery and have deposed Scherf and his supervisor. Second, Plaintiffs have not offered evidence of a personal connection between Scherf and Jennifer or evidence of a suspicious access pattern such as a significant event related to Jennifer that corresponds with Scherf's access.

IV. CONCLUSION

Based upon the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. City of Grand Rapids and Frank Scherf's Motion for Summary Judgment [Docket No. 202] is **GRANTED**.
2. As all defendants have now been dismissed from this case, the case is **DISMISSED. LET JUDGMENT BE ENTERED ACCORDINGLY**.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: June 1, 2016

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jennifer Rae Heglund
and Jamie Lee Heglund,
Plaintiffs,

Civil File No.

v.

Aitkin County; City of
Aitkin; City of Babbitt;
City of Biwabik; City of
Breitung; City of
Chisholm; City of
Cloquet; Cook County;
City of Cook; Crow Wing
County; City of Deer
River; Douglas County;
City of Duluth; City of
Ely; City of Emily; City of
Eveleth; City of
Floodwood; City of Forest
Lake; City of Gilbert;
City of Grand Rapids;
Hennepin County; City of
Hermantown; City of
Hibbing; City of Hill City;
City of Hoyt Lakes; City
of International Falls;
Itasca County; City of
Keewatin; Lake County;
City of Leech Lake; City
of Maple Grove; City of
Minneapolis; City of

COMPLAINT

**JURY TRIAL
DEMANDED**

Nashwauk; Norman
County; City of Orono;
Pine County; Ramsey
County; City of Roseau;
City of Sartell; Scott
County; Sherburne
County; City of St.
James; St. Louis County;
City of St. Paul; City of
Two Harbors; City of
Virginia; Washington
County; Winona County;
Michael Campion, in his
individual capacity as the
Commissioner of the
Department of Public
Safety; Ramona Dohman,
in her individual capacity
as the Commissioner of
the Department of Public
Safety; John and Jane
Does (1 - 600) acting in
their individual capacity
as supervisors, officers,
deputies, staff,
investigators, employees
or agents of the other
governmental agencies;
Department of Public
Safety Does (1-30) acting
in their individual
capacity as officers,
supervisors staff,
employees, independent
contractors or agents of
the Minnesota

Department of Public
Safety; and Entity Does
(1-100) including cities,
counties, municipalities,
and other entities sited
in Minnesota,
Defendants

For Plaintiffs' Complaint, for which Plaintiffs demand trial by jury on all claims so triable, Plaintiff Jennifer Rae Heglund ("Jennifer") and Plaintiff Jamie Lee Heglund ("Jamie") (collectively referred to as "Plaintiffs") hereby state and allege as follows:

INTRODUCTION

This is a case to redress the abuse of power by numerous law-enforcement personnel and public employees who illegally accessed the Minnesota Department of Public Safety's system for maintaining the personal, private information of Minnesota citizens. Officers and employees from approximately several different law-enforcement agencies and entities violated federal law, Minnesota and federal policy and the constitutionally and statutorily protected privacy rights of Plaintiffs Jennifer Heglund ("Jennifer") and Jamie Heglund ("Jamie"). Jennifer had her private personal information obtained or used approximately 446 times without a purpose permitted by the DPPA. Jamie had his private personal information obtained or used approximately 34 without a purpose permitted by the DPPA.

These personnel violated the federal Driver's Privacy Protection Act ("DPPA") and violated Plaintiffs' civil rights under 42 U.S.C. § 1983, by unlawfully accessing Plaintiffs' protected driver's license information without any legitimate purpose. More disturbing, these personnel, charged with protecting and serving the public, knowingly abused their position of trust simply to satisfy their shallow desires to peek behind the curtain into the private lives of the Plaintiffs, without their knowledge or consent, and without ever informing them of their activities. In fact, they carried on these searches surreptitiously and concealed them from Plaintiffs and, presumably, from their supervisors and others. Those charged with oversight of the system, including the Commissioners, concealed this from Plaintiffs by failing to ever notify Plaintiffs of these intrusions and violations, and concealed the extent of the violations from the general public. The utter disregard for their privacy rights by law-enforcement personnel, public employees, and others caused Plaintiffs' emotional distress and a logical fear for their personal safety.

The State of Minnesota, itself, has found that at least 50% of all officers statewide are engaged in the use of this database for impermissible purposes, and therefore violating federal civil and criminal laws. Moreover, the access permitted to law-enforcement officers, public employees, and others is easily obtained and makes highly private information available, including health information and social security numbers. Plaintiffs have no control over the Defendants obtaining their personal information, and impermissible and inappropriate obtaining has been deliberately concealed and conducted in a surreptitious fashion. These

Defendants are the window-peepers of the electronic data age. Through lax policies and apathetic enforcement of the law, these officials and governmental units have caused direct damage to Plaintiffs, just as they have trampled upon the clear legislative protections of all citizens' right to feel secure in their privacy.

General Background of Law and Facts

1. This is an action for injunctive relief and money damages for injuries sustained when personnel from various entities in Minnesota illegally obtained Plaintiffs' private, personal and confidential driver's license information without a legitimate or permissible law-enforcement purpose or any other lawful purpose.

2. These law-enforcement personnel, public employees, and others viewed and obtained Jennifer's private information approximately four hundred and forty-six times between 2003 and 2013.

3. These law-enforcement personnel, public employees, and others viewed and obtained Jamie's private information approximately thirty-four times between 2006 and 2013.

4. Attached to this Complaint as Exhibit A is a copy of an audit prepared by the Minnesota Department of Public Safety showing the obtainments of Jennifer's driver's license information by name, not by license plate number, with her driver's license number removed, and showing the "station," meaning the police department, sheriff's office, or other government entity through which the officer obtained her information.

5. Attached to this Complaint as Exhibit B is a copy of an audit prepared by the Minnesota Department of Public Safety showing the obtainments of Jamie's driver's license information by name, not by license plate number, with his driver's license number removed, and showing the "station," meaning the police department, sheriff's office, or other government entity through which the officer obtained his information.

6. Without legitimate, permissible reasons, these individuals obtained Plaintiffs' private information from Department of Vehicle Services' ("DVS") database or Bureau of Criminal Apprehension ("BCA") database.

7. Upon information and belief, these individuals further impermissibly used or disclosed Plaintiffs' private information without a permissible purpose.

8. Each unauthorized, use, disclosure, or obtainment of their private information, made without a permissible purpose and while acting under color of state and federal law, violated Plaintiffs' federal civil rights and constituted behavior prohibited by the federal constitution, federal statute, Minnesota statute, common law, and agency and departmental regulations prohibiting some or all of the conduct engaged in by Defendants in this case.

9. Plaintiffs bring this action pursuant to 42 U.S.C. §§ 1983 and 1988, the Fourth and Fourteenth Amendments of the United States Constitution, 28 U.S.C. §§ 1331 and 1343(a)(3), the Driver's Privacy Protection Act ("DPPA") 18 U.S.C. § 2721 et seq., and Minnesota common law invasion of privacy.

10. The aforementioned statutory and constitutional provisions confer original jurisdiction of this Court over this matter.

11. This Court has jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1367.

12. The amount in controversy exceeds \$75,000, excluding interests and costs.

The Parties

13. Jennifer Rae Heglund is, and was at all times material herein, a citizen of the United States and a resident of the State of Minnesota.

14. Jamie Lee Heglund is, and was at all times material herein, a citizen of the United States and a resident of the State of Minnesota.

15. Defendant Aitkin County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

16. Defendant Cook County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

17. Defendant Crow Wing County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

18. Defendant Douglas County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

19. Defendant Hennepin County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

20. Defendant Itasca County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

21. Defendant Lake County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

22. Defendant Norman County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

23. Defendant Pine County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

24. Defendant Ramsey County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

25. Defendant Scott County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

26. Defendant Sherburne County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

27. Defendant St. Louis County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

28. Defendant Washington County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

29. Defendant Winona County is a county in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

30. Defendant City of Aitkin is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

31. Defendant City of Babbitt is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

32. Defendant City of Biwabik is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

33. Defendant City of Breitung is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

34. Defendant City of Chisholm is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

35. Defendant City of Cloquet is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

36. Defendant City of Cook is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

37. Defendant City of Deer River is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

38. Defendant City of Duluth is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

39. Defendant City of Ely is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

40. Defendant City of Emily is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

41. Defendant City of Eveleth is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

42. Defendant City of Floodwood is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

43. Defendant City of Forest Lake is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

44. Defendant City of Gilbert is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

45. Defendant City of Grand Rapids is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

46. Defendant City of Hermantown is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

47. Defendant City of Hibbing is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

48. Defendant City of Hill City is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

49. Defendant City of Hoyt Lakes is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

50. Defendant City of International Falls is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

51. Defendant City of Keewatin is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

52. Defendant City of Leech Lake is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

53. Defendant City of Maple Grove is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

54. Defendant City of Minneapolis is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

55. Defendant City of Nashwauk is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

56. Defendant City of Orono is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

57. Defendant City of Roseau is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

58. Defendant City of Sartell is a statutory city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

59. Defendant City of St. James is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

60. Defendant City of St. Paul is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

61. Defendant City of Two Harbors is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

62. Defendant City of Virginia is a home rule charter city in Minnesota, which can be sued under Minn. Stat. § 466.01 *et seq.*

63. Defendants Entity Does (1-100) are various unknown municipalities as defined by Minn. Stat. § 466.01, subd. 1 that can be sued under Minn. Stat. § 466.01 *et seq.* or other statutes, and federal departments and agencies, which can be sued under 28 U.S.C. § 1346 or other statutes.

64. Plaintiffs will refer to the entities named in paragraphs 12 to 64 above, along with the Entity Does, collectively as the “Defendant Entities” or “Entity Defendants.”

65. Defendants John and Jane Does (1-600), upon information and belief, were, at all times material herein, citizens of the United States and residents of the State of Minnesota, duly appointed and acting in their individual capacities as law-enforcement supervisors, officers or employees of the Defendant Entities or other federal, state, county or municipal entities in Minnesota.

66. Plaintiffs will refer to the individual Defendants (with the exception of the “Commissioner Defendants,” “Department of Public Safety Defendants” and “Supervisor Defendants” defined below), including John and Jane Does, collectively as the “Individual Defendants” or “Defendant Individuals.”

67. Plaintiffs will refer to the Defendants with supervisory authority over the Individual Defendants, including any John and Jane Does with such supervisory authority, collectively as the “Defendant Supervisors” or “Supervisor Defendants.”

68. Defendant Michael Campion (“Campion”), upon information and belief, was, at all times material herein, a citizen of the United States and a resident of the State of Minnesota, duly appointed and acting in his individual capacity as the Commissioner of the Minnesota Department of Public Safety.

69. Defendant Mona Dohman (“Dohman”), upon information and belief, was, at all times material herein, a citizen, of the United States and a resident of the State of Minnesota, duly appointed

and acting in her individual capacity as the Commissioner of the Minnesota Department of Public Safety.

70. Plaintiffs will refer to the Defendants Campion and Dohman collectively, as the “Commissioner Defendants” or “Defendant Commissioners.”

71. Defendants DPS Does (1-30), upon information and belief, were, at all times material herein, citizens of the United States and residents of the State of Minnesota, duly appointed and acting their individual capacities as officers, supervisors, employees, staff, employees, independent contractors or agents of the Minnesota Department of Public Safety.

72. Plaintiffs will refer to officers, supervisors, employees, staff, employees, independent contractors or agents of the Minnesota Department of Public Safety who created, installed, monitored, regulated, coded, enforced, supervised, maintained, oversaw, updated, or otherwise worked on the DVS database or BCA database, each of which contained Jennifer’s and Jamie’s private driver’s license information (collectively or individually, “DPS Databases” as “Department of Public Safety Does” or “DPS Does.”)

FACTUAL ALLEGATIONS

Jennifer, a Former Law-Enforcement Officer, Married Jamie in 2009.

73. Jennifer attended Hibbing Community College.

74. Jennifer became involved in law-enforcement since 1996.

75. From 1996 to 1998, she worked part time for the Biwabik Police Department.

76. From 1997 to 1998, she also worked part time for the Hoyt Lakes Police Department.

77. From 1998 to 2001, Jennifer worked full time for the Eveleth Police Department.

78. Jennifer started working full time as a Deputy for the for St. Louis County Sheriff's Department in 2001.

79. From approximately 2007 to 2008, as part of her duties for the St. Louis County Sheriff's Department, Jennifer was on its drug task force.

