DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, Colorado 80202 Phone Number: (720) 865-8301	DATE FILED: October 4, 2021 10:58 AM FILING ID: F788AC89E0292 CASE NUMBER: 2020CV34319
ERIC COOMER, Ph.D., Plaintiff Vs. DONALD J. TRUMP FOR PRESIDENT, INC., et al., Defendants.	▲ COURT USE ONLY ▲
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DTR, Inc.'s Reply to Special Motion to Dismiss Pursuant to C.R.S. § 13-20-1101

Defendant Defending the Republic, Inc. (hereinafter "DTR, Inc."), by and through undersigned counsel, submits the following Reply to the Special Motion to Dismiss pursuant to C.R.S. § 13-20-1101. Pursuant to C.R.C.P. 10(c), DTR, Inc. incorporates the replies of Sidney Powell and Sidney Powell, P.C. and all the other defendants.

Plaintiff sued DTR, Inc. based on the theory of vicarious liability for the alleged acts of Defendants Sidney Powell and Sidney Powell, P.C. ("Powell"). *First Amended Complaint, ¶ 14, fn 4* ("Defending the Republic is vicariously liable for Powell's tortious conduct described herein"). This is Plaintiff's sole basis for liability against DTR, Inc. DTR, Inc. cannot be vicarious liable for Ms. Powell's statements because the statements were all made before DTR, Inc. existed as a legal entity.

Further, the motion to dismiss must be granted as to Sidney Powell and Sidney Powell P.C. and therefore, as to DTR, Inc. as well. Powell discussed an issue of national importance—specifically within the scope and intent of protection provided under the Anti-Slapp law. She had good reason to rely on the sworn affidavit of Joe Oltmann and the interview she had seen of him; her remarks about Dr. Coomer were true and there is no evidence of malice. Even without Dr. Coomer's stunning recent admissions, Powell had every reason and right to rely on Dr. Oltmann's sworn testimony and significant other information that corroborated it at the time, and which continues to support it. Indeed, lawyers regularly and routinely rely on sworn affidavits and witness interviews in support of complaints. Of course, a complaint is not even required to be verified. Allegations can be made "on information and belief." Here, Powell went to great lengths to verify that the information she communicated was accurate. Nothing more was required, and the Colorado Anti-Slapp statute protects Powell and DTR, Inc. from Dr. Coomer's retaliatory and specious litigation. *Trinity Risk Mgmt., LLC v. Simplified Labor Staffing Sols., Inc.*, 273 Cal. Rptr. 3d 831 (Cal. Ct. App. 2021), *review denied* (Apr. 21, 2021).

A. Objection to Inadmissible Evidence

DTR, Inc. objects to all of Plaintiff's exhibits and tendered use of entire deposition transcripts and news articles without regard to obvious hearsay, relevance, and other objections. DTR, Inc. incorporates by reference pursuant to C.R.C.P. 10(c) all evidentiary objections raised by other defendants against Plaintiff's evidentiary tender.

B. DTR, Inc. cannot be vicariously liable for Ms. Powell's statements because the statements were all spoken before DTR, Inc. existed as a legal entity.

"A corporation can only act through its agents." *Dallas Creek Water Co. v. Huey,* 933 P.2d 27, 47 (Colo.1997); *Colorado Coffee Bean, LLC v. Peaberry Coffee Inc.,* 251 P.3d 9, 29

(Colo. App. 2010), *as modified on denial of reh'g* (Apr. 1, 2010). However, "one cannot act as the agent of a nonexistent principal." *Coopers & Lybrand v. Fox*, 758 P.2d 683, 685 (Colo. App. 1988). Individuals cannot act as the representatives of a corporation that has not yet been created; "there can be no representative or agent of a person not in esse." *Miser Gold Mining & Milling Co. v. Moody*, 86 P. 335 (Colo. 1906); *Knox v. First Sec. Bank of Utah*, 196 F.2d 112, 116 (10th Cir. 1952) (those contemplating the organization of a corporation lack the power, either as agents or otherwise, to contractually bind the corporation prior to organization). Colorado's Jury Instructions state that "[a]n agency relationship is created when an agreement… between two persons establishes that one of them is to act on behalf of and subject to the control of the other. The person who agrees to act on behalf of another is called the agent, and the other is called the principal." *C.J.I. 8:1 Agency Relationship – Defined (underlined emphasis added).*

