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SUPREME COURT
STATE OF COLORADO

2 East 14th Avenue
Denver, CO 80203

Original Proceeding Pursuant to Colo. Rev. Stat. § 1-40-107(2)
Appeal from the Ballot Title Setting Board

In the Matter of the Title, Ballot Title, and Submission Clause for Proposed Initiative 2013-2014 #89 ("LOCAL GOVERNMENT REGULATION OF ENVIRONMENT")

Petitioners:

Douglas Kemper, Mizraim Cordero, and Scott Prestidge,

v.

Respondents:

Caitlin Leahy and Gregory Diamond,

and

Title Board:

Suzanne Staiert, Daniel Domenico, and Jason Gelender.

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Case No. 2014SA126

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OPENING BRIEF OF THE TITLE BOARD

CERTIFICATE OF COMPLIANCE

I hereby certify that this brief complies with all requirements of C.A.R. 28 and C.A.R. 32, including all formatting requirements set forth in these rules. Specifically, the undersigned certifies that:

The brief complies with C.A.R. 28(g).

It contains 4,596 words.

The brief complies with C.A.R. 28(k).

It contains under a separate heading (1) a concise statement of the applicable standard of appellate review with citation to authority; and (2) a citation to the precise location in the record (R. , p.), not to an entire document, where the issue was raised and ruled on.

/s/ Sueanna Johnson

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Suzanne Staiert, Daniel Domenico, and Jason Gelender, as members of the Ballot Title Setting Board (the "Title Board"), by and through undersigned counsel, hereby submit their Opening Brief.

STATEMENT OF THE ISSUES

I. Issues presented for review by Douglas Kemper

1. Whether Proposed Initiative 2013-2014 #89 contains multiple subjects because it (a) creates a common property right to the environment; (b) adopts a public trust doctrine; and (c) allows for local environmental restrictions to supersede any less restrictive state environmental regulation.

2. Whether the title for Proposed Initiative 2013-2014 #89 is misleading and likely to create public confusion because the phrase "concerning a public's right to the environment" does not encompass all the issues addressed in the measure.

3. Whether the title for Proposed Initiative 2013-2014 #89 is misleading and likely to create public confusion because the title omits reference to (a) creation of a "fundamental right" to conservation

of the environment and (b) the requirement that governments must preserve the environment for future generations.

II. Issues presented for review by Mizraim Cordero and Scott Prestidge.

4. Whether Proposed Initiative 2013-2014 #89 contains multiple subjects because it (a) establishes the "environment as common property of all Coloradans;" (b) establishes a public trust in the environment; (c) establishes preemption of local government regulations for the environment; and (d) establishes preemption of federal statutes by local government entities.

5. Whether the title for Proposed Initiative 2013-2014 #89 is confusing and misleading because it fails to define (a) what constitutes the "environment;" (b) the term "fundamental;" and (c) what state and local governments are required to "conserve."

6. Whether the title for Proposed Initiative 2013-2014 #89 fails to define the public trust doctrine as defined in the proposal contrasted with the definition of the public trust doctrine recognized in some jurisdictions.

7. Whether the title for Proposed Initiative 2013-2014 #89 is confusing and misleading because it fails to inform voters that the measures effectively grants home-rule powers to all towns, cities, counties, and municipalities.

STATEMENT OF THE CASE

Caitlin Leahy and Gregory Diamond are proponents for Proposed Initiative 2013-2014 #89 ("#89"). Mizraim Cordero and Scott Prestidge through counsel and Douglas Kemper through separate counsel objected to the title set by the Title Board on grounds #89 contained multiple subjects and the title was misleading and omitted material information. At the rehearing, the Title Board found #89 contained a single subject, but modified the title in response to one issue raised by the Petitioners. The Petitioners filed this appeal raising single subject and unclear and misleading title arguments.

STATEMENT OF THE FACTS

On March 21, 2014, Proponents Caitlin Leahy and Gregory Diamond ("Proponents") filed #89 with the Colorado Secretary of State.

The Title Board held a hearing on April 3, 2014, and after finding a single subject, set a title for the measure.