80. Her employment with St. Louis County ended in 2012, due to injuries she suffered from a car accident that happened while she was on duty.

81. Jennifer was proud to be a law-enforcement officer.

82. From 2000 to 2019, Jennifer's legal name was Jennifer Shay, which was her married name with her ex-husband.

83. Jennifer has four children and lives in Britt, Minnesota.

84. Jennifer was divorced from her first husband in 2005.

85. Jennifer's ex-husband is a Minnesota State Trooper.

86. Jennifer's first wedding party consisted of friends, who all were and currently are law-enforcement personnel.

87. In 2005, after Jennifer's divorce, she lost a significant amount of weight, which became noticeable to others.

88. Jamie was born and raised in Virginia, Minnesota.

89. Jamie has always been a law abiding citizen.

90. Jamie went to school for Horticulture at Dakota County Technical College.

91. Jamie is self-employed and owns a second-generation landscaping business.

92. Jamie has an excellent reputation in the community.

93. Jamie has volunteered with an organization dedicated to beautifying Virginia, Minnesota.

94. Jamie started dating Jennifer in 2007.

95. Jennifer and Jamie married in 2009.

96. Jamie holds a Minnesota Class A Commercial Driver's License.

97. Before the incidents complained of in this Complaint, Jamie always held law-enforcement in high regard.

98. Jamie has been harassed by Jennifer's ex-husband on several occasions.

99. Jennifer is concerned that her ex-husband has been obtaining her's and Jamie's private information.

100. Jamie is and always has been a very private person.

**Law Enforcement Officers and Personnel from
Entities Across Minnesota Viewed Plaintiffs’
Private Information Outside the Scope of Any
Investigation or Official Police Business.**

101. The Driver and Vehicle Services Division (“DVS”) of the DPS maintains a database containing the motor vehicle records of Minnesota drivers. (“DVS Database”).

102. The DVS Database contains “personal information” and “highly restricted personal information,” as defined by 18 U.S.C. § 2725 (“Private Data”), including but not limited to names, dates of birth, driver’s license numbers, addresses, driver’s license photos, weights, heights, social security numbers, various health and disability information, and eye colors of Minnesota drivers, both current and former information dating back to the driver’s first license issued in Minnesota.

103. The Minnesota Driver’s License Application states: “you must provide your Social Security Number...”

104. According to the Minnesota Driver’s License Application, “[i]f you don’t provide the information requested, DPS cannot issue you a driver’s permit, license, or identification card, and your existing driving privileges, may be affected.”

105. As early as 2003, Individual Defendants began looking up Plaintiffs’ Private Data on the DVS Database.

106. After the Individual Defendants looked up Plaintiffs’ Private Data, they gained knowledge of the contents of the Private Data. In gaining such knowledge, the Individual Defendants obtained Plaintiffs’ Private Data.

107. Exhibits A and B, incorporated herein, reflect excerpts of an audit provided by DPS showing each time Plaintiffs' Private Data was obtained or used by an Individual Defendant.

108. Each act of the Individual Defendants in obtaining Plaintiffs' Private Data also constituted a disclosure by the Commissioner Defendants, because any release or access of information, whether permitted or not, necessarily requires a disclosure; and the method of setting up the DVS Database and of providing constant access to it constituted a disclosure of Private Data under the DPPA.

109. Column "EsupportStationName" of Exhibits A and B, incorporated herein, reflect the department or entity which, upon information and belief, employed the Individual Defendant that obtained or used Plaintiffs' Private Data.

110. Column "EsupportPath" of Exhibits A and B, incorporated herein, reflect the type of Private Data that was obtained or used by the Individual Defendant.

111. Columns "AccessDay" and "AccessDate," of Exhibits A and B, incorporated herein, reflect the day of the week, date, and time when the Individual Defendant obtained or used Plaintiffs' Private Data.

112. DPS does not provide the name of the individual who obtained or used Plaintiffs' Private Data.

113. Each line of Exhibits A and B, incorporated herein, reflect the audit of each time Plaintiffs' information, upon information and belief, was obtained or used by an Individual Defendant without a purpose permitted by the DPPA.

114. Officers employed by, licensed by, or otherwise accessing through Aitkin County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

115. Defendant Aitkin County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

116. Plaintiff has never been charged with or suspected of committing a crime in Aitkin County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Aitkin County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Aitkin County.

117. Rather, Aitkin County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Aitkin County's personnel.

118. Officers employed by, licensed by, or otherwise accessing through the City of Aitkin obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

119. Defendant Aitkin's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

120. Plaintiff has never been charged with or suspected of committing a crime in the City of Aitkin, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Aitkin, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Aitkin.

121. Rather, Aitkin's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Aitkin's personnel.

122. Officers employed by, licensed by, or otherwise accessing through the City of Babbitt obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA seven times.

123. Defendant Babbitt's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

124. Plaintiff has never been charged with or suspected of committing a crime in the City of Babbitt, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Babbitt, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Babbitt.

125. Rather, Babbitt's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Babbitt's personnel.

126. Officers employed by, licensed by, or otherwise accessing through the City of Biwabik obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA fourteen (14) times.

127. Defendant Biwabik's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

128. Plaintiff has never been charged with or suspected of committing a crime in the City of

Biwabik, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Biwabik, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Biwabik.

129. Rather, Biwabik's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Biwabik's personnel.

130. Officers employed by, licensed by, or otherwise accessing through the City of Breitung obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA ten (10) times.

131. Defendant Breitung's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

132. Plaintiff has never been charged with or suspected of committing a crime in the City of Breitung, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Breitung, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Breitung.

133. Rather, Breitung's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Breitung's personnel.

134. Officers employed by, licensed by, or otherwise accessing through the City of Chisholm obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA eleven (11) times.

135. Defendant Chisholm's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

136. Plaintiff has never been charged with or suspected of committing a crime in the City of Chisholm, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Chisholm, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Chisholm.

137. Rather, Chisholm's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Chisholm's personnel.

138. Officers employed by, licensed by, or otherwise accessing through the City of Cloquet obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA four times.

139. Defendant Cloquet's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

140. Plaintiff has never been charged with or suspected of committing a crime in the City of Cloquet, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Cloquet, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Cloquet.

141. Rather, Cloquet's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Cloquet's personnel.

142. Officers employed by, licensed by, or otherwise accessing through Cook County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA three times.

143. Defendant Cook County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

144. Plaintiff has never been charged with or suspected of committing a crime in Cook County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Cook County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Cook County.

145. Rather, Cook County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Cook County's personnel.

146. Officers employed by, licensed by, or otherwise accessing through the City of Cook obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

147. Defendant Cook's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

148. Plaintiff has never been charged with or suspected of committing a crime in the City of Cook, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Cook, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Cook.

149. Rather, Cook's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Cook's personnel.

150. Officers employed by, licensed by, or otherwise accessing through Crow Wing County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

151. Defendant Crow Wing County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

152. Plaintiff has never been charged with or suspected of committing a crime in Crow Wing County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Crow Wing County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Crow Wing County.

153. Rather, Crow Wing County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Crow Wing County's personnel.

154. Officers employed by, licensed by, or otherwise accessing through the City of Deer River obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

155. Defendant Deer River's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

156. Plaintiff has never been charged with or suspected of committing a crime in the City of Deer

River, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Deer River, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Deer River.

157. Rather, Deer River's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Deer River's personnel.

158. Officers employed by, licensed by, or otherwise accessing through Douglas County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

159. Defendant Douglas County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

160. Plaintiff has never been charged with or suspected of committing a crime in Douglas County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Douglas County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Douglas County.

161. Rather, Douglas County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Douglas County's personnel.

162. Officers employed by, licensed by, or otherwise accessing through the City of Duluth obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA thirteen (13) times.

163. Defendant Duluth's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

164. Plaintiff has never been charged with or suspected of committing a crime in the City of Duluth, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Duluth, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Duluth.

165. Rather, Duluth's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Duluth's personnel.

166. Officers employed by, licensed by, or otherwise accessing through the City of Ely obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

167. Defendant Ely's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

168. Plaintiff has never been charged with or suspected of committing a crime in the City of Ely, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Ely, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Ely.

169. Rather, Ely's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Ely's personnel.

170. Officers employed by, licensed by, or otherwise accessing through the City of Emily

obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

171. Defendant Emily's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

172. Plaintiff has never been charged with or suspected of committing a crime in the City of Emily, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Emily, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Emily.

173. Rather, Emily's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Emily's personnel.

174. Officers employed by, licensed by, or otherwise accessing through the City of Eveleth obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA eighteen (18) times.

175. Defendant Eveleth's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

176. Plaintiff has never been charged with or suspected of committing a crime in the City of Eveleth, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Eveleth, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Eveleth.

177. Rather, Eveleth's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Eveleth's personnel.

178. Officers employed by, licensed by, or otherwise accessing through the City of Floodwood obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

179. Defendant Floodwood's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

180. Plaintiff has never been charged with or suspected of committing a crime in the City of Floodwood, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Floodwood, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Floodwood.

181. Rather, Floodwood's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Floodwood's personnel.

182. Officers employed by, licensed by, or otherwise accessing through the City of Forest Lake obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

183. Defendant Forest Lake's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

184. Plaintiff has never been charged with or suspected of committing a crime in the City of Forest

Lake, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Forest Lake, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Forest Lake.

185. Rather, Forest Lake's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Forest Lake's personnel.

186. Officers employed by, licensed by, or otherwise accessing through the City of Gilbert obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA fifteen (15) times.

187. Defendant Gilbert's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

188. Plaintiff has never been charged with or suspected of committing a crime in the City of Gilbert, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Gilbert, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Gilbert.

189. Rather, Gilbert's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Gilbert's personnel.

190. Officers employed by, licensed by, or otherwise accessing through the City of Grand Rapids obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA five times.

191. Defendant Grand Rapids' obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

192. Plaintiff has never been charged with or suspected of committing a crime in the City of Grand Rapids, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Grand Rapids, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Grand Rapids.

193. Rather, Grand Rapids' obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Grand Rapids' personnel.

194. Officers employed by, licensed by, or otherwise accessing through Hennepin County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

195. Defendant Hennepin County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

196. Plaintiff has never been charged with or suspected of committing a crime in Hennepin County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Hennepin County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Hennepin County.

197. Rather, Hennepin County's obtainment and use of Plaintiff's personal information was for

purposes that were purely personal to Hennepin County's personnel.

198. Officers employed by, licensed by, or otherwise accessing through the City of Hermantown obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA four times.

199. Defendant Hermantown's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

200. Plaintiff has never been charged with or suspected of committing a crime in the City of Hermantown, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Hermantown, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Hermantown.

201. Rather, Hermantown's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Hermantown's personnel.

202. Officers employed by, licensed by, or otherwise accessing through the City of Hibbing obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA twenty-two (22) times.

203. Defendant Hibbing's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

204. Plaintiff has never been charged with or suspected of committing a crime in the City of Hibbing, has never been involved in any civil,

criminal, administrative, or arbitral proceeding in or involving the City of Hibbing, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Hibbing.

205. Rather, Hibbing's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Hibbing's personnel.

206. Officers employed by, licensed by, or otherwise accessing through the City of Hill City obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

207. Defendant Hill City's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

208. Plaintiff has never been charged with or suspected of committing a crime in the City of Hill City, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Hill City, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Hill City.

209. Rather, Hill City's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Hill City's personnel.

210. Officers employed by, licensed by, or otherwise accessing through the City of Hoyt Lakes obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA three times.

211. Defendant Hoyt Lakes' obtainment and use of Plaintiff's personal information was not for

any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

212. Plaintiff has never been charged with or suspected of committing a crime in the City of Hoyt Lakes, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Hoyt Lakes, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Hoyt Lakes.

213. Rather, Hoyt Lakes' obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Hoyt Lakes' personnel.

214. Officers employed by, licensed by, or otherwise accessing through the City of International Falls obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA two times.

215. Defendant International Falls' obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

216. Plaintiff has never been charged with or suspected of committing a crime in the City of International Falls, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of International Falls, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of International Falls.

217. Rather, International Falls' obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of International Falls' personnel.

218. Officers employed by, licensed by, or otherwise accessing through Itasca County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA two times.

219. Defendant Itasca County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

220. Plaintiff has never been charged with or suspected of committing a crime in Itasca County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Itasca County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Itasca County.

221. Rather, Itasca County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Itasca County's personnel.

222. Officers employed by, licensed by, or otherwise accessing through the City of Keewatin obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA three times.

