

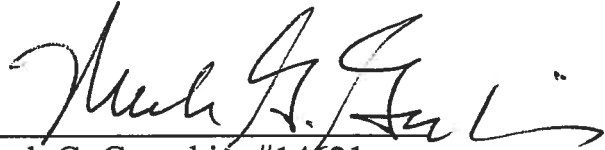
<p>SUPREME COURT OF COLORADO 101 West Colfax Avenue, Suite 800 Denver, Colorado 80203</p>	<p>FILED IN THE SUPREME COURT</p> <p>JUN 11 2012</p> <p>OF THE STATE OF COLORADO Christopher L. [unclear], Clerk</p> <p>▲ COURT USE ONLY ▲</p>
<p>Original Proceeding Pursuant to Colo. Rev. Stat. §1-40-107(2) Appeal from the Ballot Title Board</p>	
<p>In the Matter of the Title, Ballot Title, and Submission Clause for Proposed Initiatives 2011- 2012 #67, #68, #69 ("Citizen Initiative Process")</p> <p>Petitioner: PHILIP HAYES</p> <p>v.</p> <p>Respondents: DAVID OTTKE and JOHN SLOTA</p> <p>and</p> <p>Title Board: SUZANNE STAIERT; DANIEL DOMENICO; and SHARON EUBANKS</p>	
<p>Attorneys for Petitioner: Mark G. Grueskin, #14621 Heizer Paul Grueskin LLP 2401 15th Street, Suite 300 Denver, CO 80202 Telephone: 303-376-3703 (direct) Telephone: 303-595-4747 Facsimile: 303-595-4750 Email: mgrueskin@hpgfirm.com</p>	<p>Case No. 2012 SA 117</p>
<p>PETITIONER'S MOTION TO ACCEPT SUPPLEMENTAL AUTHORITY</p>	

Petitioner, Philip Hayes, by and through his counsel, Heizer Paul Grueskin LLP, moves the Court to accept the following supplemental authority, in light of certain representations in Respondents' Response Brief, filed with this Court on Friday, June 8, 2012:

1. In connection with the reference to Respondents' email from the Office of the Secretary of State as raised only in the Respondents' Response Brief, *People v. Czemerynski*, 786 P.2d 1100, 1107 (Colo. 1990) (issue not properly before the Court if raised for the first time in reply brief).

2. In connection with the Respondents' the effect of such correspondence with the Secretary of State's Office, *Committee for Better Health Care v. Meyer*, 830 P.2d 884, 892 (Colo. 1992) (initiative proponents are not entitled to rely on designee of secretary of state where they are also advised by that office to review statutory amendments at issue) and **Exhibit E** to Petitioner's Opening Brief ("Designated representatives should consult Article 40 of Title 1 of the Colorado Revised Statutes and HB 11-1072 (PDF).").

Respectfully submitted this 11th day of June, 2012.

A handwritten signature in black ink, appearing to read "Mark G. Grueskin", written over a horizontal line.

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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of June, 2012, a true and correct copy of the foregoing **PETITIONER'S MOTION TO ACCEPT SUPPLEMENTAL AUTHORITY** was served via electronic mail, to the following:

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