#89 seeks to amend the Colorado constitution by adding a new section 32 in art. II by creating a public right to Colorado's environment, which includes its clean air, pure water, and natural and scenic values. Section 1 of the measure states that Colorado's environment is the "common property of all Coloradans." Section 2 requires state and local governments to conserve Colorado's environmental resources. The measure applies to local governments in every city, county, town. Section 3 authorizes local governments to enact laws, regulations, ordinances, or charter provisions that may be more restrictive and protective than state law. The measure states that if a local law is in conflict with state law, the more restrictive and protective law governs.

On April 10, 2014, Douglas Kemper ("Petitioner Kemper" or collectively "Petitioners") filed a motion for rehearing on grounds #89 contained multiple subjects and the title set was unclear and misleading. On the same day, Mizraim Cordero and Scott Prestidge

("Petitioner Cordero" or collectively "Petitioners") also filed a motion for rehearing on similar grounds, but raised some additional issues with respect to single subject and unclear title.

At the April 16, 2014 rehearing, the Title Board rejected the Petitioners objections, and found the measure contained a single subject. The Title Board modified the title with respect to Petitioners' objections to the term "public trust." Specifically, the Petitioners argued that the traditional public trust doctrine is understood to be that a state holds its navigable waters and lands underneath them in trust for the people, while #89 appears to take a broader approach. The Title Board modified the title by changing the statement of the single subject to be "concerning the public's right to Colorado's environment" in response to Petitioners' objection, and made other minor revisions to conform to that change.

The Petitioners then filed their appeals on April 23, 2014 raising both single subject and unclear title arguments.[1]

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[1] Petitioner Cordero had technical difficulty with ICCES in filing the appeal on April 23rd, as there are two separate sets of Petitioners

SUMMARY OF THE ARGUMENT

#89 contains a single subject, which is creation of the public's right to Colorado's environment. The remainder of the measure is implementation to protect or enforce that right – all congruous and related. The Petitioners' arguments that the measure contains multiple subjects focus on the potential legal effect or impact of the measure. In addition, the fact that the measure requires the more restrict environmental law to govern if there is a conflict between state and local law does not constitute a separate subject. Finally, because the measure is silent about preemption of federal law, it does not contain a separate subject.

The title set for #89 is likewise fair, clear, and accurate. Petitioner Kemper's argument that the statement of the single subject does not include all aspects of the measure assumes that the measure does not contain a single subject. Likewise, the title need not set forth the entire details of the measure.

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seeking review for #89. Petitioner Cordero's appeal was filed on April 24, 2014.

Second, the Title Board did not omit material information about the measure. The title does not need to include reference that the state and local governments must preserve the environment for future generations, as this is not material and the Title Board does not need to state the obvious. Also, the Title Board was not required to define terms that are not defined in the measure.

Finally, the Title Board may not speculate or include information in the title about the possible interpretation or legal effects of the measure. Specifically, Petitioner Kemper's argument that the voters must be informed that the right to Colorado's environment is "fundamental" concerns how the measure may be applied or interpreted. Likewise, Petitioner Cordero's arguments also either improperly focus on the legal effect or interpretation of the measure, or would inappropriately require the Title Board to compare the measure to existing Constitutional provisions, laws or legal doctrines. The title set by the Board should be affirmed.

ARGUMENT

I. The Initiative contains a single subject.

The Petitioners raise numerous single subject arguments that generally overlap and are the same. The Petitioners' arguments should be rejected.

A. The standard of review to determine single subject.

The Title Board may not set title for a ballot initiative that contains more than one subject. Colo. Const., art. V, § 1(5.5); *see also* § 1-40-106.5(1)(a), C.R.S. The single subject requirement prohibits the inclusion of "incongruous subjects in the same measure, especially the practice of putting together in one measure subjects having no necessary or proper connection." § 1-40-106.5(1)(e)(I), C.R.S.; *see also Kelly v. Tancredo (In re Proposed Ballot Initiative on Parental Rights)*, 913 P.2d 1127, 1130-31 (Colo. 1996); *In re Title*, 900 P.2d 104, 113 (Colo. 1995) (stating that "... so long as an initiative encompasses *related* matters it does not violate the single subject requirement of [the] state constitution.") (Scott, J., concurring) (emphasis in original).