223. Defendant Keewatin's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

224. Plaintiff has never been charged with or suspected of committing a crime in the City of Keewatin, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Keewatin, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Keewatin.

225. Rather, Keewatin's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Keewatin's personnel.

226. Officers employed by, licensed by, or otherwise accessing through Lake County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA seven times.

227. Defendant Lake County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

228. Plaintiff has never been charged with or suspected of committing a crime in Lake County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Lake County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Lake County.

229. Rather, Lake County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Lake County's personnel.

230. Officers employed by, licensed by, or otherwise accessing through the City of Leech Lake obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA two times.

231. Defendant Leech Lake's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

232. Plaintiff has never been charged with or suspected of committing a crime in the City of Leech Lake, has never been involved in any civil, criminal,

administrative, or arbitral proceeding in or involving the City of Leech Lake, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Leech Lake.

233. Rather, Leech Lake's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Leech Lake's personnel.

234. Officers employed by, licensed by, or otherwise accessing through the City of Maple Grove obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA four times.

235. Defendant Maple Grove's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

236. Plaintiff has never been charged with or suspected of committing a crime in the City of Maple Grove, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Maple Grove, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Maple Grove.

237. Rather, Maple Grove's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Maple Grove's personnel.

238. Officers employed by, licensed by, or otherwise accessing through the City of Minneapolis obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA three times.

239. Defendant Minneapolis' obtainment and use of Plaintiff's personal information was not for

any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

240. Plaintiff has never been charged with or suspected of committing a crime in the City of Minneapolis, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Minneapolis, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Minneapolis.

241. Rather, Minneapolis' obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Minneapolis' personnel.

242. Officers employed by, licensed by, or otherwise accessing through the City of Nashwauk obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

243. Defendant Nashwauk's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

244. Plaintiff has never been charged with or suspected of committing a crime in the City of Nashwauk, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Nashwauk, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Nashwauk.

245. Rather, Nashwauk's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Nashwauk's personnel.

246. Officers employed by, licensed by, or otherwise accessing through Norman County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

247. Defendant Norman County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

248. Plaintiff has never been charged with or suspected of committing a crime in Norman County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Norman County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Norman County.

249. Rather, Norman County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Norman County's personnel.

250. Officers employed by, licensed by, or otherwise accessing through the City of Orono obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA two times.

251. Defendant Orono's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

252. Plaintiff has never been charged with or suspected of committing a crime in the City of Orono, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Orono, and there was no legitimate

reason for Plaintiff to have been the subject of any investigation by the City of Orono.

253. Rather, Orono's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Orono's personnel.

254. Officers employed by, licensed by, or otherwise accessing through Pine County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

255. Defendant Pine County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

256. Plaintiff has never been charged with or suspected of committing a crime in Pine County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Pine County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Pine County.

257. Rather, Pine County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Pine County's personnel.

258. Officers employed by, licensed by, or otherwise accessing through Ramsey County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

259. Defendant Ramsey County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

260. Plaintiff has never been charged with or suspected of committing a crime in Ramsey County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Ramsey County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Ramsey County.

261. Rather, Ramsey County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Ramsey County's personnel.

262. Officers employed by, licensed by, or otherwise accessing through the City of Roseau obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

263. Defendant Roseau's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

264. Plaintiff has never been charged with or suspected of committing a crime in the City of Roseau, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Roseau, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Roseau.

265. Rather, Roseau's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Roseau's personnel.

266. Officers employed by, licensed by, or otherwise accessing through the City of Sartell obtained Jennifer's Private Data, as reflected in

Exhibit A for purposes not permitted by the DPPA two times.

267. Defendant Sartell's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

268. Plaintiff has never been charged with or suspected of committing a crime in the City of Sartell, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Sartell, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Sartell.

269. Rather, Sartell's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Sartell's personnel.

270. Officers employed by, licensed by, or otherwise accessing through Scott County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

271. Defendant Scott County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

272. Plaintiff has never been charged with or suspected of committing a crime in Scott County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Scott County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Scott County.

273. Rather, Scott County's obtainment and use of Plaintiff's personal information was for

purposes that were purely personal to Scott County's personnel.

274. Officers employed by, licensed by, or otherwise accessing through Sherburne County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA four times.

275. Defendant Sherburne County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

276. Plaintiff has never been charged with or suspected of committing a crime in Sherburne County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Sherburne County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Sherburne County.

277. Rather, Sherburne County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Sherburne County's personnel.

278. Officers employed by, licensed by, or otherwise accessing through the City of St. James obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA nine (9) times.

279. Defendant St. James' obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

280. Plaintiff has never been charged with or suspected of committing a crime in the City of St. James, has never been involved in any civil, criminal,

administrative, or arbitral proceeding in or involving the City of St. James, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of St. James.

281. Rather, St. James' obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of St. James' personnel.

282. Officers employed by, licensed by, or otherwise accessing through St. Louis County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one hundred and sixty-three (163) times.

283. Defendant St. Louis County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

284. Plaintiff has never been charged with or suspected of committing a crime in St. Louis County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving St. Louis County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by St. Louis County.

285. Rather, St. Louis County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to St. Louis County's personnel.

286. Officers employed by, licensed by, or otherwise accessing through the City of St. Paul obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA two times.

287. Defendant St. Paul's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

288. Plaintiff has never been charged with or suspected of committing a crime in the City of St. Paul, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of St. Paul, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of St. Paul.

289. Rather, St. Paul's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of St. Paul's personnel.

290. Officers employed by, licensed by, or otherwise accessing through the City of Two Harbors obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA three times.

291. Defendant Two Harbors' obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

292. Plaintiff has never been charged with or suspected of committing a crime in the City of Two Harbors, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Two Harbors, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Two Harbors.

293. Rather, Two Harbors' obtainment and use of Plaintiff's personal information was for

purposes that were purely personal to the City of Two Harbors' personnel.

294. Officers employed by, licensed by, or otherwise accessing through the City of Virginia obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA thirteen (13) times.

295. Defendant Virginia's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

296. Plaintiff has never been charged with or suspected of committing a crime in the City of Virginia, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Virginia, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Virginia.

297. Rather, Virginia's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Virginia's personnel.

298. Officers employed by, licensed by, or otherwise accessing through Washington County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

299. Defendant Washington County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

300. Plaintiff has never been charged with or suspected of committing a crime in Washington County, has never been involved in any civil,

criminal, administrative, or arbitral proceeding in or involving Washington County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Washington County.

301. Rather, Washington County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Washington County's personnel.

302. Officers employed by, licensed by, or otherwise accessing through Winona County obtained Jennifer's Private Data, as reflected in Exhibit A for purposes not permitted by the DPPA one time.

303. Defendant Winona County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

304. Plaintiff has never been charged with or suspected of committing a crime in Winona County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving Winona County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by Winona County.

305. Rather, Winona County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to Winona County's personnel.

306. Officers employed by, licensed by, or otherwise accessing through the City of Cook obtained Jamie's Private Data, as reflected in Exhibit B for purposes not permitted by the DPPA one time.

307. Defendant Cook's obtainment and use of Plaintiff's personal information was not for any use

in carrying out any law enforcement, governmental, judicial, or litigation-related function.

308. Plaintiff has never been charged with or suspected of committing a crime in the City of Cook, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Cook, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Cook.

309. Rather, Cook's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Cook's personnel.

310. Officers employed by, licensed by, or otherwise accessing through the City of Hermantown obtained Jamie's Private Data, as reflected in Exhibit B for purposes not permitted by the DPPA one time.

311. Defendant Hermantown's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

312. Plaintiff has never been charged with or suspected of committing a crime in the City of Hermantown, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Hermantown, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Hermantown.

313. Rather, Hermantown's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Hermantown's personnel.

314. Officers employed by, licensed by, or otherwise accessing through the City of Hibbing

obtained Jamie's Private Data, as reflected in Exhibit B for purposes not permitted by the DPPA one time.

315. Defendant Hibbing's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

316. Plaintiff has never been charged with or suspected of committing a crime in the City of Hibbing, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Hibbing, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Hibbing.

317. Rather, Hibbing's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Hibbing's personnel.

318. Officers employed by, licensed by, or otherwise accessing through St. Louis County obtained Jamie's Private Data, as reflected in Exhibit B for purposes not permitted by the DPPA twenty-four (24) times.

319. Defendant St. Louis County's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

320. Plaintiff has never been charged with or suspected of committing a crime in St. Louis County, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving St. Louis County, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by St. Louis County.

321. Rather, St. Louis County's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to St. Louis County's personnel.

322. Officers employed by, licensed by, or otherwise accessing through the City of Virginia obtained Jamie's Private Data, as reflected in Exhibit B for purposes not permitted by the DPPA one time.

323. Defendant Virginia's obtainment and use of Plaintiff's personal information was not for any use in carrying out any law enforcement, governmental, judicial, or litigation-related function.

324. Plaintiff has never been charged with or suspected of committing a crime in the City of Virginia, has never been involved in any civil, criminal, administrative, or arbitral proceeding in or involving the City of Virginia, and there was no legitimate reason for Plaintiff to have been the subject of any investigation by the City of Virginia.

325. Rather, Virginia's obtainment and use of Plaintiff's personal information was for purposes that were purely personal to the City of Virginia's personnel.

326. Officers employed by the Entity Defendants, along with those Individual Defendants currently identified as John and Jane Does, obtained or used Jennifer's Private Data approximately four hundred and forty-six (446) times.

327. Officers employed by the Entity Defendants, along with those Individual Defendants currently identified as John and Jane Does, obtained or used Jamie's Private Data approximately thirty-four (34) times.

328. Each of the above accesses was committed knowingly; each of the above accesses was for a reason not permitted under the DPPA, meaning that the Defendants had no law-enforcement reason for accessing the information.

329. Defendants accessed the information for personal reasons completely unrelated to their position as law-enforcement officers, public employees, or in their job functions.

330. Individual Defendants viewed Plaintiffs' Private Data from their State- issued driver's license including their home address, color photograph or image, date of birth, eye color, height, weight, driver identification number, and upon information and belief, medical and social security information. Jamie provided medical information related to his Class A driver's license.

331. Curiosity about Plaintiffs or other personal reasons are not purposes permitted for obtaining information under the DPPA.

332. The Individual Defendants mentioned above who obtained this information did so using Plaintiffs' names, not pursuant to a license plate look-up, and there is seldom any law-enforcement function that would permit accessing Plaintiffs' private information by name; Plaintiffs were not involved in any criminal activity nor suspected of any such activity; they had not committed any act that would entitle Entity Defendants and Individual Defendants to obtain their information under any of the permissible exceptions; to the extent any such permissible reason could exist, Plaintiffs have eliminated permissible obtainments from the obtainments here complained of; and no Defendant

has proposed a valid, credible reason for obtaining Plaintiffs' information.

333. Under the direction of the Commissioner Defendants, DPS, and DPS Does, knowingly created the DVS Database that includes Plaintiffs' Private Data and the system for law-enforcement personnel to obtain to that information.

334. DPS and DPS Does, under the direction of the Commissioner Defendants, knowingly maintained and updated the DVS Database that included Plaintiffs' Private Data.

335. DPS Commissioners and DPS Does authored the Minnesota Driver's License Application, which states, "your personal information may be disclosed as authorized by United States Code, title 18, section 2721." (emphasis added).

336. DPS Commissioners and DPS Does made the decisions for establishing, ordering the structure of, and determining the persons, agencies and individuals to whom they would disclose the database.

337. The disclosure of information was made by providing a user account and a password without reasonably requiring or ensuring that accesses would be limited to those for a purpose permitted under the DPPA.

338. This form of disclosure was and is used not only for law-enforcement personnel but other recipients who have access to the database, including non- government employees, who comprise about half of the persons who have been granted access to this database.

339. DPS Does and Commissioner Defendants failed to use reasonable care in so disclosing the information in the database.

340. DPS Does and Commissioner Defendants made no reasonable effort nor directed any subordinate to make any reasonable effort to require that the specified purpose of the disclosure was legitimate and would be adhered to by the person to whom the data was disclosed.

341. DPS Does and Commissioner Defendants failed to reasonably ascertain or ensure that the persons to whom it was disclosed would use it permissibly.

342. DPS Does and Commissioner Defendants had at the least constructive knowledge of the widespread abuse of the database by officers illegally accessing it for personal reasons not permitted by the DPPA, and had they not delegated their duties to others would have known of the actual misuse and would have presumably fulfilled their statutory duties and prevented the illegal accesses including those that have adversely affected Plaintiffs.

