

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 KAUFER,
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.

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Attorneys for Petitioners:

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Case Number: 2023CV032577

Division/Courtroom: 209

[REDACTED]

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

[REDACTED]

**Pro hac vice* admission pending

**JOINT RESPONSE TO THE COURT’S TOPICS FOR THE OCTOBER 30, 2023,
HEARING**

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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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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