A measure contains a single subject if the matters encompassed are "necessarily and properly connected" to each other rather than "disconnected or incongruous." *Kemper v. Hamilton (In re Title, Ballot Title & Submission Clause 2011-2012 #3),* 274 P.3d 562, 565 (Colo. 2012) ("*In re #3*"). Stated differently, if a measure tends to carry out one general purpose, then minor provisions necessary to effectuate that purpose will not violate the single subject rule. *In re Title v. John Fielder,* 12 P.3d 246, 253 (Colo. 2000); *see also Ausfahl v. Caldera (In re Title for 2005-2006 #74),* 136 P.3d 237, 239 (Colo. 2006) (the single subject is not violated unless the text of the measure carries out "two distinct and separate purposes" which are not "dependent upon or connected with each other.") Likewise, the measure contains a single subject even if it has different effects or it makes policy decisions that are not inevitably interconnected. *Fielder,* 12 P.3d at 254. In order to satisfy the single subject requirement, the Title Board is "vested with considerable discretion in setting the title," and therefore the Supreme Court liberally construes the single-subject requirement. *Title v. Apple,* 920 P.2d 798, 802 (Colo. 1996).

B. There are not multiple or distinct purposes contained in the measure.

1. The Petitioners single subject arguments inappropriately look to the merits and potential effect of the measure.

Petitioner Kemper argues that #89 has multiple subjects, because it (a) creates a common property right to the environment; (b) adopts a public trust doctrine; and (c) allows for local environmental restrictions to supersede any less restrictive state environmental regulation. Petitioner Cordero argues that the measure contains multiple subjects, because it (a) establishes the "environment as common property of all Coloradans;" (b) establishes a public trust in the environment; and (c) establishes preemption of local government regulations for the environment. Because these arguments are substantially similar, the Title Board addresses them jointly, and argues they should be rejected.

While the creation of a public right to the environment may be considered broad in scope, this does not violate the single subject requirement. Breadth alone does not violate the single subject

requirement if the provisions of a proposal are connected. *In re Title, Ballot Title and Submission Clause, and Summary for 1999-00 #256,* 12 P.3d 246, 254 (Colo. 2000). For example, the Court has upheld an initiative whose single purpose was "management of development," even though it was acknowledged that topic was "broad." *See Fielder*, 12 P.3d at 254 (a measure that "addressed numerous issues in a detailed manner," such as a referendum requirement for voter approval of growth maps and curtailment of home rule over development, related to the single subject).

Similarly, other measures that sought to adopt a public trust doctrine have been found to contain a single subject so long as the measures did not contain distinct purposes. *See In re #3,* 274 P.3d at 567 (the Court found a single subject in an initiative that sought to adopt a Colorado public trust doctrine for the protection of the public's interests in the water of natural streams, as each provision of the measure was "necessarily and properly connected" to the subject); *Title v. Hufford*, 917 P.2d 1277, (Colo. 1996) (a public's interest in state

waters is connected to a public trust doctrine and assignment of water rights to the public).

Creation of a public right in the environment is not an "overreaching theme," as the measure does not contain separate and unrelated provisions. *See e.g. In re Title v. Respondents: Dennis Pohill and Douglas Campbell, Proponents, & Title*, 46 P.3d 438, 441 (Colo. 2002) ("*In re #43*") (identifying cases where measures were rejected because they contained topics that were too general or broad with unrelated provisions). For example, #89 is not like a proposal in which "water" was the common characteristic found in a measure that the Court determined was too broad a topic, as there was no "necessary connection" between the public trust concerning water rights and district election requirements. *In re Title*, 898 P.2d 1076, (Colo. 1995) ("*Pub. Rights in Water II*"). Likewise, #89 is not like *Kemper v. Hamilton (In re Title)*, 172 P.3d 871, 875 (Colo. 2007), in which the Court held that inclusion of a public trust standard for agency decision-making was coiled up within the creation of an environmental conservation department in violation of the single subject requirement.

Here, the single purpose of creating the public's right to the environment is necessarily related to the enforcement mechanism of state and local governments acting as trustees to protect Colorado's environment.

Analyzing the arguments raised by Petitioner demonstrates there is nothing incongruous or unrelated in the measure. The central purpose of #89 is to establish the public's right to Colorado's environment (or as the Petitioners' argue, establishing Colorado's environment as common property). The scope of the right includes clean air, pure water, and natural and scenic values. And the mechanism by which the right is enforced or protected is through the state and local governments acting as trustees over Colorado's environment (or as the Petitioners contend, creating a public trust doctrine). To facilitate the governments' role as trustee to conserve the environment, local governments may enact laws that may be more restrictive than state law (or as Petitioners refer to it, their preemption argument).