Plaintiff knew DTR, Inc. did not exist when he took the deposition of DTR, Inc.'s corporate representative, Mr. Johnson, and introduced Plaintiff's Exhibit 52 (DTR, Inc's Corporate Formation Documents from the Texas Secretary of State), attached hereto **as Exhibit 100**, certified by the Texas Secretary of State. **Exhibit 100** verifies that DTR, Inc. only came into existence on December 1, 2020, **after** the alleged defamatory statements made by Powell. *See Plaintiff's spreadsheet of defamatory statements listing Powell's statements on November 19 and 20, 2020*. Further, DTR, Inc.'s corporate representative testified:

> Q. Have you ever [sic] been Defending the Republic from its inception?
>
> A. Well, as I think you know, Defending the Republic was formed on December 1, 2020.
>
> Q. And were you part of the formation of DTR December 1, 2020?
>
> A. If I understand correctly, no. I did not file the organizational documents.

> Q. (By Mr. Skarnulis) Okay. And just for ease of use, I've shared my screen with Exhibit -- I've previously marked it as 52 -- which is a document from the Texas Secretary of State. Do you see that?
>
> A. Yes, I do…. Defending the Republic was -- was not involved in any of the election challenges filed late November, early December in connection with the 2020 general election….
>
> Q. (By Mr. Skarnulis) I take it Gohmert v. Pence is the only matter that DTR has been involved with as a party; is that fair, Mr. Johnson?
>
> A. No, no. We were -- to the best of my knowledge, Defending the Republic had -- has not been a party to litigation….
>
> A. So just to clarify – and I've -- I've said this before -- DTR was not involved in the four election challenges filed for Georgia, Arizona, Michigan, or Wisconsin.
>
> Q. Okay. Now, the four lawsuits that you referred to -- Georgia, Wisconsin, Michigan, and Arizona -- why, in your understanding, why was -- why were Defending the Republic attorneys not assisting in those election lawsuits?
>
> MR. REAGOR: Object to form.
>
> A. The short answer is Defending the Republic did not exist at the time when most of those lawsuits were filed. Perhaps Arizona may have been filed after formation. But it just -- I guess it wasn't up and running at that time. And, I mean, that's -- that's really the simple answer as to why Defending the Republic was not involved in those lawsuits.

Exhibit 101, Johnson Depo., 11:9-12; 12:9-16; 14:1-6; 16:18-21; 17:5-10; 18:15-18; 19:1-14.

Plaintiff's complaint, Response and Defamatory Statement Spreadsheet allege defamatory statements by Ms. Powell on November 19 and 20, 2020, all prior to DTR, Inc.'s existence as an entity. Therefore, Defending the Republic, Inc. cannot be held vicariously liable for Powell's statements as alleged in the Complaint.

Further, Plaintiff cannot create agency between Defendant Defending the Republic**, Inc**. (which was not yet in existence) and Ms. Powell or Powell, P.C. with evidence that donations may have been made to a website with a URL of www.DefendingTheRepublic.**org**. This

website was expressly connected and related to a different organization, LDFFTAR, Inc. (Legal Defense Fund For The American Republic). See infra. LDFFTAR, Inc. is a Delaware corporation, No. 4105431, formed on November 10, 2020. Plaintiff elicited these facts at DTR, Inc.'s deposition:

> Q. Okay. This is a -- a tweet from Lou Dobbs with Fox. Are you familiar -- familiar with this tweet?
>
> A. I have not seen it before.
>
> Q. Okay….if you'll look at the tweet, Mr. Dobbs references -- it says "urges Americans to go to DefendingTheRepublic.org to help find and prosecute potential voter fraud across the nation."
>
> Q. And the date on this tweet is November 10th, 2020. Do you see that?
>
> A. Yes, I do.
>
> Q… Was Defending the Republic accepting donations beginning November 10, 2020?
>
> A. Defending the Republic, Inc., the Texas nonprofit corporation? Is that what you mean?
>
> Q. Yes.
>
> A. No. We did not exist at the time.
>
> Q. Okay. DefendingTheRepublic.org -- when was that created?
>
> A. The website?
>
> Q. The website. Yes, sir.
>
> A. Well, I guess, here, I'm speaking not really on behalf of Defending the Republic, comma, Inc.
>
> I -- I understand it existed on that date, but the organization Defending the Republic, comma, Inc., did not exist on that date. This website predated the organization.

