

SUPREME COURT OF COLORADO

101 West Colfax Avenue, Suite 800
Denver, CO 80202

ORIGINAL PROCEEDING PURSUANT TO
§ 1-40-107(2), C.R.S. (2010)

IN THE MATTER OF THE TITLE, BALLOT
TITLE AND SUBMISSION CLAUSE FOR 2009-
2010 #97

Petitioners:

ROBERT N. MCLENNAN, KENT SINGER,
DAN HODGES and TERRANCE G. ROSS,
Objectors

vs.

Respondents:

ROLAND KUEHN and ALANA CAMPBELL,
Proponents

and

Title Board:

WILLIAM A. HOBBS, SHARON L. EUBANKS,
and DANIEL D. DOMENICO

Attorneys for Petitioners:

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FILED IN THE
SUPREME COURT

MAY 20 2010

OF THE STATE OF COLORADO
SUSAN J. FESTAG, CLERK

▲ COURT USE ONLY ▲

Case Number: 10SA137

**MOTION TO WITHDRAW PETITION FOR REVIEW OF FINAL
ACTION OF BALLOT TITLE SETTING BOARD CONCERNING
PROPOSED INITIATIVE 2009-2010 #97
("STANDARDS FOR RETAIL ELECTRIC SERVICE GENERATION")**

Petitioners Robert N. McLennan, Kent Singer, Dan Hodges and Terrance G. Ross (the "Petitioners"), each registered electors of the State of Colorado, through their counsel, Greenberg Traurig, LLP, respectfully submit this *Motion To Withdraw Petition For Review Of Final Action of Ballot Title Setting Board Concerning Proposed Initiative 2009-2010 #97 ("Standards for Retail Electric Service Generation")* ("Motion to Withdraw"). In support, Petitioners state as follows:

1. On May 7, 2010, the undersigned counsel filed a *Petition For Review Of Final Action Of Ballot Title Setting Board Concerning Proposed Initiative 2009-2010 #97 ("Standards for Retail Electric Service Generation")* ("Petition") with this Court.
2. On May 7, 2010, the Proponents of Proposed Ballot Initiative 2009-2010 #97 withdrew the proposed initiative. **See Exhibit 1.**
3. As a result, Petitioners move to withdraw their *Petition* before this Court.

WHEREFORE, Petitioners request that this Court accept this *Motion to Withdraw* and dismiss the pending matter.

Respectfully submitted this 20th day of May, 2010.

GREENBERG TRAURIG, LLP



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Attorneys for N. McLennan,
Kent Singer, and Dan Hodges

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of May, 2010, a true and correct copy of the foregoing **MOTION TO WITHDRAW PETITION FOR REVIEW OF FINAL ACTION OF BALLOT TITLE SETTING BOARD CONCERNING PROPOSED INITIATIVE 2009-2010 #97 ("STANDARDS FOR RETAIL ELECTRIC SERVICE GENERATION")** was placed in the United States mail, postage prepaid, to the following:

Mark G. Grueskin
Edward T. Ramey
1001 17th Street, Suite 1800
Denver, Colorado 80202

Maurice G. Knaizer
Deputy Attorney General
Colorado Department of Law
1525 Sherman Street, 6th Floor
Denver, Colorado 80203



Karen Brock

Exhibit 1

RECEIVED

MAY 07 2010

ELECTIONS
SECRETARY OF STATE

COPY

May 5, 2010

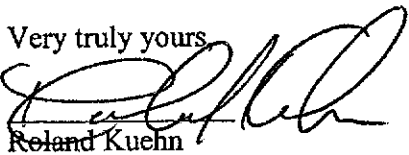
Bernie Buescher
Colorado Secretary of State
Attn: Elections Division
1700 Broadway, Suite 270
Denver, CO 80290

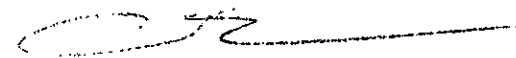
Re: Withdrawal of Initiative 2009-2010 #97
Dear Secretary of State:

The undersigned are the designated representatives of the proponents of Initiative 2009-2010 #97. Pursuant to C.R.S. §1-40-134, we hereby withdraw the initiative and request that it not be placed on the ballot.

Thank you for your assistance.

Very truly yours,


Roland Kuehn

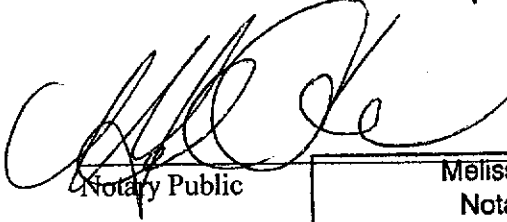

Alana Campbell

STATE OF COLORADO)
)ss.
COUNTY OF Trimble)
)

The foregoing instrument was acknowledged before me this 7 day of May, 2010 by Roland Kuehn, individually.

Witness my hand and official seal.

My commission expires: 8-30-2012


Notary Public

Melissa Colucco
Notary Public
State of Colorado

My Commission Expires 8-30-12


STATE OF COLORADO)

COUNTY OF Sanimer)ss.
)
)

The foregoing instrument was acknowledged before me this 7 day of May, 2010 by Alana Campbell, individually.

Witness my hand and official seal.

My commission expires: 8/30/12



Notary Public

Melissa Colucco
Notary Public
State of Colorado

My Commission Expires 8-30-12