

**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 #98

**Petitioners:**

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

vs.

**Respondents:**

ROLAND KUEHN and STEPHEN SZABO,  
Proponents

and

**Title Board:**

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

FILED IN THE  
SUPREME COURT,

**MAY 20 2010**

OF THE STATE OF COLORADO  
SUSAN J. FESTAG, CLERK

**▲ COURT USE ONLY ▲**

***Attorneys for Petitioners:***

Douglas J. Friednash, #18128  
Christopher J. Neumann, #29831  
1200 17th Street, Suite 2400  
Denver, Colorado 80202  
Tel: (303) 572-6500  
Fax: (303) 572-6540  
E-mail: FriednashD@gtlaw.com;  
NeumannC@gtlaw.com

Case Number: 10SA138

**MOTION TO WITHDRAW PETITION FOR REVIEW OF FINAL  
ACTION OF BALLOT TITLE SETTING BOARD CONCERNING  
PROPOSED INITIATIVE 2009-2010 #98  
("RETAIL ELECTRIC SALES FROM RENEWABLE SOURCES")**


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 #98 ("Retail Electric Sales from Renewable Sources")* ("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 #98 ("Retail Electric Sales from Renewable Sources")* ("Petition") with this Court.
2. On May 7, 2010, the Proponents of Proposed Ballot Initiative 2009-2010 #98 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



---

Douglas J. Friednash, #18128  
Christopher J. Neumann, #29831  
1200 17th Street, Suite 2400  
Denver, Colorado 80202  
Tel: (303) 572-6500  
Fax: (303) 572-6540  
FriednashD@gtlaw.com  
NeumannC@gtlaw.com


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 #98 ("RETAIL ELECTRIC SALES FROM RENEWABLE SOURCES")** 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

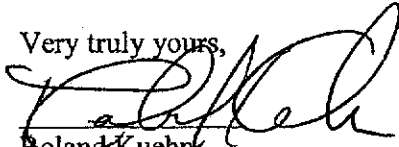
Bernie Buescher  
Colorado Secretary of State  
Attn: Elections Division  
1700 Broadway, Suite 270  
Denver, CO 80290


Re: Withdrawal of Initiative 2009-2010 #98  
Dear Secretary of State:

The undersigned are the designated representatives of the proponents of Initiative 2009-2010 #98. 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

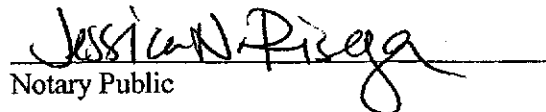
  
Stephen Szabo

STATE OF COLORADO )  
)ss.  
COUNTY OF Boulder )  
)

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of May, 2010 by Roland Kuehn, individually.

Witness my hand and official seal.

My commission expires: 02/02/2014

  
Notary Public



STATE OF COLORADO )  
 )ss.  
COUNTY OF Boulder )  
 )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of May, 2010 by Stephen Szabo, individually.

Witness my hand and official seal.

My commission expires: 02/02/2014

Jessica N. Risager  
Notary Public