Q. Okay. I'll share my screen again with you. Are you familiar with the Wayback Machine on the internet?

A. Yes….

Q. Okay. And if we scroll up, this is 2020. And this is a search for Defending the -- DefendingTheRepublic.org. And the first appearance of this website is November 10th of 2020. And if we click on that, the Wayback Machine has captured it, and it redirects to another website. Do you see that?

A. Yes.

Q. And so here we are at a capture of the website from that time. And it says here in the first sentence of the introduction, "Defending the Republic is the Legal Defense Fund for the American Republic, LDFFTAR."

Are you familiar with that entity or organization?

A. I'm not familiar with it. The only time I've seen it is on -- on this web page.

Q…. do you know whether those donations went to another organization, the Legal Defense Fund for the American Republic?

A. I don't know where they went --

MR. REAGOR: Object to form. Go ahead and answer. Pardon me.

A. I don't know where they went, but they did not go to Defending the Republic. And there were a number of other or similarly named organizations at this time, and subsequently, that had been collecting funds. And there has been some confusion among donors. We have sought to take down websites that were not affiliated with us that were collecting donations.

Q. Now, you -- your testimony, at least sounds to me like you're fairly certain that prior to its formation, Defending the Republic did not receive any donated funds; is that fair?

MR. REAGOR: Object to form.

> A. That is my understanding, yes. We did not exist. We did not have a bank account. And I don't see how it would have been -- and there's a whole process for soliciting -- you know, for accepting donations over the internet, you know; so that process also had not been completed at that time.
>
> Q. (By Mr. Skarnulis) Do you know whether another entity received donations from this website?
>
> A. I believe donations were made on that website. They must have gone to another entity because they could not have gone to DTR.
>
> Q. (By Mr. Skarnulis) Sidney Powell gave interviews and a press conference on November 19th. Was she acting in any way as a representative of DTR?
>
> A. On November 19th?
>
> Q. Yes, sir.
>
> A. No.

Exhibit 101, Johnson Depo., 19:19-25; 20:1-25;21:1-3; 21:7-22; 22:2-15; 24:7-17; 25:7-11; 31:23-25; 32:1-3.

Therefore, Defendant Defending the Republic, Inc., a Texas corporation, sued in this litigation, was not in existence when and if any donations were made to the "www.DefendingtheRepublic.org" website, a site operated by LDFFTAR, Inc., a Delaware corporation. Plaintiff's Civil Conspiracy Claims Fail.

Plaintiff does not claim to have any evidence of an express agreement to conspire. Rather, he attempts to establish conspiracy by circumstantial evidence. Plaintiff's conspiracy claim is essentially that each Defendant agreed to and did republish Oltmann's defamatory statements against Dr. Coomer, either by publishing their interview of Oltmann directly or by publicly restating Oltmann's allegations." *Response, p. 131-132.*

Plaintiff admits it must prove that "two or more persons, and for this purpose a corporation is a person", had a meeting of the minds on an object to be accomplished or course of action to take. *Response, p. 130*. DTR, Inc. did not exist at the time any such alleged conspiracy occurred. *See above*. There cannot have been a meeting of the minds between DTR, Inc. and another person or entity with subsequent publication or republication of allegedly defamatory statements because all statements were made prior to DTR, Inc.'s corporate formation.

Further, a claim for civil conspiracy is a derivative cause of action. If the acts constituting the underlying wrong do not provide the basis for an independent cause of action, there is no cause of action for the conspiracy itself. *Double Oak Const., L.L.C. v. Cornerstone Dev. Int'l, L.L.C.*, 97 P.3d 140, 146 (Colo. App. 2003); *Condo v. Conners*, 271 P.3d 524 (Colo. App. 2010) (absent evidence of tortious interference with contract, there was no unlawful overt act to support civil conspiracy), *aff'd*, 266 P.3d 1110 (Colo. 2011). Here, DTR, Inc. did not exist at the time of the alleged underlying defamation. Therefore, the conspiracy claim against DTR, Inc. fails.

