

Colorado Supreme Court 101 West Colfax Avenue, Suite 800 Denver, CO 80202	
Original Proceeding Pursuant to §1-40-107 (2), C.R.S.(2011) Appeal from the Ballot Title Board	
In the Matter of the Title, Ballot Title, and Submission Clause for Proposed Initiative 2011-2012, #45, Petitioner: Douglas Kemper, as registered elector of the State of Colorado, v. Respondents: Richard G. Hamilton and Phillip Doe, Proponents, and Title Board: William A. Hobbs, Jason Gelender, and Daniel Domenico.	Supreme Court Case No: 2012SA22
ORDER OF COURT	

The Court has reviewed the file and notes that Respondent Richard Hamilton filed both an opening and an answer brief on February 6, 2012, and that he purported to file the brief on behalf of himself and Respondent Phillip Doe.

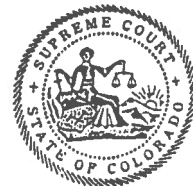
However, because Mr. Hamilton does not appear to be an attorney, he may not file briefs or other pleadings on behalf of Mr. Doe. *See* § 12-5-101, C.R.S. 2011; *Denver Bar Ass'n v. Pub. Utils. Comm'n*, 154 Colo. 273, 391 P.2d 467 (1964); *Marriage of Kanefsky*; 260 P.3d 327 (Colo. App. 2010). Accordingly, both

briefs are STRICKEN. If Respondents intend to proceed pro se, they may either file a joint opening brief, provided both Mr. Hamilton and Mr. Doe sign the brief, or they may file separate opening briefs.

The Court notes that Mr. Hamilton's answer brief is premature. On January 23, 2012, this Court issued a briefing schedule providing that the parties may file simultaneous opening briefs on or before February 13, 2012, and that, within twenty days after the opening briefs have been filed, the parties may file simultaneous answer briefs. This order does not allow each party to simultaneously file an opening and an answer brief. Rather, the order sets simultaneous briefing deadlines requiring that all parties file their respective opening briefs simultaneously (on or before February 13, 2012), and that all parties file their respective answer briefs within twenty days after the opening briefs have been filed.

The court ORDERS that, consistent with the January 23, 2012 order, Respondents (whether jointly or separately) may file an answer brief that responds to the arguments raised in the opposing parties' opening briefs within twenty days after those briefs have been filed. However, Mr. Hamilton may not file an answer brief on behalf of Mr. Doe.

BY THE COURT, FEBRUARY 8, 2012.



Case Number: 2012SA22

Caption: Kemper, Douglas v Hamilton, Richard

CERTIFICATE OF SERVICE

Copies mailed via the State's Mail Services Division on February 8, 2012.

Alix L Joseph
BURNS FIGA & WILL PC
6400 South Fiddlers Green Circle
Suite 1000
Greenwood Village, CO 80111

Maurice G Knaizer
OFFICE OF THE ATTORNEY
GENERAL
1525 Sherman Street, 7th Floor
Denver, CO 80203

Phillip Doe, Proponents
7140 S. Depew Street
Littleton, CO 80128

Richard G Hamilton
531 Front Street
PO Box 156
Fairplay, CO 80440-0156

Sarah M Shechter
BURNS FIGA & WILL, PC
6400 S. Fiddlers Green Circle
Greenwood Village, CO 80111

Stephen H Leonhardt
BURNS FIGA & WILL, P.C.
6400 Fiddlers Green Cir, #1000
Greenwood Village, CO 80111