343. DPS Does and Commissioner Defendants knowingly disclosed Plaintiffs' data without requiring that the concomitant obtainment was for a permissible purpose; they disclosed it without taking any effective steps to insure adherence by the individuals—whether private or public sector—obtaining it were or would do so for a permissible purpose.

344. Knowledge of the illegal obtainment of Plaintiffs' information by numerous individuals should be imputed to the DPS Does and Commissioner Defendants based in part on their delegation to others of their duty to disclose Private Data for only permissible purposes.

345. DPS Does and Commissioner Defendants failed to ascertain or ensure specifically that law-enforcement personnel would use it permissibly, that is, for a law enforcement function.

346. DPS Does and Commissioner Defendants failed to ascertain or ensure that the persons to whom it was disclosed would use it exclusively for a law-enforcement function.

347. DPS Does and Commissioner Defendants failed to provide adequate training in the permissible uses of the database.

348. DPS Does and Commissioner Defendants, under 18 U.S.C. § 2724(a), knowingly disclosed Plaintiffs' personal information for a purpose not permitted by the DPPA.

349. DPS Does and Commissioner Defendants gave Individual Defendants access to the database for purposes of their intended misuse of the database.

350. Disclosure of this database is a matter known to and participated in and directed by the DPS Does and Commissioner Defendants.

351. The DPS Does and Commissioner Defendants had a duty to ascertain the recipients' purpose for his/her obtainment or use of the private data.

352. The DPS Does and Commissioner Defendants, at times, delegated the duty to ascertain the recipients' purpose to other individuals.

353. To the extent the DPS Does and Commissioner Defendants delegated any part of their duties, they are still responsible for disclosure, and the persons, to whom they may have delegated, if any, are not known to Plaintiffs and cannot be known by Plaintiffs.

354. DPS Does and Commissioner
Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2003.

355. DPS Does and Commissioner
Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2004.

356. DPS Does and Commissioner
Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2005.

357. DPS Does and Commissioner
Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2006.

358. DPS Does and Commissioner
Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2007.

359. DPS Does and Commissioner
Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2008.

360. DPS Does and Commissioner
Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2009.

361. DPS Does and Commissioner Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2010.

362. DPS Does and Commissioner Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2011.

363. DPS Does and Commissioner Defendants failed to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2012.

364. DPS Does and Commissioner Defendants continue to fail to monitor the database through regular, random, target, or user audits to assure themselves that the ongoing disclosures were for permissible purposes in 2013.

365. DPS and DPS Does, under the direction of Commissioner Defendants, had the ability to determine that drivers' license information, including Plaintiffs' Private Data, was being accessed on multiple occasions, by multiple law-enforcement personnel from multiple law-enforcement agencies.

366. DPS and DPS Does, under the direction of the Commissioner Defendants, had the ability to prevent unauthorized access to the DVS Database, including unauthorized access to Plaintiffs' Private Data.

367. DPS and DPS Does, under the direction of the Commissioner Defendants, failed to prevent unauthorized access to the DVS Database, including access to Plaintiffs' Private Data.

368. The Commissioner Defendants and DPS Does knowingly authorized, directed, ratified, approved, acquiesced in, committed or participated in the disclosure of Plaintiffs' Private Data.

369. The policy of the State of Minnesota is to uphold the provisions of the law, both state and federal, and to protect and safeguard the privacy rights of the State's citizens and inhabitants, including its drivers' privacy rights, and including those rights as are required to be protected by federal law.

370. In particular, it is the policy of the State of Minnesota, as outlined in Minn. Stat. § 171.12, subd. 7, to comply with the provisions and requirements of the DPPA.

371. This policy is also set forth in the driver's license application and set forth in statutory language with proper citation to that federal statute.

372. Defendant Commissioners and DPS Does knowingly disclosed Plaintiffs' and others' Private Data and violated state policy by devising and implementing a database, such as the DVS Database, that failed abysmally to uphold the privacy rights of Plaintiffs and others similarly situated as protected by the DPPA.

373. This failure exposed their information to impermissible and knowing accesses by various persons, including the Defendants in this lawsuit.

374. These acts and failures to act by Defendant Commissioners and DPS Does constitute knowing disclosures of Plaintiffs' information within the meaning of the DPPA.

375. Defendant Commissioners and DPS Does knowingly devised and implemented a database and a method for using and misusing that database

that both permitted and encouraged, through the nature and monitoring of the system, accesses by law-enforcement personnel, state employees, and others that failed to comply with state policy of protecting privacy rights and complying with the DPPA.

376. The system knowingly devised and implemented by Commissioner Defendants and DPS Does failed to set rules protecting Plaintiffs' privacy rights.

377. This system permitted, and on information and belief still permits, the accessing of the database from personal computers.

378. This system allowed individuals to give out their personal passwords to others.

379. This system permitted, and on information and belief may still permit, the accessing of the system by persons without any accountability or even in some instances without the ability to trace the person who made the access.

380. From 2003 through 2010, this system did not require reasonably adequate training on the use of the DVS database of sworn-law enforcement officers.

381. From 2011 through today, this system still does not require reasonably adequate training on the use of the DVS database of sworn law-enforcement officers.

382. Accordingly, the effective monitoring of the system is difficult if not impossible under the system as devised and implemented by Commissioner Defendants and DPS Does.

383. Commissioner Defendants and DPS Does have deliberately emphasized and favored the convenience of the system by users at the expense of

protecting the privacy rights of the persons whose information is in the database.

384. This deliberate emphasis and preference for convenience to the system users over the privacy rights of the drivers was known to the Commissioner Defendants and the DPS Does, and was purposeful.

385. In failing to properly implement, maintain, and monitor the DVS Database, Commissioner Defendants failed to follow Minnesota state policy.

386. Many viable methods were and are available to prevent this illegal accessing of private information.

387. Upon information and belief, the Commissioners and DPS Does actually knew that law-enforcement officers were accessing the databases for purposes not permitted under the DPPA.

388. Upon information and belief, the Commissioners and DPS Does actually knew that law-enforcement officers were viewing Plaintiffs' Private Data without a legitimate and purpose permitted by the DPPA.

389. Upon information and belief, the Commissioners and DPS Does acquiesced, facilitated, approved, or simply ignored the improper conduct by governmental personnel.

390. Even if the Commissioners and DPS Does had no actual knowledge of the impermissible uses of the databases they oversaw, upon information and belief, they were reckless in their supervision of their subordinates who did operate the database.

391. Upon information and belief, the Commissioners and DPS Does were negligent in supervising their subordinates who operated the databases.

392. The information contained in the DPS database is far greater and contains more private personal information than is customarily known to non-law enforcement personnel.

393. The information contained in the DPS database includes the social security numbers of the drivers, including Plaintiffs' social security numbers.

394. The information contained in the DPS database includes drivers' health information. Jamie's Class A driver's license includes medical information. These accesses are committed surreptitiously, and without the knowledge of the victims, including Plaintiffs, which knowledge is kept hidden and concealed from the victims, including Plaintiffs.

395. There has not been a single instance of which Plaintiffs are aware involving them or anyone else where an officer has informed them that he or she has accessed their information.

396. Law-enforcement officers have gone to great lengths to avoid letting Plaintiffs know they have accessed their personal private information.

397. The surreptitious, concealed, and hidden accesses are kept secret from the general public and from the victims, including Plaintiffs.

398. Commissioner Defendants and DPS Does allowed multiple breaches of the security of Plaintiffs' Private Data in violation of Minn. Stat. 13.055.

399. Commissioner Defendants and DPS Does failed to disclose to Plaintiffs this breach of the security of the data in violation of Minn. Stat. 13.055.

400. Obtaining the DVS Database without a permissible reason is a breach of confidentiality.

401. Plaintiffs contacted DPS to inquire whether law-enforcement officers had been viewing their private information.

402. The DPS website states that the public is entitled to information except that which is classified:

[T]he law states that all the data DPS or a governmental entity has are public (can be seen by anybody) unless there is a state or federal law that classified the data as not public. You have the right to look at all public data that DPS keeps.

(See “Minnesota Department of Public Safety: Public Access to Government Data,” attached to this Complaint as Exhibit C)

403. The DPS website also informs the public that anyone can request information in any way, by phone, in person, mail, or email; that specific data can be requested, or “entire records, files or data bases” or all public data that DPS keeps.” It instructs the person requesting the information that “you don’t have to tell us who you are or explain why you are asking for the data.” Id.

404. But despite its stated policy, before August 2011, the actual practice of DPS was to

withhold, deny and mislead the public to prevent access to this information. (See Affidavit of Dan Prozinski, attached to this Complaint as Exhibit D; August 23, 2011 email from Joseph Newton to A. Geraghty, attached to this Complaint as Exhibit E; and the Second Amended Complaint to Kampschroer v. Anoka Cty., et. al, 13-2512 SRN/TNL, at ¶¶ 410 – 426).

405. DPS practice in this regard amounted to concealment of the illegality, by misleading the public on those occasions when they became suspicions about the invasion of their private data.

406. These invasions or illegal accesses of their Private Data were by their very nature actively concealed, since those making the accesses concealed them from their supervisors and from Plaintiffs; at no time did anyone approach Plaintiffs and advise them that he or she had accessed their Private Data.

407. In 2013, Plaintiffs requested an audit from Kim Jacobson at DPS.

408. The Minnesota Department of Motor Vehicles is a division of DPS.

409. On May 23, 2013, Jacobson provided the results of the audit to Jennifer.

410. On May 23, 2013, Jacobson provided the results of the audit to Jamie.

411. The audit requests and the results furnished, were for name look-ups only and specifically did not include any license plate or driver's license number look-ups.

412. Jennifer was sickened to learn from DPS that it had determined that officers and personnel from approximately several different departments and agencies had reviewed, and

impermissibly obtained or used, her Private Data approximately 446 times since 2003. See Exhibit A.

413. Jamie was similarly disgusted to learn from DPS that it had determined that officers and personnel from approximately several different departments and agencies had reviewed, and impermissibly obtained or used, his Private Data approximately 34 times since 2006. See Exhibit B.

414. Before requesting the audit report, Plaintiffs had no knowledge that their Private Data had been obtained through the DVS Database. Plaintiffs were not under any criminal investigation; they had committed no crimes; they were not a witness to any crime, nor were they involved with anyone in a criminal investigation, or even a civil lawsuit; they were not of any legitimate interest to law-enforcement other than for personal reasons, such as curiosity, gossip or romantic attraction.

415. Jennifer has not been stopped for a traffic violation since approximately 1997.

416. Jamie has not been stopped for a traffic violation since approximately 2006.

417. There is no possible law-enforcement function that would have made invading Plaintiff privacy permissible under the DPPA.

418. Before filing suit, Plaintiffs (through their attorneys) contacted the Entity Defendants, providing the relevant portion of the audit, sending them a letter in which they requested the Entity to provide them with any permissible reason it or its employees, agents, and officers had in looking up their information; Defendants never provided any legitimate permissible reason for these illegal obtainments.

419. Plaintiffs believe that even more unauthorized accesses and viewings will occur in the future if the policies of Entity Defendants and other police departments and law-enforcement agencies similarly situated are not changed to bring the actual custom and practice of these Entity Defendants and others similarly situated into compliance with their own written rules, with the rules of the Department of Public Safety, and with federal law, including the DPPA.

420. Included in the audit is the listing of various law-enforcement departments associated with the Defendant Entities that obtained Plaintiffs' Private Data.

421. Individual Defendants' identities (John and Jane Does) are not presently known, and purportedly cannot be revealed pursuant to the Minnesota Government Data Practices Act. Plaintiffs anticipate that these yet-to-be-named Individual Defendants will become known through discovery.

422. Supervisor Defendants are not presently known. Plaintiffs anticipate that the yet-to-be-named Supervisor Defendants who should have monitored, prevented and stopped the unauthorized accesses to Plaintiffs' information will become known through discovery.

423. The remaining Entity Defendant identities (Entity Does) are not presently known, because not all of the entities identified by the DPS have provided sufficient information to determine if their personnel's access to the database was unauthorized. Plaintiffs anticipate that these yet-to-be-named Entity Defendants will become known through discovery.

424. Defendant Commissioners released and disclosed this information without training or with wholly inadequate training for the individuals with access to the DVS database.

425. Defendant Commissioners released and disclosed Plaintiffs' Private Data to individuals without ascertaining whether it was obtained for a purpose permitted under the DPPA, but instead relied on the status of the person obtaining it, assuming that because of the person's status their obtainment of the information was for a purpose permitted by the DPPA.