As to Powell and Powell, P.C., even though "[a] conspiracy may be implied by a course of conduct and other circumstantial evidence.... There must be some indicia of agreement in an unlawful means or end." *Schneider v. Midtown Motor Co.*, 854 P.2d 1322, 1327 (Colo. App. 1992); *Scott v. Hern*, 216 F.3d 897, 918 (10th Cir. 2000). The court will not infer the agreement necessary to form a conspiracy; evidence of an agreement must be presented by the plaintiff. *Nelson v. Elway*, 908 P.2d 102, 106 (Colo. 1995); *More v. Johnson,* 568 P.2d 437, 440 (Colo. 1977). Where a conspiracy is established by circumstantial evidence, "that evidence must

be clear and convincing." *Mullins v. Evans*, __N.E.3d __, 2021 WL 1208940, at *12 (Ill. App. 2021).

Peterson v. Grisham, 594 F.3d 723, 730–31 (10th Cir. 2010) held that civil conspiracy consists of two or more persons agreeing "to do an unlawful act, or to do a lawful act by unlawful means." But "a conspiracy between two or more persons to injure another is not enough; an underlying unlawful act is necessary to prevail on a civil conspiracy claim." *Id.* "Disconnected circumstances, any ... of which are just as consistent with lawful purposes as with unlawful purposes, are insufficient to establish a conspiracy." The court rejected plaintiff's argument that defendants' parallel conduct in publishing (and republishing) their books in close temporal proximity and defendants' endorsements of each other's books was sufficient evidence to establish a civil conspiracy. *Id.*, 594 F.3d at 731. Merely because defendants published their books in close temporal proximity to one another does not demonstrate an illegal agreement to engage in "a massive joint defamatory attack." *Id*. There may well have been other entirely legitimate motives, such as a desire to sell more books or foster public support for the abolition of the death penalty. *Id.* Publishing and endorsing books are perfectly lawful activities. *Id.*

Here, Plaintiff claims that Powell obtained information from Oltmann and utilized him as the sole source of their information regarding Dr. Coomer. Even if it were true that Oltmann was the sole source, nothing in that allegation provides or implies any "indicia of agreement in an unlawful means or end." Plaintiff then argues that "[e]ach Defendant agreed to and did republish Oltmann's defamation against Dr. Coomer, either by publishing their interview of Oltmann directly or by publicly restating Oltmann's allegations." Nothing in that allegation provides or

implies any "indicia of agreement in an unlawful means or end." Plaintiff's conspiracy claim fails for any evidence of agreement and for the reasons explained by the Tenth Circuit.

It is also absurd to allege that a lawyer conspires with a witness by restating that witness's testimony. It is absurd to claim "this conspiracy is unique among conspiracies in that the conspirators were overtly public in their efforts." The defendants are news agencies and lawyers involved in an issue of utmost national and international concern. Plaintiff's claim that "each Defendant entered the same agreement with Oltmann to publish the same defamation, necessarily connecting the Defendants through Oltmann," plainly demonstrates that the sole basis for the conspiracy is using and reporting the Oltmann interview and affidavit. The fact that evidence came from Mr. Oltmann does not imply any agreement by a defendant to do anything unlawful. It is absurd and dangerous to allege that every news agency or attorney who becomes aware of and discusses a witness testimony has agreed to a conspiracy. Fortunately, that is not the law.

Plaintiff's claim that "each of the Defendants published this defamation with similar actual malice, further indicating a shared unlawful basis" is also spurious argument of counsel and not evidence. The claim that coordination between the Trump Campaign and its lawyers is evidence of an agreement to commit an unlawful act is absurd; every attorney "coordinates" with his or her client and often with other non-clients who are similarly situated. Significantly, however, Powell acted as a legal advisor to President Trump individually, not his campaign.

Plaintiff fails to demonstrate a *prima facia* claim for civil conspiracy. To establish a civil conspiracy claim, a plaintiff must show: (1) two or more persons; (2) an object to be accomplished; (3) a meeting of the minds on the object or course of action; (4) an unlawful overt

act, and (5) damages as the proximate result. *Nelson v. Elway*, 971 P.2d 245, 250 (Colo. App. 1998), *citing Jet Courier Service, Inc. v. Mulei*, 771 P.2d 486 (Colo.1989). Civil conspiracy is a derivative cause of action that is not actionable *per se*. *Double Oak Const., L.L.C. v. Cornerstone Dev. Int'l, L.L.C.*, 97 P.3d 140, 146 (Colo. App. 2003). If the acts alleged to constitute the underlying wrong provide no cause of action, then there is no cause of action for the conspiracy itself. *Id*. That is the case here. Powell's acts were constitutionally protected petition and speech activities, and therefore they cannot constitute the basis of a civil conspiracy claim. Any other conclusion would be dangerous to the concept of free speech as a core principle under state and federal law. Simply, Plaintiff has presented no facts to establish that Powell had any meeting of the minds with any of the other defendants concerning him.