The Title Board acknowledged that while the measure may have "tremendous effects" or be a "massive change," for purposes of the single subject analysis, the measure does not contain distinct purposes. *See Fielder*, 12 P.3d at 254 (the Court noted that "just because a proposal may have different effects or that it makes policy choices that are not inevitably interconnected that it does not necessarily violate the single subject requirement); *see also Outcelt v. Bruce*, 959 P.2d 822, 825, fn. 2 (Colo. 1998) (the Court noted that it is neither appropriate nor possible to attempt to predict all the effects of an amendment in the pre-election phase).

The Petitioners arguments for why #89 violates the single subject rule focus on the effects or merits of the measure instead of the plain language. Specifically in Petitioner Kemper's motion for rehearing, he argued that natural and scenic views may already be preserved through conservation easements found in § 38-30.5-104, C.R.S., and that declaring them the "common property of Coloradans deprive owners of their property without just compensation." Likewise, he argued that the purported creation of a public trust in #89 effectively dismantles

150 years of water rights and water laws. These are similar arguments raised and rejected by the same petitioner in *Kemper v. Hamilton (In re Title, Ballot Title, and Submission Clause for 2011-2012 #45)*, 274 P.3d 576, 581, fn. 2 (Colo. 2012) ("*In re #45*"). There, Petitioner Kemper argued that the measure at issue in that case would "so drastically alter the landscape of Colorado water law that it could not possibly contain a single subject." *Id.* In rejecting that argument, the Court indicted that it may not opine on how an initiative may be applied, and must confine its single subject review to the plain language of the measure. *Id.* Here, the arguments raised by Petitioners are similarly inappropriate for a single subject analysis, and outside the scope of review by this Court.

Finally, the argument that the measure allows for preemption of local environmental laws does not constitute a separate subject. Currently, Colorado courts recognize that state and federal laws preempt local laws when the laws conflict. *Colorado Mining Ass'n v. Board of County Commissioners of Summit County,* 199 P.3d 718, 730 (2009). This measure does not necessarily switch that relationship,

because when a local law conflicts with state law, the more restrictive law shall govern. In other words, local environmental law may or may not preempt state law given which enactment is more restrictive. Furthermore, this Court has previously held that local preemption of state law does not constitute a separate subject. *See Amundson v. Travis (In re Title, Ballot Title & Submission Clause)*, 962 P.2d 970 (Colo. 1998) (found single subject for a measure that had a provision that local regulations relating to hog farms could be more restrictive than state law).

2. Petitioner Cordero's argument that the measure seeks to preempt federal law is incorrect.

In addition to the arguments raised above, Petitioner Cordero also argues that the measure contains a distinct subject because it establishes local preemption of federal law. This should be rejected.

The measure does not purport to preempt federal law, and Proponents testified at the Title Board hearing that this was not their intention. The Title Board's reliance on the Proponents' testimony is

appropriate to determine intent and meaning of the proposal for purposes of title setting. *Title v. Swingle*, 877 P.2d 321, 327 (Colo.1994); *see also Hayes v. Ottke (In re Title, Ballot Title, & Submission Clause for Proposed Initiatives 2011-2012 Nos. 67, 68, 69),* 293 P.2d 551, 555 (Colo. 2013) (the Board must give deference to the intent of the proposal as expressed by the proponents balanced with setting titles that avoid public confusion). Because the plain language of the measure does mention preemption of federal law, Petitioner's Cordero's argument should be rejected. *See In re #45,* 274 P.3d at 581, fn. 2 (the Court confines its review to the plain language of the measure).

II. The title for the Initiative is fair, clear, and accurate.

A. The standard of review with respect to setting a title.

The Title Board's duty in creating a title and submission clause is to summarize the central features of a measure. *In re Petition on Sch. Fin.*, 875 P.2d 207, 210 (Colo. 1994). Not every feature of a measure

must appear in the title. *Fielder,* 12 P.3d at 256. The title should be a brief statement that fairly and accurately represents the true intent and meaning of the proposed text of the initiative. § 1-40-102(10), C.R.S.; *see also* § 1-40-106(1)(b), C.R.S. (ballot titles shall be brief, but the Title Board should consider the public confusion that might result with misleading titles).

