# DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO

1437 Bannock St. Denver, CO 80203

DATE FILED: October 20, 2023 4:05 PM

## **Petitioners:**

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

v.

## Respondents:

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

and

#### **Intervenor:**

COLORADO REPUBLICAN STATE CENTRAL COMMITTEE, and DONALD J. TRUMP.

▲ COURT USE ONLY ▲

Attorneys for Petitioners:

Mario Nicolais, Atty. Reg. # 38589

KBN Law, LLC

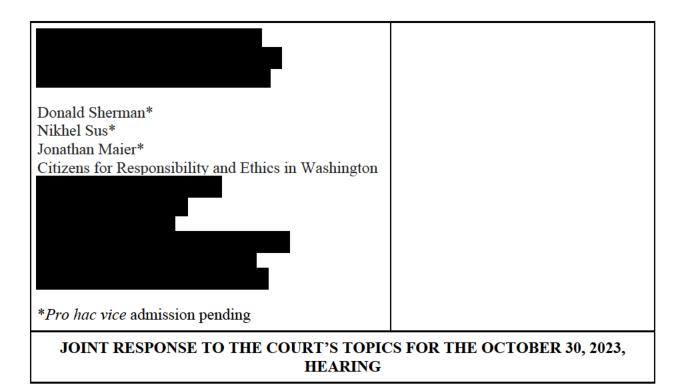
Case Number: 2023CV032577

Division/Courtroom: 209

Martha M. Tierney, Atty. Reg. # 27521 Tierney Lawrence Stiles LLC

Eric Olson, Atty. Reg. # 36414 Sean Grimsley, Atty. Reg. # 36422 Jason Murray, Atty. Reg. # 43652

Olson Grimsley Kawanabe Hinchcliff & Murray LLC



The Parties met and conferred about the Court's identified topics on October 19, 2023. The Parties agree with the Court's topics.

Petitioners statement: Because the questions related to Section 3 of the Twentieth Amendment and the 2022 revisions to 3 U.S.C. § 15 implicate legal issues, Petitioners propose addressing those topics through a short supplemental brief filed on Wednesday. If, after reading that brief, the Court would still like testimony, Petitioners will do their best to call a witness to provide testimony.

Intervenors statement: Each Intervenor proposes one or two additional topics for the hearing to cover, and for ease of review, these topics are placed at the end of the Court's identified topics below:

- 1. How often and on what basis does the Secretary of State exclude candidates based on constitutional deficiencies?
- 2. The process for drafting and approving the Major Party Candidate and Statement of Intent and who can revise or edit it?
- 3. The meaning and historical application of Section 3 of the Twentieth Amendment.
- 4. The 2022 revisions to 3 U.S.C. § 15.
- 5. The history and application of Section 3 of the Fourteenth Amendment.
- 6. Is Section 3 of the Fourteenth Amendment self-executing?
- 7. Does Section 3 of the Fourteenth Amendment apply to Presidents?

- 8. The meaning of "engaged" and "insurrection" as used in Section 3 of the Fourteenth Amendment.
- 9. Did Intervenor Trump's actions meet the standard set forth in Section 3 of the Fourteenth Amendment?

Intervenor Trump's proposed additions:

- 10. The standard of proof that applies to this case.
- 11. Whether the word "engage" under Section Three requires specific intent.

Intervenor Colorado Republican Central Committee's proposed addition:

12. Whether the Petitioners' requested relief would violate the First Amendment.

Date: October 20, 2023 Respectfully submitted,

# /s/ Eric Olson

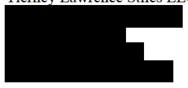
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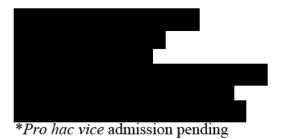
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Donald Sherman\* Nikhel Sus\* Jonathan Maier\* Citizens for Responsibility and Ethics in Washington



Counsel for Petitioners

## CERTIFICATE OF SERVICE

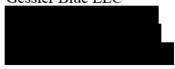
I served this document on October 20, 2023, by Colorado Courts E-filing and/or via electronic mail as follows:

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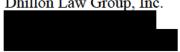


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