426. Whatever training, monitoring, or inquiry into the officers' usage of the information systems has been adopted is woefully inadequate to ensure that access is used properly and lawfully.

427. On information and belief, despite this training, Defendant Entities and Defendant Supervisors, allowed their employees, including but not limited to Individual Defendants, to view Plaintiffs' Private Data for unlawful purposes.

428. On information and belief, Defendant Entities, Defendant Supervisors, and Commissioner Defendants permitted, condoned, or acquiesced in this illegal access to Plaintiffs' private information, and knew or should have known that it was occurring.

429. On information and belief, this illegal access occurs with regularity not only of Plaintiffs' private information, but of other Minnesota drivers' private information.

430. Defendant Entities, Defendant Supervisors, Defendant Commissioners and DPS Does have lax policies or lax enforcement of these policies that allow for these intrusions.

431. Defendant Entities, Defendant Supervisors, Defendant Commissioners and DPS Does either have no viable method of or have an inadequate method of ascertaining and controlling the illegal access to individuals' private information by their officers.

432. The Driver's License application assures Minnesota drivers their information will be safeguarded and kept private, "DPS releases this information to local, state, and federal government agencies only as authorized or required by state and federal law."

433. Plaintiffs submitted their Private Data to DPS, including their social security numbers, because of the promise of confidentiality made by DPS.

434. Plaintiffs relied on this promise of confidentiality when they provided their Private Data to DPS to obtain a driver's license.

435. The failure of Defendant Entities and Defendant Supervisors to keep this information private is a flagrant breach of a promise of confidentiality.

436. Defendant Entities, Defendant Supervisors, Commissioner Defendants, and DPS Does either have no viable method of or have an inadequate method of ascertaining and controlling the illegal access to individuals' private information by their officers.

437. The extent of this illegal access is widespread and pervasive throughout departments, and is a custom and practice.

438. The widespread practice is demonstrated by the systematic tolerance of illegal accesses.

439. Further evidence of the custom and practice can be found in actual statements made by current officers, one of whom was quoted in a magazine article about the illegal access into previous cases involving this same breach of privacy as saying that “every single cop in the state has done this. Chiefs on down.”

440. Further evidence is based on actual statements made by former officers, one of whom was quoted in a magazine article about illegal accesses of other individuals as saying that “[y]ou used to look up people without a second thought. You’d look up old friends from high school or just someone you used to know.”

441. Each individual with access to the DPS Database has a password allowing that individual access to the DPS Database.

442. Personnel can access the DPS Databases from any computer with internet access.

443. Personnel occasionally gave other individuals their passwords, contrary to requirements.

444. The system for accessing accountability and responsibility was and is prone to error and fails to reasonably protect drivers’ private information.

445. When Defendant personnel viewed Plaintiffs’ private information, they did not do so to carry out official police functions.

446. Plaintiffs committed no crimes or transgressions that would explain or legitimize the unauthorized access of their Private Data.

447. The Individual Defendants obtained Plaintiffs’ personal information without probable cause or reasonable suspicion to believe that

Plaintiffs had engaged in any criminal activity or any activity even remotely related to criminal activity.

448. Plaintiffs never waived the protections of the DPPA.

449. Defendants' actions have violated the United States Constitution, the DPPA, 42 U.S.C. § 1983, and Minnesota State law.

450. The sheer volume of the intrusions into their private life demonstrates that law-enforcement personnel, public employees, and others are unfairly hostile and careless toward Plaintiffs' privacy and safety.

451. As a result of these invasions of privacy, Plaintiffs have suffered and continue to suffer significant emotional distress.

452. It was extremely disturbing to Jennifer to see the extent of the queries on her audit, to see how law-enforcement personnel were misusing their power, and with many employees of her former employers obtaining her information.

453. Jamie feels violated because he did nothing wrong to invite this illegal behavior. All he did was date and marry a law-enforcement officer.

THE COMMISSIONERS HAVE KNOWN ABOUT THESE VIOLATIONS.

454. DPS Commissioners Campion and Dohman have been involved with law enforcement for many years.

455. Commissioner Dohman has been a law enforcement officer for thirty years, having formerly served as police chief of the City of Maple Grove from

2001 until her appointment as DPS Commissioner in March 2011.

456. Before becoming Chief of Police of the Maple Grove Police Department she was an investigator, patrol officer, sergeant and captain of the Maple Grove Police Department; and prior to that time, she was a patrol officer of the City of Glencoe and of the City of Marshall, Minnesota.

457. Dohman also served as president of the Minnesota Chiefs of Police Association.

458. Upon information and belief, the misuse of private information is the main complaint of most police chiefs and human resources personnel.

459. Former Commissioner Michael Campion served from July 2004 until March 2011. Prior to his appointment as DPS Commissioner he was supervisor of the BCA, which also maintains a driver's license database.

460. Prior to that position, Campion was a special agent at the BCA.

461. It was during his tenure that the DPS database was largely developed in its current format.

462. On information and belief, misuse of the DPS database has been well-known to Commissioner Defendants. At a Legislative Audit Subcommittee hearing in February, 2013 at which Commissioner Dohman testified, the testimony of the Legislative Auditor revealed that at least 50% of law enforcement officers are misusing the DPS database by obtaining, disclosing, and/or using the driver license personal information for an impermissible purpose.

463. On information and belief, Commissioner Defendants knew this, and knowingly disclosed the information in part by (a) failing to

safeguard and monitor the database despite knowing of its rampant misuse, (b) willfully refusing to correct the misuses, or (c) both failing to monitor and refusing to correct the abuse and misuse of the system.

464. Experts in the field of police training report that the primary complaint of many police departments is that law enforcement personnel misuse private information. This is an established, well-known, and pervasive problem with law enforcement that Commissioner Defendants are unwilling to properly address.

**THE COMMISSIONER DEFENDANTS AND
DPS DOES REASONABLY COULD HAVE
DONE SIGNIFICANTLY MORE TO PROTECT
PLAINTIFFS' PRIVACY.**

465. On information and belief, the only changes and improvements to the DPS system to increase the protection of privacy, especially from law enforcement, have occurred only after litigation involving DPS, specifically the lawsuit titled Anne Marie Rasmusson v. City of Bloomington, No. 12-CV-00632 (SRN/JSM). In that case Plaintiff sued, among others, the Commissioners of the DPS and was able to obtain through settlement significant changes to the DVS database, including numerous protections such as different types of periodic audits. On information and belief, the 19,000 improper accesses of former Department of Natural Resources Captain John Hunt were discovered in part due to those changes. The vast majority of the restrictions and protections on driver privacy have occurred due to the Rasmusson case and others like it. The

Commissioners in Minnesota remain highly resistant to improving the DPS database, instead looking to the individual officers and local governments to institute changes, which is a far less effective method of instituting changes and will result in piecemeal and inadequate changes in protections at best.

466. On information and belief, states other than Minnesota have far greater restrictions and protections in place to protect the data on their drivers' license databases from being obtained, disclosed or used for a reason not permitted by the DPPA.

467. For instance, on further information and belief, North Dakota requires a daily report of anyone who obtains driver photos and its system generates weekly reports listing all individuals with accesses of over 25 images a day. These reports are sent to the North Dakota Attorney General to make inquiries as to whether the information was obtained for a job-related reason. North Dakota also requires the users of the database to declare the reason why they were looking at the record. North Dakota also requires its users to take a certification test before being given access to the database.

468. Also on information and belief, the State of California's DMV cooperates with its law-enforcement agencies and California's Department of Justice to ensure access to its drivers' license information is limited to agencies that satisfy specific requirements before they are issued a confidential requester code that permits access to law-enforcement information only. Each law-enforcement agency is responsible for limiting access to necessary personnel. California also periodically reviews law-enforcement applications to ensure the agency and

person requesting the information is still entitled to obtain the information. During a recent audit, California's DMV reviewed questionable agencies and even reclassified some to prevent them from having further access to the database.

469. On further information and belief, the California DMV has a dedicated law- enforcement unit to analyze data inquiries. Each data request is logged and technicians are trained to look for developing patterns in the requester's history. The California DMV also conducts periodic historical reviews of a specific agency's requests to determine if the accesses were authorized. The California DMV may also require a law- enforcement entity to supply an explanation of events, describe their protocols for accessing DMV information, what policies or access requirements were violated, what corrective or administrative steps are being taken to admonish the officer, and what steps the agency is taking to avoid future occurrences. All users annually complete an information security form. Finally, the California DMV is very restrictive on the types of information it releases.

470. On information and belief, DPS Commissioners, DPS and Defendants Entities knew or should have known of the policies and practices of other States, but did not at the time that Plaintiffs' drivers' license information was being impermissibly obtained, require any of the protections and safeguards to the Minnesota DPS Databases utilized by other states.

471. Given that other states do and did have safeguards and protections in place to protect their drivers' private information from impermissible accessing, use, and disclosure, DPS Commissioners,

DPS and Defendants Entities reasonably should have implemented such safeguards and protections for Minnesota drivers, including Plaintiffs.

472. The implementation of some or all of these safeguards and protections by Defendants would have prevented many of the impermissible obtainment, uses, and disclosures of Plaintiffs' private data.

COUNT I: VIOLATION OF THE DPPA,
18 U.S.C. § 2721, et seq.

(Against all Defendants)

473. Plaintiffs reaffirm and reallege the allegations in Paragraphs 1 through 472.

474. Plaintiffs provided personal information to the DPS including their address, color photograph, date of birth, weight, height, eye color, social security numbers and medical information for the purpose of acquiring and utilizing a State of Minnesota driver's license.

475. The DPS Database also maintained Plaintiffs' driving record.

476. Plaintiffs did not provide their consent for any of Defendant Individuals to obtain, disclose or use, or for any of Defendant Entities or Defendant Supervisors to disclose or to allow Defendant Individuals to obtain, disclose or use, their private information for anything but official law-enforcement business.

477. Knowingly obtaining, disclosing or using Private Data for a purpose not permitted by the DPPA is a violation of the DPPA. The statute

provides for criminal fines and civil penalties. 18 U.S.C. §§ 2723, 2724.

478. The DPPA provides redress for violations of a person's protected interest in the privacy of their motor vehicle records and the identifying information therein.

479. Minnesota law is to enforce and follow the DPPA and to hold all information obtained pursuant to an application for a driver's license confidential and private; even prior to the passage of the DPPA in 1994 Minnesota law pledged to hold all this information private and confidential, and on one's driver's license application these promises of confidentiality are all made; Defendants' actions in accessing this information is a flagrant breach of that pledge of confidentiality.

480. Each of the Defendants invaded Plaintiffs' legally protected interest under the DPPA.

481. According to the Department of Vehicle Services, the Individual Defendants knowingly obtained, disclosed or used Plaintiffs' personal information, from a motor vehicle record, for a purpose not permitted under the DPPA. 18 U.S.C. § 2724(a).

482. None of the Individual Defendants' activities fell within the DPPA's permitted exceptions for procurement of Plaintiffs' private information.

483. By the actions described above, each Defendant Individual was acting within the scope of his or her employment when he or she obtained, disclosed or used Plaintiffs' personal information from the DPS Databases for a purpose not permitted by the DPPA.

484. Individual Defendants knew that their actions related to Plaintiffs' Private Data were in violation of the DPPA.

485. Defendant Entities and Defendant Supervisors knowingly authorized, directed, ratified, approved, acquiesced in, committed or participated in obtaining, disclosing or using of Plaintiffs' private personal information by Individual Defendants.

486. Defendant Commissioners, Defendant Entities and Defendant Supervisors' actions constitute a knowing disclosure of the personal information of Plaintiffs under the DPPA.

487. Individual Defendants knowingly used Defendant Entities' computers, passwords and passcodes to obtain Plaintiffs' private information.

488. Plaintiffs' private information was obtained by each Individual Defendant for purposes that are not permitted under the DPPA.

489. Defendant Entities are each vicariously liable for the acts of Defendant Individuals.

490. By the actions complained of, Commissioner Defendants, and DPS Does are jointly liable for the acts of Defendant Individuals.

491. Plaintiffs have suffered harm because their private information has been obtained and viewed unlawfully.

492. Plaintiffs have further suffered harm because their private information has been obtained unlawfully. Plaintiffs suffer and continue to suffer harm by virtue of the increased risk that their protected information is in the possession of Individual Defendants who obtained it without a legitimate purpose.

