

**DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO**

1437 Bannock St.  
Denver, CO 80203

**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.

▲ COURT USE ONLY ▲

**Attorneys for Petitioners:**

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[REDACTED]

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

**PETITIONERS' MOTION FOR LEAVE TO SUPPRESS CERTAIN FILINGS**

Petitioners filed their Opposition to Respondent Trump's Anti-SLAPP Motion to Dismiss and accompanying exhibits on September 29, 2023. Because the brief and exhibits identify witnesses and contain sensitive information, Petitioners move for leave to suppress these filings. Petitioners intend to file redacted versions for public consumption by October 6, 2023; the redacted versions will keep witnesses' identifying information under seal so that they will not face intimidation or threats before trial. In addition, Petitioners ask that this process govern all future filings before the October 30, 2023 hearing.

Because Respondent Donald Trump and Intervenor the Colorado Republican State Central Committee oppose this motion and the Clerk of the Court needs authority very quickly to accept the filed opposition brief and exhibits as suppressed, Petitioners ask that its opposition brief and exhibits, and all other briefing in this case that identify witnesses' names, be temporarily suppressed until a final ruling by the Court on this motion.

### **Certification Under C.R.C.P. 121, Section 1-15(8)**

Counsel conferred with all counsel for the parties by email on October 3, 2023.

Respondent Secretary of State Jena Griswold does not oppose this motion. Respondent Trump and Intervenor oppose this motion but do not oppose the redaction of witnesses' addresses or contact information.

### **Background and Argument**

This case has received heightened public attention since its inception. The Court entered a Protective Order on September 22, 2023, to ensure that all participants, including witnesses, “can participate freely and without experiencing any threats, harassment, or acts of intimidation.” Protective Order, 2.

To respond to Respondent Trump's Anti-SLAPP Motion to Dismiss, Petitioners needed to make a prima facie showing that Trump is disqualified under Section 3 of the Fourteenth Amendment. *See* § 13-20-1101(3), C.R.S.; *L.S.S. v. S.A.P.*, 2022 COA 123, ¶ 23, *cert. denied*, No. 22SC880, 2023 WL 4568488 (Colo. July 17, 2023). Doing so required Petitioners to identify witnesses they intend to call and to disclose sensitive information about those witnesses. To protect the witnesses from harassment for as long as possible, Petitioners notified the Court and other parties at the September 22, 2023 status conference that they would file their opposition to the Anti-SLAPP Motion to Dismiss as suppressed. Neither the Court nor opposing parties objected.

Petitioners filed their Opposition to Respondent Trump's Anti-SLAPP Motion to Dismiss and accompanying exhibits as suppressed on September 29, 2023. The Clerk of the Court informed Petitioners' counsel this morning that for the motion and exhibits to be suppressed, the Court needs to enter a specific order authorizing the Clerk to accept them as suppressed.

Petitioners now move for leave to keep those filings suppressed. Keeping witnesses' identities

out of public view until the October 30, 2023 hearing will help ensure that the witnesses “can participate freely and without experiencing any threats, harassment, or acts of intimidation.”

Protective Order, 2.

Conduct since the last status conference has only highlighted the need for protecting witnesses against intimidation. Respondent Trump, in a New York civil case, yesterday urged his followers to “go after” the New York Attorney General who was bringing the case and today posted the private Instagram account of the clerk to the judge and accused her of a romantic relationship with Senator Chuck Schumer. *See* Maggie Haberman, et al., *As Trump’s Legal Woes Have Escalated, So Have His Violent Remarks*, N.Y. TIMES, Oct. 3, 2023, <https://www.nytimes.com/2023/10/03/us/politics/trump-indictments-shoplifters-violence.html>; *Trump targets court clerk on Truth Social while sitting feet away*, THE HILL, Oct. 3, 2023, <https://thehill.com/regulation/court-battles/4235381-trump-to-attend-day-two-of-new-york-fraud-trial-live-updates/#87824>.

Petitioners intend to file a redacted, publicly available opposition brief and exhibits by October 6, 2023. Undersigned counsel is conferring with the other parties on proposed redactions.

Petitioners also move for this same process to govern any filing that identifies witnesses’ names or sensitive information between now and the beginning of the October 30, 2023 hearing—all parties shall file motions containing such information as suppressed, promptly meet and confer on redactions, and then file a public version with that information redacted.

### **Conclusion**

To effectuate the Protective Order, Petitioners request that the Court require that any party filing motions with the identification or sensitive information of witnesses as suppressed, meet and confer on appropriate redactions, and then promptly file a public version with that

information redacted. Petitioners also request that their opposition brief and exhibits, and all other briefing in this case that identify witnesses' names, be temporarily suppressed until a final ruling by the Court on this motion.

Date: October 3, 2023

Respectfully submitted,

/s/ Jason Murray

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*Counsel for Petitioners*

## CERTIFICATE OF SERVICE

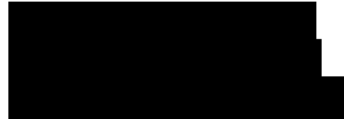
I served this document on October 3, 2023, by Colorado Courts E-filing and/or via electronic mail upon all parties and their counsel:

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*/s/ Jason Murray*