

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO

1437 Bannock St.
Denver, CO 80203

DATE FILED: November 10, 2023 3:53 PM

Petitioners:

NORMA ANDERSON, MICHELLE PRIOLA,
CLAUDINE CMARADA, KRISTA KAUFER,
KATHI WRIGHT, and CHRISTOPHER
CASTILIAN,

v.

Respondent:

JENA GRISWOLD, in her official capacity as
Colorado Secretary of State,

and

Intervenors:

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

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**Appearing pro hac vice*

**PETITIONERS' RESPONSE TO COLORADO REPUBLICAN STATE CENTRAL
COMMITTEE'S NOTICE OF SUPPLEMENTAL AUTHORITY**

The Minnesota Supreme Court's decision in *Growe v. Simon* addresses two matters before this Court.

First, Petitioners here assert that Colorado law requires the Secretary of State to exclude constitutionally ineligible candidates from the presidential primary ballot. *Growe* reviewed *Minnesota* law and found that it did not have a similar requirement but, instead, the political parties “alone determine which candidates will be on the party's ballot.” *Id.* at 3 (quoting *De La Fuente v. Simon*, 940 N.W.2d 477, 492 (Minn. 2020)). The *Growe* court held that, in Minnesota, “there is no state statute that prohibits a major political party from placing on the presidential nomination primary ballot . . . a candidate who is ineligible to hold office.” *Id.* at 2-3. This differs from the Colorado procedure, as explained by testimony from Ms. Rudy, where under Colorado law the Secretary of State excludes constitutionally ineligible candidates from the ballot. 11/1/23 Tr. 99:11-16; 105:5-12.

Second, the Minnesota Supreme Court held that the petitioners there had standing to bring a challenge to Trump's inclusion on the primary ballot and that “petitioners' other claims regarding

the general election are not ripe.” *Id.* at 3. The State Party’s claim that the Court held “that plaintiffs lacked standing to disqualify President Trump from the November 5, 2024, general election” is not accurate. Notice ¶1. The Court instead held that its dismissal was “without prejudice as to petitioners bringing a petition raising their claims as to the general election” if those claims became ripe. *Grove* at 3.

Date: November 10, 2023 Respectfully submitted,

/s/ Eric Olson

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