C. Plaintiff's Outrageous Conduct Claim Fails.

Regarding DTR, Inc. Plaintiff claims that the statements by Ms. Powell about Dr. Coomer were extreme and outrageous. *First Amended Complaint, ¶ 87-88*. As noted above, none of these statements can be imputed to DTR, Inc. which did not exist as an entity when the statements were made. Therefore, Plaintiff's claim against DTR, Inc. fails.

Regarding Ms. Powell and Powell, P.C., Plaintiff argues that Ms. Powell said that Dr. Coomer's social media posts demonstrated hatred "for the United States of America as a whole." Even a cursory review of Plaintiff's Facebook pages indicates this statement is true: see, e.g., "Fuck the USA" (Exhibit G-12 to Powell's Special Motion to Dismiss (04/30/2021)). Further, the statements allegedly made by Powell related to the 2020 presidential election, which is beyond cavil a matter of public concern. As such, the First Amendment of the U.S.

Constitution places an additional burden upon the plaintiff to prove that the statement was also made with "actual malice." *Rosenbloom v. Metromedia, Inc.,* 403 U.S. 29 (1971).

Despite having plead "actual malice," (First Amended Complaint, ¶ 85), Plaintiff now claims he does not have to show actual malice. *Response, ¶ 201.* However, he does. "Generally, a matter is of public concern whenever it embraces an issue about which information is needed or is appropriate." *Smiley's Too, Inc. v. Denver Post Corp.,* 935 P.2d 39, 42 (Colo. App. 1996). Whether a presidential election was fair is an issue about which information is needed and appropriate. Plaintiff deposed every Defendant but fails to find any evidence of actual malice.

D. The Litigation Privilege

Plaintiff misconstrues the law regarding the litigation privilege. Plaintiff fails to grasp that the privilege applies differently depending on the context in which the allegedly tortious statement is made. Statements made by an attorney during a pending legal proceeding are generally absolutely privileged. *Begley v. Ireson*, 399 P.3d 777, 780 (Colo. App. 2017) ("*Begley I*"). In contrast, the privilege attaches to an attorney's prelitigation statements only if (1) the prelitigation statement relates to prospective litigation, and (2) the prospective litigation is contemplated in good faith. Id., 399 P.3d at 781.

Plaintiff asserts the absolute privilege is inapplicable because his claims "are not based on any statements made in the course of pending or contemplated litigation." Resp. ¶ 224. However, the First Amended Complaint, paragraph 70, cites statements Powell made in four election-related lawsuits. Plaintiff's Response concedes that those statements are shielded by the absolute privilege. But instead of withdrawing the claims, as he should have, he has chosen to pretend he did not make them.

Plaintiff also argues that the privilege does not apply to Powell's prelitigation statements. This is not true. As the court held in *Begley I*, the absolute privilege applies to participants in litigation. But it also applies on a conditional basis to prelitigation statements. *Id*., 399 P.3d at 781. Moreover, contrary to Plaintiff's argument, the privilege can apply to prelitigation statements made in the press. *See Weiland Sliding Doors & Windows, Inc. v. Panda Windows & Doors, LLC*, 814 F. Supp. 2d 1033, 1040 (S.D. Cal. 2011) (press release sent to thousands of recipients protected by privilege).

Plaintiff cites *Patterson v. James*, 454 P.3d 345 (Colo. App. 2018), for the proposition that the privilege **only** applies to duties and acts that are an essential and integral part of the judicial process. Of course, Plaintiff has sued Powell on account of statements she made in four judicial proceedings. *First Amended Complaint, ¶ 70*. Therefore, the privilege is applicable even under the limited circumstances addressed in *Patterson*. More importantly, however, the court in *Patterson* did not hold that the privilege is applicable only to statements that are integral to a pending judicial proceeding. The court's holding concerned the absolute privilege applicable to statements in pending litigation. *See Id*., 454 P.3d at 350. The court did not address the applicability of the *Begley I* conditional privilege to prelitigation statements because that was not an issue in the case. In other words, *Patterson's* holding that the privilege is applicable to statements made in pending litigation is not the same as a holding that it is not applicable in other contexts as Plaintiff implies.