493. This is precisely the harm Congress sought to prevent by enacting the DPPA and its statutory remedies.

494. Individual Defendants, Supervisor Defendants, and Commissioner Defendants each willfully and recklessly disregarded the law, entitling Plaintiffs to punitive damages under the DPPA, see 18 U.S.C. § 2724(b)(2), which is not subject to the pleading requirement of Minnesota state law as set forth in Minn. Stat. § 549.20. Plaintiffs are entitled to actual damages, punitive damages, reasonable attorneys' fees and other litigation costs reasonably incurred, and such other preliminary and equitable relief as the court determines to be appropriate. 18 U.S.C. § 2724(b).

495. In addition, under the DPPA, Plaintiffs are entitled to a baseline liquidated damages award of at least \$2,500 for each violation of the DPPA. 18 U.S.C. § 2721(b)(1). Plaintiffs need not prove actual damages to receive said liquidated damages.

COUNT II: VIOLATION OF 42 U.S.C. § 1983

(Against All Individual Defendants Including Jane and John Does)

496. Plaintiffs reaffirm and reallege the allegations in Paragraphs 1 through 495.

497. The Fourth Amendment to the Constitution of the United States provides for the right of individuals "to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures."

498. The Fourteenth Amendment provides all individuals in the United States with a substantive due process right of privacy.

499. The Fourth Amendment to the Constitution of the United States establishes a well-settled civil right to be free from an unconstitutional search.

500. At no time did Plaintiffs behave in a manner that would provide any legal justification for the above-described invasion of their privacy.

501. The DPPA establishes that obtaining an individual's Private Data without a legitimate purpose constitutes an illegal search under the meaning of the Fourth Amendment as well as a violation of their substantive due process right to privacy under the Fourteenth Amendment.

502. The DPPA, among other things, such as the plain language of the Constitution, the various court decisions interpreting the Constitution and the traditions of our country establish that an individual has a reasonable expectation of privacy in their driver's license information.

503. Individual Defendants' viewing of Plaintiffs' personal information was unauthorized, unjustified, and excessive, and violates the Fourth and Fourteenth Amendments, the laws of the United States and the laws of the State of Minnesota.

504. By the actions described above, each Individual Defendant, acting under color of state and federal law, violated and deprived Plaintiffs of their Fourth and Fourteenth Amendment Rights.

505. Individual Defendants used the Entity Defendants' computers, passwords and passcodes to obtain Plaintiffs' Private Data.

506. The acts of each Individual Defendant, acting under the color of state and federal law, constituted an invasion or repeated invasions of Plaintiffs' clearly- established privacy rights, guaranteed by the Bill of Rights and the Fourteenth Amendment to the United States Constitution, the laws of the United States, including the DPPA, and the laws of the State of Minnesota.

507. The DPPA protects and codifies an individual right to privacy in a person's Private Data, thereby prohibiting unauthorized accessing of all persons' information, including Plaintiffs' information.

508. Each individual law-enforcement and other government personnel, acting under color of state and federal law, knew that his or her actions violated and deprived Plaintiffs of their clearly established statutory rights under the DPPA.

509. Each Individual Defendant deprived Plaintiffs of their federal statutory rights and civil rights maliciously or by acting with reckless disregard for whether Plaintiffs' rights would be violated by his or her actions.

510. Each Individual Defendant was deliberately indifferent to Plaintiffs' statutory and civil right to be free from illegal searches, invasions of privacy and the unauthorized accessing of their Private Data.

511. As a direct and proximate result of the acts and omissions of the above- named Individual Defendants, Plaintiffs were damaged in an amount yet to determined, but in excess of \$75,000.

512. Punitive damages are available against Individual Defendants for their reckless and callous disregard for Plaintiffs' rights and their intentional

violations of the federal law, and are hereby claimed as a matter of federal common law, *Smith v. Wade*, 461 U.S. 30 (1983), and, as such, are not subject to the pleading requirement for punitive damages set forth in Minn. Stat. § 549.20.

513. Plaintiffs are entitled to recovery of their costs, including reasonable attorney fees, under 42 U.S.C. § 1988.

COUNT III: VIOLATION OF 42 U.S.C. § 1983

(Against Entity Defendants and Supervisor Defendants, including John, Jane and Entity Does, for violation of 42 U.S.C. § 1983)

514. Plaintiffs' reaffirm and reallege the allegations in Paragraphs 1 through Paragraph 513.

515. Individual Defendants' numerous accesses of Plaintiffs' private information are not unique, but one example of how frequently such law-enforcement agencies and other governmental entities customarily violate the DPPA by accessing Private Data of persons without having any legitimate or permissible reason for doing so.

516. Persons familiar with police departments and those involved in teaching supervisors how to train and hold accountable their subordinate law-enforcement personnel have been told by those supervisors that the unlawful and impermissible accessing of private information is among the most frequently committed wrongs by police, for which they are seldom if ever held accountable.

517. Improper access of citizens' Private Data by Defendants for their own personal and private uses, obtained by accessing that information through the computerized information storage system kept by the State for official purposes only, is an official custom or practice well known to Defendant Supervisors and Commissioner Defendants.

518. These customs and practices by Defendant Individuals are at variance with the written rules set down by the Entity Defendants, the DPS, and Commissioner Defendants, but these formal rules are widely and knowingly disregarded.

519. Given Entity Defendants' failure to monitor and enforce their rules, the aforementioned customs and practices are attributable to the municipalities themselves, including the Entity Defendants herein.

520. Defendant Entities and Defendant Supervisors of the law-enforcement personnel and other public employees accessing this information knew or should have known of this and other unlawful, improper, unjustified, and impermissible access to private information by law-enforcement personnel and other public employees.

521. The prevalence of this custom, the lack of monitoring regarding these access practices and the failure to take action to stop or prevent these practices, demonstrate the state of mind of Defendant Supervisors and municipal officials of the Entity Defendants.

522. These customs and practices further demonstrate Defendants' deliberate indifference to the federal statutory and constitutional rights of the

citizens and persons, including Plaintiff, whose information has been wrongfully accessed.

523. Defendant Entities are directly liable for the custom and practice of the widespread illegal access of citizens' Private Data.

524. Supervisor Defendants, up to and including the chief police officers and sheriffs employed by each Entity Defendant, are liable in their individual capacity.

525. Defendants' liability is due to their actual and constructive knowledge of this practice.

526. Defendants' liability is also due to their failure to institute any process for monitoring and preventing it.

527. Defendants' liability is also due to their deliberate indifference to the federal rights of those persons, including Plaintiffs, whose information has been and continues to be wrongfully accessed.

528. In addition, Defendant Supervisors of the law-enforcement personnel and other public employees, up to and including the chief police officer in each of Defendant Entities, are liable in their individual capacities for the failure to train, monitor, supervise, and properly discipline the officers who are improperly and unlawfully accessing the Private Data of citizens, including Plaintiffs, without a proper, lawful, permissible, justifiable purpose for doing so.

529. This pattern of failure to train, monitor, supervise, and discipline demonstrates the state of mind of these Defendant Supervisors and a deliberate indifference to the rights of the citizens and others whose information has been so widely accessed, including Plaintiffs.

530. The federal rights of the citizens, including Plaintiffs, whose information was improperly accessed, are held in light regard by many if not most of the Defendant Supervisors and by the Defendant Entities themselves.

531. Defendants' lack of concern evidences their deliberate indifference both to the problem of the unauthorized access and to the impact of the unauthorized access on the federal rights of the citizens, including Plaintiffs, who would often be unaware of that access.

532. It is yet unknown whether a system has been established by the Entity Defendants and Supervisor Defendants to monitor the regular access of the DPS Databases by personnel.

533. It is yet unknown whether any attempt has been made by Entity Defendants and Supervisor Defendants to provide redress and assurance to the persons, including Plaintiffs, whose DVS information has been wrongfully accessed by the Individual Defendants named in this Complaint, or by other personnel in the municipalities named in this Complaint.

534. As a direct and proximate result of the acts and omissions of the above- named Defendant Entities and Defendant Supervisors, Plaintiffs have endured and continue to endure mental suffering, and have been damaged in an amount yet to be determined and of a continuing nature, but in an amount in excess of \$75,000.

535. Punitive damages are available against Defendant Supervisors for their reckless and callous disregard for Plaintiffs' rights and their intentional violations of the federal law, and are hereby claimed as a matter of federal common law, *Smith v. Wade*,

461 U.S. 30 (1983), and, as such, are not subject to the pleading requirements set forth in Minn. Stat. § 549.20.

536. Plaintiffs are entitled to recovery of their costs, including reasonable attorney fees, under 42 U.S.C. § 1988.

COUNT IV: VIOLATION OF 42 U.S.C. § 1983

(Against Commissioner Defendants and DPS Does)

537. Plaintiffs reaffirm and reallege the allegations in Paragraphs 1 through 536.

538. As DPS Commissioners, Campion and Dohman, along DPS Does, were and are responsible for creating, maintaining, and providing access to the database that included Plaintiffs' Private Data.

539. Defendant Commissioners and DPS Does also had the ability to determine if unauthorized access was being made and to prevent such unauthorized access to the database, including of Plaintiffs' Private Data, and have the ongoing duty to prevent such unauthorized accesses.

540. Defendant Commissioners and DPS Does failed to utilize any due care to ensure that the disclosed information was being used only for permissible purposes.

541. Commissioner Defendants and DPS Does failed to prevent unauthorized access to the database, including Plaintiffs' Private Data.

542. The actions of Commissioner Defendants and DPS Does, as alleged, violate the rights of Plaintiffs under the Fourth and Fourteenth

Amendments to the United States Constitution and under the DPPA.

543. On information and belief, Commissioner Defendants, and DPS Does created or oversaw the creation and maintenance of a database and system that was supposed to prevent unauthorized access to Private Data.

544. From 2003, Commissioner Defendants and DPS Does allowed unauthorized access of Jennifer's Private Data about 466 times.

545. From 2006, Commissioner Defendants and DPS Does allowed unauthorized access of Jamie's Private Data about 34 times.

546. On information and belief, Commissioner Defendants' and DPS Does' efforts have been insufficient to prevent future unauthorized access of Plaintiffs' and other individuals' private, personal information.

547. Commissioner Defendants and DPS Does have sanctioned the constitutional violations by the Individual Defendants through their failure to remedy the policy, custom and practice of officers' and employees' unfettered and unauthorized access to the database.

548. Commissioner Defendants and DPS Does have been negligent in supervising subordinates responsible for implementing a law-enforcement database that prevents unauthorized access to private, personal information.

549. On information and belief, Commissioner Defendants and DPS Does failed to monitor and prevent unauthorized access to private, personal information even though they knew or should have known that such unconstitutional acts were occurring.

550. Commissioner Defendants and DPS Does, acting under the color of state law, were deliberately indifferent to Plaintiffs' constitutionally-recognized and federal statutory rights to be free from illegal searches, invasions of privacy and the unauthorized accessing of their Private Data.

551. Commissioner Defendants and DPS Does failed to implement properly Minnesota's policy to protect the private, personal information of its citizens with drivers' licenses.

552. Commissioner Defendants and DPS Does are jointly liable for the use, disclosure, or access of Plaintiffs' Private Data for each Individual Defendants' access.

553. As a direct and proximate result of the acts and omissions of Commissioner Defendants and DPS Does, Plaintiffs were forced to endure physical and mental suffering, and was thereby damaged in an amount yet to determined, but in an amount in excess of \$75,000.

554. Punitive damages are available against Commissioner Defendants and DPS Does for their reckless and callous disregard for Plaintiffs' rights and their intentional violations of the federal law, and are hereby claimed as a matter of federal common law, *Smith v. Wade*, 461 U.S. 30 (1983), and, as such, are not subject to the pleading requirements set forth in Minn. Stat. § 549.20.

555. Plaintiffs are entitled to recovery of their costs, including reasonable attorney fees, under 42 U.S.C. § 1988.

**COUNT V: COMMON LAW INVASION OF
PRIVACY**

(Against All Defendants)

556. Plaintiffs reaffirm and reallege the allegations in Paragraphs 1 through 555.

557. By improperly obtaining Plaintiffs' private personal information for impermissible reasons, Defendants intentionally intruded upon the solitude or seclusion of Plaintiffs' private affairs and concerns.

558. Defendants' intrusions would be highly offensive to a reasonable person.

559. Defendants' intrusions caused Plaintiffs to suffer severe emotional distress and physical harm.

560. Defendants' intrusions were intended to cause Plaintiffs to suffer severe emotional distress and physical harm, and were made with either actual or legal malice, or with reckless disregard of her rights and her privacy.

