

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO

1437 Bannock St.
Denver, CO 80203

DATE FILED: October 20, 2023 4:05 PM

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

Intervenor:

COLORADO REPUBLICAN STATE CENTRAL
COMMITTEE, and DONALD J. TRUMP.

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Attorneys for Petitioners:

Mario Nicolais, Atty. Reg. # 38589
KBN Law, LLC
7830 W. Alameda Ave., Suite 103-301
Lakewood, CO 80226
Phone: 720-773-1526
Email: mario@kbnlaw.com

Martha M. Tierney, Atty. Reg. # 27521
Tierney Lawrence Stiles LLC
225 E. 16th Ave., Suite 350
Denver, CO 80203
Phone: 303-356-4870
Email: mtierney@tls.legal

Eric Olson, Atty. Reg. # 36414
Sean Grimsley, Atty. Reg. # 36422
Jason Murray, Atty. Reg. # 43652
Olson Grimsley Kawanabe Hinchcliff & Murray LLC
700 17th Street, Suite 1600
Denver, CO 80202
Phone: 303-535-9151

Case Number: 2023CV032577

Division/Courtroom: 209

Email: eolson@olsongrimsley.com
Email: sgrimsley@olsongrimsley.com
Email: jmurray@olsongrimsley.com

Donald Sherman*
Nikhel Sus*
Jonathan Maier*
Citizens for Responsibility and Ethics in Washington
1331 F Street NW, Suite 900
Washington, DC 20004
Phone: 202-408-5565
Email: dsherman@citizensforethics.org
Email: nsus@citizensforethics.org
Email: jmaier@citizensforethics.org

**Pro hac vice* admission pending

**JOINT RESPONSE TO THE COURT'S TOPICS FOR THE OCTOBER 30, 2023,
HEARING**

The Parties met and conferred about the Court's identified topics on October 19, 2023. The Parties agree with the Court's topics.

Petitioners statement: Because the questions related to Section 3 of the Twentieth Amendment and the 2022 revisions to 3 U.S.C. § 15 implicate legal issues, Petitioners propose addressing those topics through a short supplemental brief filed on Wednesday. If, after reading that brief, the Court would still like testimony, Petitioners will do their best to call a witness to provide testimony.

Intervenors statement: Each Intervenor proposes one or two additional topics for the hearing to cover, and for ease of review, these topics are placed at the end of the Court's identified topics below:

1. How often and on what basis does the Secretary of State exclude candidates based on constitutional deficiencies?
2. The process for drafting and approving the Major Party Candidate and Statement of Intent and who can revise or edit it?
3. The meaning and historical application of Section 3 of the Twentieth Amendment.
4. The 2022 revisions to 3 U.S.C. § 15.
5. The history and application of Section 3 of the Fourteenth Amendment.
6. Is Section 3 of the Fourteenth Amendment self-executing?
7. Does Section 3 of the Fourteenth Amendment apply to Presidents?

8. The meaning of “engaged” and “insurrection” as used in Section 3 of the Fourteenth Amendment.
9. Did Intervenor Trump’s actions meet the standard set forth in Section 3 of the Fourteenth Amendment?

Intervenor Trump’s proposed additions:

10. The standard of proof that applies to this case.
11. Whether the word “engage” under Section Three requires specific intent.

Intervenor Colorado Republican Central Committee’s proposed addition:

12. Whether the Petitioners’ requested relief would violate the First Amendment.

Date: October 20, 2023

Respectfully submitted,

/s/ Eric Olson

Eric Olson, Atty. Reg. # 36414
Sean Grimsley, Atty. Reg. # 36422
Jason Murray, Atty. Reg. # 43652
Olson Grimsley Kawanabe Hinchcliff & Murray LLC
700 17th Street, Suite 1600
Denver, CO 80202
Phone: 303-535-9151
Email: eolson@olsongrimsley.com
Email: sgrimsley@olsongrimsley.com
Email: jmurray@olsongrimsley.com

Mario Nicolais, Atty. Reg. # 38589
KBN Law, LLC
7830 W. Alameda Ave., Suite 103-301
Lakewood, CO 80226
Phone: 720-773-1526
Email: Mario@kbnlaw.com

Martha M. Tierney, Atty. Reg. # 27521
Tierney Lawrence Stiles LLC
225 E. 16th Ave., Suite 350
Denver, CO 80203
Phone: 303-356-4870
Email: mtierney@tls.legal

Donald Sherman*
Nikhel Sus*
Jonathan Maier*
Citizens for Responsibility and Ethics in Washington

1331 F Street NW, Suite 900
Washington, DC 20004
Phone: 202-408-5565
Email: dsherman@citizensforethics.org
Email: nsus@citizensforethics.org
Email: jmaier@citizensforethics.org
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Counsel for Petitioners

CERTIFICATE OF SERVICE

I served this document on October 20, 2023, by Colorado Courts E-filing and/or via electronic mail as follows:

Michael T. Kotlarczyk
Grant T. Sullivan
Colorado Attorney General's Office
mike.kotlarczyk@coag.gov
grant.sullivan@coag.gov

Attorneys for Secretary of State Jena Griswold in her official capacity as Colorado Secretary of State

Scott E. Gessler
Geoffrey N. Blue
Justin T North
Gessler Blue LLC
gblue@gesslerblue.com
jnorth@gesslerblue.com
sgessler@gesslerblue.com

Jonathan Shaw
Mark P. Meuser
Dhillon Law Group, Inc.
jshaw@dhillonlaw.com
mmeuser@dhillonlaw.com

Attorneys for Donald J. Trump

Michael William Melito
Melito Law LLC
melito@melitolaw.com

Robert Alan Kitsmiller
Podoll & Podoll, P.C.
bob@podoll.net

Benjamin Sisney
Nathan J. Moelker
Jordan A. Sekulow
Jay Alan Sekulow
Jane Raskin
Stuart J. Roth
American Center for Law and Justice
bsisney@aclj.org
nmoelker@aclj.org
jordansekulow@aclj.org

sekulow@aclj.org
jraskin@raskinlaw.com
sroth@aclj.org

Andrew J. Ekonomou
aekonomou@outlook.com

Attorneys for Colorado Republican State Central Committee

/s/ Eric Olson
Counsel for Petitioners