

DISTRICT COURT, DENVER, COLORADO
1437 Bannock Street
Denver, CO 80203

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

Petitioners,

v.

JENA GRISWOLD, in her official capacity as Colorado
Secretary of State, and DONALD J. TRUMP,

Respondents.

PHILIP J. WEISER, Attorney General
MICHAEL KOTLARCZYK, Senior Assistant Attorney
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Case No. 2023CV32577

Courtroom: 209

**SECRETARY OF STATE'S NOTICE OF PARTIAL CONSENT TO THE
COLORADO REPUBLICAN CENTRAL COMMITTEE'S MOTION TO
INTERVENE**

The Court ordered the Secretary to file “a notice of consent prior to the status conference” if “she does not oppose” the Colorado Republican Central Committee’s Motion to Intervene. *See* Order (Sept. 14, 2023).

The Secretary does not oppose a limited intervention by the Committee. Specifically, the Secretary does not object to the Committee participating fully in any briefing ordered by the Court in this case. However, given the perfect alignment in practical objectives between the Committee and Respondent Donald J. Trump, the Secretary submits that the Committee should not have unlimited scope to participate in an evidentiary hearing in this highly expedited proceeding under the Election Code. Both the Committee and Respondent Trump seek the same outcome from this lawsuit: including former President Trump on the Republican presidential primary ballot. Therefore, from an efficiency and practicality standpoint, the Secretary respectfully requests that the Committee's intervention be limited at any evidentiary hearing held by the Court in this matter. *See San Juan County v. United States*, 503 F.3d 1163, 1189 (10th Cir. 2007) ("An intervention of right under [Fed. R. Civ. P. 24] may be subject to appropriate conditions or restrictions responsive among other things to the requirements of efficient conduct of the proceedings.") (quoting Fed. R. Civ. P. advisory committee notes (1966 Amendment)), *abrogated on other grounds*, 570 U.S. 693; *see also In re Application for Underground Water Rights*, 2013 CO 53, ¶ 12 n.1 ("We find authority interpreting a corresponding federal rule to be instructive because the Colorado Rules of Civil Procedure were modeled on the federal rules.").

Dated this 17th day of September, 2023.

PHILIP J. WEISER
Attorney General

/s/ Michael Kotlarczyk
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CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2023, I served a true and complete copy of the foregoing **SECRETARY OF STATE'S NOTICE OF PARTIAL CONSENT TO THE COLORADO REPUBLICAN CENTRAL COMMITTEE'S MOTION TO INTERVENE**, upon all parties herein by e-filing with the ICCES system maintained by the court and/or email, addressed as follows:

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