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For release: July 31, 2003

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Arapahoe County files motion with Court of Appeals today *County asks Court for clarification and reconsideration of e-mail case opinion*

ARAPAHOE COUNTY, CO. ---- Arapahoe County filed a motion for a rehearing with the Appeals Court today asking for clarification and reconsideration of several issues of the Court's opinion in the case involving the release of 622 e-mails exchanged between Clerk and Recorder Tracy K. Baker and his girlfriend, who remains his number two in command.

The County is seeking clarification of the Court's directions to the trial court in order to avoid confusion when the case is heard on remand, and to reduce the possibility of further appeal.

Specifically, the County is asking the Court to reconsider its decision not to release e-mails just because they are found in the sexual harassment report since those same e-mails also exist in a separate document independent of the sexual harassment report.

The County also is unclear about the release of "work-related e-mails" and is seeking clarification with the Court in regard to the status of these e-mails.

Finally, the County respectfully requests the Court reconsider its ruling that Baker and Leesa Sale had any privacy interest that prevents disclosure of the e-mails because in situations where the employer reserves the right to monitor, review and disclose e-mails, as Arapahoe County did, other court decisions usually have found there was no expectation of privacy.

Attorneys for the *Rocky Mountain News* have told the County that they will be joining the petition.

A copy of the County's six-page motion for reconsideration is available through our web site at www.co.arapahoe.co.us under *County News*.
