

<b>DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO</b> 1437 Bannock Street Denver, CO 80202	<b>Δ COURT USE ONLY Δ</b>
<b>Petitioners:</b> NORMA ANDERSON, MICHELLE PRIOLA, CLAUDINE CMARADA, KRISTA KAUFER, KATHI WRIGHT, and CHRISTOPHER CASTILIAN  <b>v.</b>  <b>Respondents:</b> JENA GRISWOLD, in her official capacity as Colorado Secretary of State, and DONALD J. TRUMP  <b>and</b>  <b>Intervenor:</b> COLORADO REPUBLICAN STATE CENTRAL COMMITTEE and DONALD J. TRUMP	
<b>ORDER GRANTING REQUESTS FOR EXPANDED MEDIA COVERAGE AND ORDERING POOLING ARRANGEMENTS</b>	

**THIS MATTER** comes before the Court on Requests for Expanded Media Coverage, filed by Law360, Lawfare, Colorado Newsline, Law & Crime Trial Network (“Law&Crime”), Associated Press (“AP”), CBS News Colorado (“CBS”), Cable News Network (“CNN”), Colorado Public Radio (“CPR”), and the New York Times (“NYT”) (collectively, “Requestors”). The Court, having reviewed the Requests and otherwise being sufficiently advised, hereby FINDS and ORDERS as follows:

**STANDARDS FOR AUTHORIZING COVERAGE**

Pursuant to Chapter 38, Rule 3(a)(2) of the Colorado Court Rules,

In determining whether expanded media coverage should be permitted, a judge shall consider the following factors:

- (A) Whether there is a reasonable likelihood that expanded media coverage would interfere with the rights of the parties to a fair trial;
- (B) Whether there is a reasonable likelihood that expanded media coverage would unduly detract from the solemnity, decorum and dignity of the court; and
- (C) Whether expanded media coverage would create adverse effects which would be greater than those caused by traditional media coverage.

### ANALYSIS

Requestors are seeking expanded media coverage of the Hearing in this case scheduled to begin October 30, 2023. The Court finds expanded media coverage is appropriate for Requestors in this case, so long as they strictly adhere to all the parameters outlined below. The Court expects full compliance with all applicable restrictions and notes this Order authorizes expanded media coverage **only** of the Hearing scheduled to occur from October 30, 2023 to November 3, 2023 in this case.

In accordance with Chapter 38, Rule 3(a)(4),

A judge may restrict or limit expanded media coverage as may be necessary to preserve the dignity of the court or to protect the parties, witnesses, or jurors. A judge may terminate or suspend expanded media coverage at any time upon making findings of fact that: (1) rules established under this Rule or additional rules imposed by the judge have been violated; or (2) substantial rights of individual participants or rights to a fair trial will be prejudiced by such coverage if it is allowed to continue.

Therefore, the Court may further restrict and/or revoke the expanded media coverage authorized in this case beyond the restrictions outlined below. Additionally, any inappropriate actions not permitted by this order which disrupt the proceedings may result in expulsion from the Courtroom and/or other legal sanctions, including contempt of court.

### *Virtual Webex Courtroom*

All Requestors except Colorado Newsline seek some form of expanded media coverage as it relates to the Webex Courtroom. Expanded media coverage conducted over Webex is minimally disruptive to the proceedings occurring in the Courtroom. As such, the Court finds that expanded media coverage over Webex for the Hearing set to begin October 30, 2023 is appropriate and will be permitted for all of the Requestors

(defined above). However, individuals conducting expanded media coverage over Webex should still conduct themselves in a manner consistent with the decorum and dignity of the courtroom as if conducting expanded media coverage in person.

### *In-Person Courtroom*

In addition to the expanded media coverage requests of the proceedings over Webex, the Court has also received requests for in-person expanded media coverage of the proceedings from Colorado Newslite, AP, CBS, CNN, and CPR. Colorado Newslite, CBS, CNN, and CPR have requested in-person audio recording; CBS and CNN have requested in-person video recording; and AP and CNN have requested in-person still photography. Unlike expanded media coverage conducted over Webex, in-person expanded media coverage obviously poses a greater risk of disrupting the solemnity of the proceedings in the Courtroom. There is a high level of public interest in these proceedings, and space in the Courtroom is limited. Furthermore, pursuant to Chapter 38, Rule 3(a)(5)(A) of the Colorado Court Rules, only one video camera and one still photography camera are permitted in the Courtroom during proceedings. Therefore, the Court will limit in-person expanded media coverage to one audio feed recording, one video feed recording, and one still photographer. The video feed recording will also be permitted to record audio as part of the video feed recording. Colorado Newslite, AP, CBS, CNN, and CPR should work out among themselves who will be responsible for setting up and collecting this coverage and should inform the Court of who will be responsible for each form of in-person expanded media coverage no later than 5:00 p.m. on October 27, 2023. Whichever groups are responsible for conducting the in-person media coverage will be required to pool their resulting product with all other Requestors who have made a request for in-person media coverage.

Any in-person expanded media coverage will be expected to adhere to the rules of the Court and conduct themselves in a manner which honors the decorum and dignity of the Courtroom. As stated above, any inappropriate attempts to disrupt the proceedings may result in expulsion from the Courtroom and/or other legal sanctions, including contempt of court.

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Accordingly, the Court hereby **GRANTS** Law360, Lawfare, Colorado Newslite, Law&Crime, AP, CBS, CNN, CPR, and NYT's Requests for Expanded Media Coverage of the Hearing scheduled to begin October 30, 2023 in this case, subject to the terms and conditions of Chapter 38, Rule 3 of the Colorado Court Rules and the restrictions detailed in this Order. Service of this Order to the media groups will be made by email to the

addresses provided in the requests. Finally, because this Hearing is scheduled to begin on a Monday, the Court will not be entertaining any expanded media coverage requests that are filed after 8:00 a.m. on Friday, October 27, 2023. The Court will address any other requests made prior to this deadline in a separate Order.

DATED: October 25, 2023.

BY THE COURT:



Sarah B. Wallace  
District Court Judge