The Court's limited review "prohibits [it] from addressing the merits of a proposed initiative, and from suggesting how an initiative might be applied." *In re #43,* 46 P.3d at 443. The actions of the Title Board are presumptively valid. *In re 1999-2000 #104*, 987 P.2d 249, 254 (Colo. 1999); *see also Tancredo*, 913 P.2d at 1131 (stating that the Supreme Court grants "great deference to the board's broad discretion in the exercise of its drafting authority.")

The title set by the Title Board is reviewed as a whole to determine if it is fair, accurate, and complete. *In re #3,* 274 P.3d at 565. A title will be upheld if the Title Board's language "clearly and concisely reflects the central features of the initiative." *Paredes v. Corry (In re Title, Ballot Title, & Submission Clause 2007-2008 # 61*, 184 P.3d 747,

752 (Colo. 2008). The Supreme Court will only reverse the Title Board's title if it contains "a material or significant omission, misstatement, or misrepresentation." *In re Title v. Buckley*, 972 P.2d 257, 266 (Colo. 1999); *see also Brown v. Peckman (In re Title)*, 3 P.3d 1210, 1213 (Colo. 2000) (the Supreme Court will reverse the actions of the Title Board in setting the title when the chosen language is "clearly misleading.")

B. The phrase "concerning a public's right to the environment" accurately reflects the intent of the measure.

Petitioner Kemper argues that the Title Board's statement of the single subject fails to adequately include all the issues addressed in the measure. This argument must be rejected.

The clear title requirement does not mandate that details of the single subject must be expressed in the initial clause. Rather, the Title Board meets its obligations if the initiative's single subject is "clearly expressed in its titles." Earnest v. Gorman, (*In re Title, Ballot Title & Submission on clause for 2009-2010 #45), 234 P.3d 642, 647 (Colo. 2010)* Thus, the Court will review the language used throughout the title. If the language of the title, read as a whole, adequately conveys the

meaning of a measure, the Court will affirm the decision of the Title Board. *Id.* at 648. A title is sufficient if it provides voters with a "reasonably ascertainable expression of the initiative's purpose." *Id.*

First, Petitioner Kemper's argument assumes that the Title Board's finding of a single subject is in error. Here, as argued above, the Title Board did not err when it found a single subject for #89. Second, Petitioner Kemper's argument assumes that all aspects of the measure must be included in the title, and this simply is not the case. *See Aisenberg v. Campbell*, 1 P.3d 739, 744 (Colo. 2000) (the Title Board is not required to include every aspect of a proposal in the title and submission clause, to discuss every possible effect, or provide specific explanations of the measure).

The Title Board modified the statement of the single subject by removing reference to "creation of a public trust over Colorado's environment" in response to objections made by Petitioners. Modification of the single subject statement to "concerning a public's right to Colorado's environment" clearly expresses to voters that a right is established, and then the title details the scope and implementation

provisions as set forth in the measure. Any other issues that Petitioner Kemper may want in the title, such as potential effects or changes to existing constitutional provisions or laws or water doctrines concern implementation and interpretation of the measure, and would be improper to include.

C. The Title does not omit material information about the measure.

1. The title does not need to mention that a local government must preserve the environment for future generations.

Petitioner Kemper argues that the title fails to inform voters that state and local governments must preserve the environment for future generations. This argument is without merit.

Exclusion from the title of this provisions is not "a material or significant omission, misstatement, or misrepresentation" that requires reversal. *See Buckley*, 972 P.2d at 266. This is not a situation in which there is a question of material ambiguity or concealed intent concerning timing or application of the measure. *Id.* at 267-68 (holding that title

was unclear because it did not clarify whether the term of office to which a judge was elected at that election was intended to be one of the three future terms that the judge was limited to by the initiative). Exclusion of that provision is likewise not a significant omission because it is implicit that the public's right to conservation of Colorado's environment would affect future generations. *Id.* at 266 (the Title Board is not required to restate the obvious or set forth every detail).

2. The Title Board is not required to define terms that are not defined in the measure.

Petitioner Cordero objects that the title set by the Title Board fails to define: (1) what constitutes the "environment" so that it is known what constitutes "common property;" (2) what rights in the environment are "fundamental;" and (3) what state and local governments are required under the measure to "conserve." These arguments should be rejected.