561. Plaintiffs are entitled to tort damages for Defendants' invasion of privacy.

JURY DEMAND

562. Plaintiffs demand a jury trial as to all issues of fact herein properly triable to a jury under any statute or under common law.

WHEREFORE, Jennifer Heglund and Jamie Heglund pray for judgment against the Defendants as follows:

1. A money judgment against all Defendants for liquidated, actual and compensatory damages in an amount in excess of seventy five thousand (\$75,000) dollars and punitive damages in an amount to be determined by the jury, together with their costs, including reasonable attorney fees, under 42 U.S.C. § 1988, the DPPA, and other applicable laws, and prejudgment interest;

2. Actual damages, punitive damages, attorneys' fees and other litigation costs and such other preliminary and equitable relief as the court determines to be appropriate under 18 U.S.C. § 2724(b);

3. Liquidated damages of at least \$2,500 for each violation of the DPPA under 18 U.S.C. § 2721(b)(1);

4. An injunction, permanently enjoining all Defendants from viewing Plaintiffs' private information in violation of the DPPA, unless necessary for law enforcement purposes;

5. An injunction, permanently and prospectively requiring Defendants to establish and implement all effective monitoring and investigative procedures to end this practice, discover and suspend permanently all accessing privileges to the violators; and to provide full disclosure to all potential claimants of the entities and persons who have violated their rights under the DPPA and the Constitution; and,

6. For such other and further relief as this Court deems just and equitable.

Dated: January 31, 2014

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***ATTORNEYS FOR PLAINTIFFS
JENNIFER HEGLUND AND JAMIE
HEGLUND***

Complaint Exhibit A – Jennifer Heglund Accesses

EsupportStation Name	EsupportPath	Access Day	Access Date
Aitkin Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	7/31/2005 5:18
Aitkin PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	7/21/2005 2:19
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/Demographics.asp	Fri	9/2/2005 10:27
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/CardData.asp	Wed	11/16/2005 14:11
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/CardData.asp	Wed	2/22/2006 15:37
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/Demographics.asp	Mon	3/6/2006 10:07
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/Demographics.asp	Thu	4/20/2006 11:22
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/Demographics.asp	Tue	11/21/2006 7:11

Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/CardData.asp	Sun	12/3/2006 19:45
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/CardData.asp	Sun	4/1/2007 18:15
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/CardData.asp	Thu	3/13/2008 15:04
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/CardData.asp	Thu	3/13/2008 15:08
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/CardData.asp	Thu	3/13/2008 15:08
Arrowhead Regional Corrections	/dvsinfo/dvsnewdl/CardData.asp	Tue	6/3/2008 13:58
ATF Fargo	/dvsinfo/dvsnewdl/Demographics.asp	Thu	1/25/2007 15:46
Babbitt PD	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Sun	7/20/2003 12:52
Babbitt PD	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Fri	1/2/2004 18:07
Babbitt PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	3/4/2005 11:13

Babbitt PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	3/4/2005 11:14
Babbitt PD	/dvsinfo/VH20/VH20Select.asp	Fri	3/4/2005 11:14
Babbitt PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	4/8/2005 11:30
Babbitt PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	4/11/2008 20:01
BCA	/dvsinfo/dvsnewdl/Demographics.asp	Fri	10/5/2007 12:48
Biwabik PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	6/7/2004 19:44
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	8/22/2005 12:12
Biwabik PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	10/15/2005 14:57
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Sat	10/15/2005 15:01
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	11/7/2005 11:20

Biwabik PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	12/14/2005 0:03
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	1/25/2006 12:54
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	5/15/2006 22:26
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	8/16/2006 19:00
Biwabik PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	8/23/2006 1:50
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	8/23/2006 1:50
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	10/11/2006 16:13
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Sun	4/8/2007 21:57
Biwabik PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	6/9/2009 5:18
Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	8/30/2006 21:00

Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	4/12/2007 15:13
Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	9/28/2007 0:53
Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	11/26/2007 0:13
Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	2/28/2008 18:19
Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Sat	5/10/2008 21:53
Breitung PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	5/12/2008 18:39
Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	5/12/2008 18:39
Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	7/22/2008 19:29
Breitung PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	8/5/2009 19:47
Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	12/10/2005 6:45

Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	12/17/2005 16:52
Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	4/14/2008 19:46
Chisholm PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	5/14/2008 11:26
Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	5/17/2008 14:13
Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	1/16/2009 18:47
Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	1/16/2009 18:47
Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	1/16/2009 18:48
Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	1/16/2009 18:48
Chisholm PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	1/16/2009 18:48
Chisholm PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	1/16/2009 18:49

Cloquet PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	10/13/2006 1:37
Cloquet PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	6/4/2008 8:45
Cloquet PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	6/25/2008 8:08
Cloquet PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	7/18/2008 15:26
Cook Co Sheriff	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Mon	11/24/2003 1:10
Cook Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	5/21/2007 18:41
Cook Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	5/21/2007 18:44
Cook PD	/dvsinfo/dvsnewdl/Demographics.asp	Sat	4/26/2008 23:07
Crow Wing Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	9/20/2007 12:03
Deer River PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	3/21/2006 18:02

District Courts	/dvsinfo/dvsnewdl/CardData.asp	Thu	4/21/2005 8:22
District Courts	/dvsinfo/dvsnewdl/Demographics.asp	Thu	4/21/2005 8:22
District Courts	/dvsinfo/dvsnewdl/Demographics.asp	Wed	5/25/2005 10:39
District Courts	/dvsinfo/dvsnewdl/Demographics.asp	Wed	1/19/2011 14:37
DNR	/dvsinfo/dvsnewdl/CardData.asp	Sun	3/4/2007 1:35
DNR	/dvsinfo/dvsnewdl/Demographics.asp	Sun	3/11/2007 10:07
DNR	/dvsinfo/dvsnewdl/CardData.asp	Sun	3/11/2007 10:09
DNR	/dvsinfo/dvsnewdl/Demographics.asp	Fri	3/16/2007 17:50
Douglas Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	6/3/2008 14:07
Duluth PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	10/28/2005 21:39

Duluth PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	10/28/2005 21:40
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	10/28/2005 21:45
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	12/28/2005 13:40
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	12/28/2005 13:41
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	2/27/2007 0:24
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	3/23/2007 9:22
Duluth PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	9/12/2007 14:36
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	11/10/2007 10:59
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Sun	4/27/2008 19:17
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	10/7/2008 6:58

Duluth PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	10/10/2008 22:11
Duluth PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	1/6/2009 2:06
Ely PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	10/30/2006 22:21
Emily PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	8/25/2005 12:10
Eveleth PD	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Sat	3/22/2003 21:03
Eveleth PD	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Thu	5/8/2003 4:30
Eveleth PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	7/5/2003 21:42
Eveleth PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	7/7/2003 4:39
Eveleth PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	7/8/2003 3:50
Eveleth PD		Thu	7/1/2004 13:28

Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	9/23/2004 7:57
Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	4/13/2005 14:10
Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	6/27/2005 11:55
Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	12/12/2005 8:09
Eveleth PD	/dvsinfo/VH20/VH20Select.asp	Mon	12/12/2005 8:10
Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	12/28/2005 9:43
Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	5/26/2006 7:14
Eveleth PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	10/31/2006 1:34
Eveleth PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	2/15/2007 10:03
Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	3/12/2007 10:40

Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Sat	4/14/2007 17:00
Eveleth PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	5/11/2007 16:07
Floodwood PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	4/5/2006 20:41
Forest Lake PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	9/11/2007 12:22
Gilbert PD	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Thu	2/13/2003 4:26
Gilbert PD	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Thu	11/13/2003 2:06
Gilbert PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	11/15/2003 16:28
Gilbert PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	1/3/2004 15:09
Gilbert PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	2/13/2004 2:52
Gilbert PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	8/24/2004 1:33

Gilbert PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	1/14/2005 19:08
Gilbert PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	2/11/2005 5:10
Gilbert PD	/dvsinfo/VH20/VH20Select.asp	Sat	2/26/2005 14:37
Gilbert PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	5/10/2005 2:35
Gilbert PD	/dvsinfo/dvsnewdl/Demographics.asp	Sat	10/15/2005 17:15
Gilbert PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	10/25/2005 22:51
Gilbert PD	/dvsinfo/dvsnewdl/Demographics.asp	Sun	11/27/2005 22:36
Gilbert PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	3/28/2006 20:50
Gilbert PD	/dvsinfo/dvsnewdl/Demographics.asp	Sat	9/30/2006 5:24
Grand Rapids PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	3/25/2010 11:32

Grand Rapids PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	3/25/2010 11:32
Grand Rapids PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	3/25/2010 11:32
Grand Rapids PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	3/25/2010 11:32
Grand Rapids PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	3/25/2010 11:32
Hennepin Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	9/26/2007 15:54
Hermantown PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	2/13/2007 10:16
Hermantown PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	5/30/2007 14:53
Hermantown PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	5/31/2007 18:06
Hermantown PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	5/27/2008 16:35
HIBBING Deputy Registrar	/dvsinfo/dvsnewdl/CardData.asp	Wed	5/4/2005 15:31

HIBBING Deputy Registrar	/dvsinfo/dvsnewdl/Demographics.asp	Wed	5/4/2005 15:34
HIBBING Deputy Registrar	/dvsinfo/VH20/VH20Select.asp	Wed	7/26/2006 12:41
HIBBING Deputy Registrar	/dvsinfo/VH20/VH20Select.asp	Wed	7/26/2006 12:41
HIBBING Deputy Registrar	/dvsinfo/dvsnewdl/Demographics.asp	Tue	4/22/2008 9:11
Hibbing Driver License Office	/dvsinfo/dloffline/DLOffLineSearchTar get.asp	Wed	5/4/2005 15:49
Hibbing Driver License Office	/dvsinfo/dv09/DV09.asp	Mon	12/17/2007 13:19
Hibbing Driver License Office	/dvsinfo/dv09/DV09.asp	Tue	4/22/2008 15:06
Hibbing Driver License Office	/dvsinfo/dloffline/DLOffLineSearchTar get.asp	Tue	9/1/2009 13:53
Hibbing Driver License Office	/dvsinfo/dv09/DV09.asp	Mon	7/26/2010 14:29
Hibbing Driver License Office	/dvsinfo/dv09/DV09.asp	Tue	7/10/2012 16:49

Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	10/28/2004 20:41
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	10/27/2005 13:19
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	8/4/2006 4:57
Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	8/4/2006 4:58
Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Sun	10/8/2006 4:14
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	11/29/2006 6:35
Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	2/26/2007 13:01
Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	3/21/2007 8:32
Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	3/21/2007 8:33
Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	3/21/2007 9:15

Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	4/5/2007 16:11
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	4/5/2007 16:11
Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	11/12/2007 6:45
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	11/23/2007 10:51
Hibbing PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	1/14/2008 4:09
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	4/1/2008 16:48
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	4/1/2008 16:56
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	5/2/2008 15:25
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Sun	6/22/2008 23:57
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	11/2/2009 10:48

Hibbing PD	/dvsinfo/VH20/VH20Select.asp	Mon	11/2/2009 10:49
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	11/2/2009 10:55
Hill City PD	/dvsinfo/dvsnewdl/Demographics.asp	Sat	3/10/2007 20:34
Hoyt Lakes PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	11/1/2005 17:05
Hoyt Lakes PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	6/24/2008 18:32
Hoyt Lakes PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	8/25/2008 17:48
Human Services	/dvsinfo/dvsnewdl/CardData.asp	Tue	12/6/2005 10:53
Human Services	/dvsinfo/dvsnewdl/CardData.asp	Fri	2/24/2006 16:16
Human Services	/dvsinfo/dvsnewdl/CardData.asp	Tue	4/7/2009 10:26
Human Services	/dvsinfo/dvsnewdl/CardData.asp	Tue	4/7/2009 10:26

Human Services	/dvsinfo/dvsnewdl/CardData.asp	Tue	4/7/2009 10:26
Human Services	/dvsinfo/dvsnewdl/CardData.asp	Tue	4/7/2009 10:27
International Falls PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	10/10/2007 10:25
International Falls PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	12/12/2007 15:29
Itasca Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	6/1/2007 15:24
Itasca Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	6/27/2007 0:34
Keewatin PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	12/9/2004 13:19
Keewatin PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	12/9/2004 13:20
Keewatin PD	/dvsinfo/dvsnewdl/CardData.asp	Sun	7/20/2008 2:55
Lake Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	6/4/2008 4:53

