

<p><b>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO</b>  1437 Bannock St.  Denver, CO 80203</p>	<p>DATE FILED: October 20, 2023 6:15 PM</p>
<p><b>Petitioners:</b>  NORMA ANDERSON, MICHELLE PRIOLA,  CLAUDINE CMARADA, KRISTA KAUFER,  KATHI WRIGHT, and CHRISTOPHER  CASTILIAN,</p> <p>v.</p> <p><b>Respondents:</b>  JENA GRISWOLD, in her official capacity as  Colorado Secretary of State, and  DONALD J. TRUMP,</p> <p>and</p> <p><b>Intervenor:</b>  COLORADO REPUBLICAN STATE CENTRAL  COMMITTEE, and DONALD J. TRUMP.</p>	<p>▲ COURT USE ONLY ▲</p>
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\**Pro hac vice* admission pending

**PETITIONERS' BRIEF ON MAJOR EVIDENTIARY ISSUES**

Petitioners have not asserted any objections to Trump's exhibit list, as objections in a bench trial should be used sparingly. Petitioners received the State Party's preliminary exhibit list belatedly—it was due Monday October 16, but Petitioners did not receive it until after 5 p.m. on Friday October 20. For that reason, Petitioners have not yet been able to determine whether they object to any of the State Party's exhibits, but will do so early next week.

Most of the objections to Petitioners' evidence do not warrant serious pre-trial consideration. Trump has filed a motion in limine seeking to exclude 144 of the 150 exhibits on Petitioners' exhibit list. The vast majority of these objections are cursory and easily disposed of for the reasons explained in Petitioners' opposition brief filed today. Trump and the State Party have also collectively filed motions to exclude the testimony of one of Petitioners' fact witnesses and all of Petitioners' expert witnesses. These motions are both substantively meritless and unnecessary to decide prior to hearing from the witnesses themselves, given that this is a bench trial.

However, Petitioners request that the Court provide guidance before trial on two evidentiary issues: (1) the admissibility of excerpted findings from the January 6 Committee Report (P78) and associated video exhibits from that Report (Ex. P80-81, P88-96, P109-110, P119-122), *see* Petrs' Anti-SLAPP Opp. App'x 1 & Petrs' MIL Opp. § I, II(B)-(C); and (2) the admissibility of transcribed interviews of certain witnesses who gave testimony before the January 6 Committee (Exs. P75-76, P97, P116), *see* Petrs' MIL Opp. § II(D). Early guidance on these issues will assist in the efficient presentation of evidence at trial. Petitioners' counsel are available next week at the Court's convenience should the Court desire argument on these or other issues before trial.

Date: October 20, 2023

Respectfully submitted,

/s/ Jason Murray

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## CERTIFICATE OF SERVICE

I served this document on October 20, 2023, by Colorado Courts E-filing and/or via electronic mail upon all parties and their counsel:

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