

DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO 1437 Bannock Street Denver, CO 80202	Δ COURT USE ONLY Δ
Petitioners: NORMA ANDERSON, MICHELLE PRIOLA, CLAUDINE CMARADA, KRISTA KAUFER, KATHI WRIGHT, and CHRISTOPHER CASTILIAN v. Respondents: JENA GRISWOLD, in her official capacity as Colorado Secretary of State, and DONALD J. TRUMP and Intervenors: COLORADO REPUBLICAN STATE CENTRAL COMMITTEE and DONALD J. TRUMP	
ORDER RE: ANTI-SLAPP EVIDENTIARY ISSUES	

This matter is before the Court *sua sponte*.

At the Court's September 22, 2023, hearing the Court specifically ordered the Petitioners to outline why the evidence attached to the anti-SLAPP response was admissible. The Petitioners did just that in Appendix 1. The Court further ordered then-Respondent Donald J. Trump to respond to any evidence attached to the anti-SLAPP response that he believed was inadmissible. Instead, now-Intervenor Trump simply noted in a footnote the following:

President Trump will be filing, next week, motions *in limine* and Rule 702 motions to prohibit inadmissible evidence that Petitioners seek to introduce. He also will

object at the hearing to the introduction of evidence not addressed in those motions as well. Those are all incorporated herein by reference.

This is not workable. First, the motion *in limine* briefing is meant to cover any evidence that was not used in the anti-SLAPP response. It is not meant to cover evidence that the Petitioners included in their response to the anti-SLAPP motion. This is because the motion *in limine* briefing will not be complete until October 27, 2023, the last business day before the October 30, 2023, hearing. This will not leave the Court ample time to review all the evidentiary issues in this case prior to the October 30, 2023 hearing. Second, the Petitioners have provided Intervenor Trump with information as to why they believe the evidence referenced in their anti-SLAPP response is admissible. Therefore, Petitioners are also entitled to know Intervenor Trump's position on why the evidence is inadmissible by the deadline the Court already provided.

The Court therefore orders Intervenor Trump to respond to Appendix 1 on or before October 13, 2023. The Court further advises that the motions *in limine* should address all foreseeable evidentiary issues other than those related to the anti-SLAPP response. The Court does not intend to address for the first time during the October 30, 2023 hearing evidentiary issues that could be flagged and briefed in advance.

DATED: October 10, 2023.

BY THE COURT:



Sarah B. Wallace
District Court Judge