Lake Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sun	7/13/2008 6:42
Lake Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	12/27/2008 8:45
Lake Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	12/27/2008 8:46
Lake Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	12/27/2008 8:46
Lake Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	12/27/2008 8:46
Lake Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	12/27/2008 8:46
Leech Lake PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	6/12/2007 8:28
Leech Lake PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	12/14/2007 2:51
Maple Grove PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	1/25/2008 13:02
Maple Grove PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	4/9/2008 13:03

Maple Grove PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	4/9/2008 13:03
Maple Grove PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	4/9/2008 13:04
Minneapolis PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	3/10/2006 20:48
Minneapolis PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	4/27/2006 4:14
Minneapolis PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	4/27/2006 4:16
Minnesota Gang Strike Force Northeast	/dvsinfo/dvsnewdl/CardData.asp	Fri	2/2/2007 9:28
Nashwauk PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	12/5/2008 1:16
Norman Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	12/18/2007 17:04
Orono PD	/dvsinfo/dvsnewdl/Demographics.asp	Sun	9/17/2006 5:35
Orono PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	1/22/2009 2:45

Pine Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	6/26/2009 6:26
Ramsey Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	5/31/2005 13:54
Roseau PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	2/10/2006 23:19
Sartell PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	7/10/2007 12:58
Sartell PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	8/9/2007 14:28
Scott Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	11/13/2007 20:36
Sherburne Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	7/17/2007 12:31
Sherburne Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	7/17/2007 12:32
Sherburne Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	7/18/2007 11:36
Sherburne Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	1/29/2008 17:20

St James PD	/dvsinfo/dvsnewdl/CardData.asp	Tue	7/29/2003 0:13
St James PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	8/14/2006 19:28
St James PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	8/14/2006 19:29
St James PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	8/14/2006 19:29
St James PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	8/24/2006 4:29
St James PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	8/24/2006 4:30
St James PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	8/24/2006 4:30
St James PD	/dvsinfo/dvsnewdl/Demographics.asp	Sat	7/21/2007 5:22
St James PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	12/27/2007 3:51
St Louis Co Sheriff	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Fri	1/31/2003 15:40

St Louis Co Sheriff	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Tue	6/10/2003 10:49
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	6/17/2003 10:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Mon	6/30/2003 12:59
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	9/4/2003 15:39
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	1/6/2004 15:27
St Louis Co Sheriff	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Tue	2/24/2004 14:45
St Louis Co Sheriff	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Mon	3/29/2004 9:52
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	12/14/2004 5:19
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	12/31/2004 17:01
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	1/22/2005 7:47

St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	2/19/2005 18:02
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	3/18/2005 9:57
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	4/2/2005 19:00
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	4/2/2005 19:50
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	4/4/2005 5:12
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	5/1/2005 4:46
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	5/4/2005 15:22
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	5/4/2005 16:29
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	5/5/2005 10:15
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	5/9/2005 21:00

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	5/13/2005 1:30
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	5/14/2005 9:04
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	5/20/2005 10:25
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	5/20/2005 10:26
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	5/20/2005 10:28
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	5/22/2005 18:29
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	5/30/2005 20:40
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	7/26/2005 8:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	9/9/2005 10:57
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	9/16/2005 21:10

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	9/16/2005 21:11
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	10/16/2005 14:22
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	11/8/2005 21:38
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	11/23/2005 13:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	11/23/2005 13:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	12/27/2005 8:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	12/27/2005 8:45
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	12/27/2005 8:47
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sun	2/26/2006 5:59
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	2/26/2006 5:59

St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	5/11/2006 4:58
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	5/12/2006 15:19
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	5/12/2006 15:20
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	6/8/2006 9:43
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	6/16/2006 23:36
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	6/16/2006 23:38
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	6/17/2006 12:43
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	6/17/2006 21:50
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	7/20/2006 15:42
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	8/14/2006 10:24

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	8/24/2006 7:04
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	8/24/2006 13:33
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	8/28/2006 1:32
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	8/28/2006 1:33
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	8/28/2006 10:29
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	8/28/2006 10:35
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	8/28/2006 10:36
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	8/30/2006 20:38
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	9/8/2006 10:08
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	9/14/2006 13:23

St Louis Co Sheriff	/dvsinfo/VH20/VH20Select.asp	Wed	9/20/2006 12:13
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	9/20/2006 13:19
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	9/20/2006 13:21
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	10/5/2006 13:11
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	10/5/2006 13:18
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	10/21/2006 13:49
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	10/26/2006 10:24
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	11/9/2006 4:31
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	11/25/2006 5:24
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	12/9/2006 10:25

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	1/3/2007 14:43
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	1/17/2007 14:33
St Louis Co Sheriff	/dvsinfo/VH20/VH20Select.asp	Wed	1/17/2007 14:33
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sun	1/28/2007 10:38
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	1/31/2007 18:32
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	2/6/2007 1:54
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	2/7/2007 14:05
St Louis Co Sheriff	/dvsinfo/VH20/VH20Select.asp	Tue	2/13/2007 14:08
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	2/13/2007 14:09
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	2/26/2007 8:18

St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	2/26/2007 9:04
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	2/26/2007 9:05
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	2/26/2007 11:03
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	2/26/2007 11:03
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	2/26/2007 11:10
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	3/26/2007 23:58
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	4/16/2007 13:50
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	4/24/2007 9:45
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	5/7/2007 15:20
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	5/20/2007 19:12

St Louis Co Sheriff	/dvsinfo/VH20/VH20Select.asp	Sun	5/20/2007 19:12
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	5/20/2007 19:13
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sun	5/27/2007 15:17
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	5/29/2007 4:31
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	6/6/2007 12:10
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	6/6/2007 12:11
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	6/30/2007 1:52
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	9/5/2007 16:08
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	9/19/2007 18:35
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	10/4/2007 9:17

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	10/27/2007 3:31
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	11/5/2007 23:04
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	11/20/2007 13:33
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	11/27/2007 16:52
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	12/10/2007 4:40
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	4/14/2008 19:43
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	4/14/2008 19:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	4/20/2008 22:10
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	4/29/2008 16:43
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	5/7/2008 17:16

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	5/7/2008 18:04
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	5/22/2008 23:09
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	5/22/2008 23:10
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	6/7/2008 0:29
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	6/22/2008 19:34
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	7/11/2008 16:04
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	7/31/2008 3:23
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	7/31/2008 3:36
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	9/11/2008 5:21
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	9/11/2008 5:21

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	9/11/2008 5:21
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	10/9/2008 22:38
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	10/9/2008 22:41
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	1/17/2009 8:25
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	1/28/2009 13:54
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	1/28/2009 13:54
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Wed	1/28/2009 13:54
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	2/14/2009 13:05
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	2/14/2009 13:05
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	2/14/2009 13:05

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	2/14/2009 13:06
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	6/25/2009 12:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	6/25/2009 12:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	6/25/2009 12:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	6/25/2009 13:33
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	6/25/2009 17:27
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	6/27/2009 14:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	6/27/2009 14:45
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	6/27/2009 14:45
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	6/27/2009 14:45

St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	9/30/2009 9:30
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	10/9/2009 1:37
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	10/16/2009 12:42
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	11/19/2009 17:19
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	2/1/2010 6:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	2/1/2010 6:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Mon	2/1/2010 6:44
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	2/25/2010 1:27
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	2/25/2010 1:27
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	2/25/2010 1:28

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	2/25/2010 1:28
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Thu	2/25/2010 1:28
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	3/6/2010 21:59
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	3/23/2010 10:23
St Louis Co Sheriff	/dvsinfo/VH20/VH20Select.asp	Tue	3/23/2010 10:23
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	3/23/2010 10:24
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	5/3/2010 12:51
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	6/8/2010 15:29
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	6/8/2010 15:30
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	12/30/2010 15:43

St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	4/26/2011 9:31
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	6/5/2012 7:21
ST LOUIS PARK Deputy Registrar	/dvsinfo/dvsnewdl/Demographics.asp	Fri	9/15/2006 14:33
St Paul PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	5/30/2005 14:33
St Paul PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	1/12/2006 16:07
State Patrol	/DvsInfo/dvsnewdl/RecordsDisplay.asp	Sun	6/29/2003 21:00
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sat	2/12/2005 6:10
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sat	3/12/2005 9:43
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Thu	4/21/2005 1:14
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Thu	5/5/2005 1:42

State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sun	7/31/2005 22:30
State Patrol	/dvsinfo/dvsnewdl/CardData.asp	Sat	8/27/2005 13:21
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sat	8/27/2005 13:21
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sat	9/17/2005 16:56
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Tue	1/10/2006 15:40
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Tue	2/28/2006 1:15
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Tue	3/14/2006 6:47
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Mon	4/3/2006 1:32
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Wed	4/19/2006 12:27
State Patrol	/dvsinfo/dvsnewdl/CardData.asp	Sun	5/7/2006 22:01

State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Tue	6/6/2006 12:53
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sun	9/10/2006 12:19
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sun	9/10/2006 12:20
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Tue	10/31/2006 12:19
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Fri	11/3/2006 16:23
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Thu	12/28/2006 11:41
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Wed	2/21/2007 13:42
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Wed	2/21/2007 13:43
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Mon	4/30/2007 10:13
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sat	7/7/2007 8:58

State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Tue	7/17/2007 7:41
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Tue	7/17/2007 9:17
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Wed	7/18/2007 6:13
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Mon	7/30/2007 1:18
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Thu	8/9/2007 17:46
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Tue	8/14/2007 12:42
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Fri	8/31/2007 1:28
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sat	11/24/2007 22:09
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Sat	9/6/2008 20:45
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Wed	11/19/2008 17:34

State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Wed	11/19/2008 17:35
Two Harbors PD	/dvsinfo/dvsnewdl/Demographics.asp	Mon	10/9/2006 12:21
Two Harbors PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	4/15/2009 6:45
Two Harbors PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	4/15/2009 6:46
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Mon	5/28/2007 22:00
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	6/13/2007 11:26
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	6/20/2007 20:13
Virginia PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	12/4/2007 0:43
Virginia PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	12/4/2007 3:51
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Wed	1/16/2008 1:43

Virginia PD	/dvsinfo/dvsnewdl/Demographics.asp	Fri	4/18/2008 15:07
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Sat	5/10/2008 23:39
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Sun	6/1/2008 17:44
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	10/10/2008 20:08
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Fri	5/29/2009 17:32
Virginia PD	/dvsinfo/dvsnewdl/Demographics.asp	Wed	7/22/2009 7:53
Virginia PD	/dvsinfo/dvsnewdl/CardData.asp	Thu	11/15/2012 13:19
Washington Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	8/14/2007 17:32
Winona Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	3/23/2006 4:30

Complaint Exhibit B – Jamie Heglund Accesses

EsupportStationName	EsupportPath	Access Day	AccessDate
Cook PD	/dvsinfo/dvsnewdl/RecordsDisplay.asp	Fri	10/10/2003 23:40
Hermantown PD	/dvsinfo/dvsnewdl/Demographics.asp	Tue	5/29/2007 11:30
Hibbing PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	11/8/2007 13:44
Human Services	/dvsinfo/dvsnewdl/CardData.asp	Wed	10/25/2006 11:10
Human Services	/dvsinfo/dvsnewdl/CardData.asp	Fri	4/16/2010 11:52
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Tue	12/12/2006 8:50
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	5/13/2007 21:30
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sun	5/13/2007 21:31

St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	5/25/2007 19:38
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	5/25/2007 19:39
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	5/31/2007 16:11
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Mon	6/18/2007 14:17
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	8/17/2007 16:29
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	1/24/2008 10:55
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	10/28/2008 15:06
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	11/5/2008 10:45
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Wed	11/5/2008 11:33
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	1/16/2009 12:26

St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Sat	1/17/2009 6:53
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	1/22/2009 16:20
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	1/22/2009 16:21
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	8/28/2009 15:57
St Louis Co Sheriff	/dvsinfo/dvsnewdl/CardData.asp	Fri	8/28/2009 15:58
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	10/2/2009 9:13
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Thu	11/19/2009 17:19
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Fri	2/26/2010 10:01
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sun	3/14/2010 10:56
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	6/8/2010 15:31

St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Sat	10/30/2010 19:01
St Louis Co Sheriff	/dvsinfo/dvsnewdl/Demographics.asp	Tue	4/26/2011 9:32
State Patrol	/dvsinfo/dvsnewdl/Demographics.asp	Mon	6/11/2007 6:27
State Patrol	/dvsinfo/dvsnewdl/CardData.asp	Mon	6/11/2007 8:09
Virginia PD	/dvsinfo/dvsnewdl/Demographics.asp	Thu	12/20/2007 11:28