Plaintiff cites a 1998 federal case, *Seidl v. Greentree Mortg. Co*., 30 F. Supp. 2d 1292 (D. Colo. 1998), for the proposition that the litigation privilege does not apply to statements made in

the press. Again, that case was an absolute privilege case.[1] No Colorado court has ever held that the *Begley I* conditional privilege does not apply to prelitigation statements to the press. Indeed, prior to *Begley I*, "no Colorado court ha[d] analyzed what kind of litigation privilege applies to an attorney's prelitigation statements" in any context. *Begley I,* 399 P.3d at 781.

Other courts have clearly stated that the conditional privilege applies to prelitigation statements to the press. In *Front, Inc. v. Khalil*, 24 N.Y.3d 713, 720, 28 N.E.3d 15, 19 (2015), the New York Court of Appeals adopted the standard for application of the privilege to prelitigation statements identical to the one adopted in *Begley I*. The following year the Second Circuit held that *Front, Inc.* bars a tort claims based on statements an attorney transmits to the shared press in anticipation of filing a case. *Tacopina v. O'Keeffe,* 645 Fed.Appx. 7, 8 (2d Cir. 2016). Specifically, the court held that even crediting the plaintiff's allegation that the attorney shared information with a newspaper before filing it in court, the plaintiff had still not sustained his burden of showing that the statements were not pertinent to litigation anticipated in good faith. *Id.*, 645 Fed.Appx. at 8; *See also Feist v. Paxfire, Inc.*, 2017 WL 177652, at *5 (S.D.N.Y. Jan. 17, 2017) (attorney's statements to press concerning allegations in anticipated litigation shielded by privilege).

In *Norman v. Borison*, 17 A.3d 697, 711 (Md. App. 2011), the court extended the privilege to shield attorney statements to the press "to encourage the free divulgence of information in pursuit of justice" and to prevent unduly hindering important speech where the defendant "acts in furtherance of a recognized socially important interest." There is no social

[1] The court held there "is no absolute privilege" for statements made to the press. *Id.*, 30 F. Supp. 2d at 1315. Powell's statements to the press are shielded by the *Begley I* conditional privilege, not the absolute privilege, as set forth extensively in her special motion to dismiss.

interest more important than the one Powell sought to further in her comments to the press, which is the integrity of a presidential election.

In *Weiland Sliding Doors & Windows, Inc., supra,* Weiland sent an allegedly defamatory press release to several thousand non-party recipients. The court granted Weiland's anti-SLAPP dismissal motion, holding that the litigation privilege applied to protect communications to these non-parties because they had a substantial interest in the outcome of the litigation. *Id.*, 814 F. Supp. 2d at 1040. Here, every United States citizen has an interest in the integrity of a presidential election; therefore, Powell's statements in the press conference directed to those citizens are protected by the privilege. The privilege does and must protect Powell's statements made to the press.

Further, Plaintiff's outrageous conduct claim is barred by the litigation privilege. An attorney's statements, even if defamatory, when made in the course of, or in preparation for, judicial proceedings in a filed case cannot be the basis of a tort claim if the statements are related to the litigation. *Patterson v. James*, 454 P.3d 345, 350 (Colo. App. 2018). The privilege shields attorneys from defamation claims arising from statements made in the course of litigation, and bars other non-defamation claims that stem from the same conduct. *Id.* The litigation privilege therefore applies "regardless of the tort theory" invoked, if the basis of the claim is a statement made in the course of litigation. *Id.*

CONCLUSION

For these reasons, the Court should dismiss Plaintiff's claims against DTR, Inc., Ms. Powell and Powell, P.C. DTR, Inc. requests an award in its favor of DTR, Inc.'s attorney fees and costs.

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CERTIFICATE OF SERVICE

The undersigned certifies that on October 4, 2021, a true and correct copy of the foregoing was served via the Colorado Courts' efiling system on counsel of record.

Lisa K. Evans

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