The Title Board is not required to define terms that are not defined in the proposal. *Herpin v. Head (In re Title, Ballot Title & Submission Clause)*, 4 P.3d 485, 498 (Colo. 2000) (the Title Board did

not err when it did not define "prospective firearm transferee" because the measure did not define the term); *see also Swingle*, 877 P.2d at 327 (excluding the word "strong" before "public trust doctrine" in the title was not fatal, as the measure did not define the term in the measure).

Similarly, the Title Board and this Court may not define terms if it would require interpretation of the measure. In *Hayes v. Lidley (In re Titlle, Ballot Title & Submission Clause)*, 218 P.3d 350, 356 (Colo. 2009), an objector argued that a title was misleading because it did provide more information about what the word "guarantee" meant in the measure. The objector argued that "guarantee" is a legal term of art, as voters may think their right to a secret ballot in employee representation elections is "guaranteed" when that standard may not match the legal reality. *Id.* In rejecting this argument, the Court stated that the objector was requiring the Court "to conclude the text and titles of the Initiatives are misleading vis-à-vis future legal interpretation and implementation" and that the objector was "essentially inviting [the Court] to interpret the legal scope of the

Initiative's 'guarantee,' and then require the interpretation to be spelled out in the title." *Id.*

Here, none of the words Petitioner Cordero argues should be defined in the title are defined within the measure. This Court would be essentially be engaging in legal interpretation of the measure to determine the scope of the measure, and then require the Title Board to set forth that interpretation in the title. This is clearly beyond the scope of review for this Court, and Petitioner Cordero's arguments should be rejected.

D. The Title Board may not interpret the measure or speculate on its effect or impact.

Petitioner Kemper argues that the measure fails to inform voters that Colorado's right to the environment is "fundamental," because a "fundamental" right is subject to the highest level of scrutiny by the courts. Petitioner Cordero argues that the title fails to: (1) contrast the common understanding of the public trust doctrine with the notion of the public trust contained in the measure; (2) identify that the proposal effectively grants home-rule powers to all cities, counties, towns, and

municipalities; and (3) demonstrate how Colorado's "fundamental" right to conservation of the environment relates to other constitutional provisions. These arguments should fail.

This Court has consistently held that neither the Court nor the Title Board may interpret a measure or "construe its future legal effects." *In re Title, Ballot Title and Submission Clause for 2007-2008, #57*, 185 P.3d 142, 145 (Colo. 2008). The arguments raised by Petitioners go to the effect, application, or interpretation the measure may have on other state laws or constitutional provisions. *See In re Title, Ballot Title and Submission Clause and Summary for 1999-2000 #255,* 4 P.3d 485, 498 (Colo. 2000) (titles are not "misleading because they do not refer to the Initiative's possible interplay with existing state and federal laws.")

Likewise, the Title Board is prohibited from comparing current law or legal doctrines with those proposed in a measure. *See In re Branch Banking Initiative*, 612 P.2d 96, 99 (Colo. 1980) (upholding Title Board's exclusion from the title that the proposed initiative might conflict with federal banking law); *see also In re Title, Ballot Title,*

Submission Clause, and Summary for Proposed Initiated Constitutional Amendment Concerning the Fair Treatment of Injured Workers Amendment, 873 P.2d 718, 721 (Colo. 1994) (the Title Board and Court may not "speculate" on how a proposed amendment may be interpreted or harmonized with other relevant provisions).

Even assuming as Petitioner Cordero argues that the public trust concept proposed by #89 is different from the traditional notion of the public trust doctrine, it is not for the Title Board to include that comparison in the title. Petitioner Cordero's argument is similar to an issue raised in *Swingle*, 877 P.2d at 237. There, the Court discussed that when a controversial new legal standard is defined in a measure, like in a parental notification initiative that involved the definition of abortion, then the definition must be included in the title. In *Swingle*, however, because the term "strong public trust doctrine" was not defined in the measure, the Title Board did not err when it did not provide a definition in the title. Accordingly, the Title Board properly excluded any reference to the possible effects or impact of #89, as well as comparisons of the proposal to other existing law or legal concepts.

CONCLUSION

Based on the foregoing authorities and reasons, this Court should affirm the actions of the Title Board and approve the title for #89.

Respectfully submitted this 13th day of May, 2014.

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CERTIFICATE OF SERVICE

This is to certify that, on this 13th day of May, 2014, I duly served this **OPENING BRIEF OF THE TITLE BOARD** on all parties via ICCES, addressed as follows:

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