# DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO

1437 Bannock St. Denver, CO 80203

DATE FILED: November 8, 2023 1:43 PM

### **Petitioners:**

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

v.

# Respondent:

JENA GRISWOLD, in her official capacity as Colorado Secretary of State,

and

#### Intervenors:

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

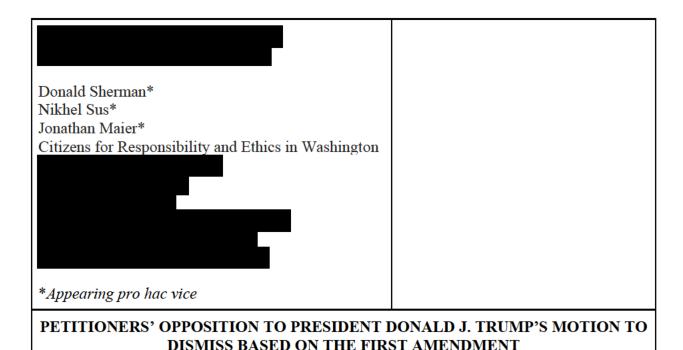
Division/Courtroom: 209

Martha M. Tierney, Atty. Reg. # 27521



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

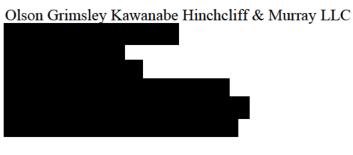
Olson Grimsley Kawanabe Hinchcliff & Murray LLC



Petitioners oppose Intervenor President Trump's Motion to Dismiss Based on the First Amendment filed on October 26, 2023 ("First Amendment Motion to Dismiss"). Trump represents that his First Amendment Motion to Dismiss repeats "nearly word-for-word" arguments he made in his earlier-filed and subsequently denied Special Motion to Dismiss Pursuant to C.R.S. § 13-20-1101(3)(A) and his reply brief in support of that motion. Mot. at 2. Based on that representation, Petitioners respond to Trump's First Amendment Motion to Dismiss here by incorporating by reference all of the First Amendment arguments set forth in (1) Petitioners' Opposition to Respondent Trump's Special Motion to Dismiss Pursuant to C.R.S. § 13-20-1101(3)(A), in particular pages 40 to 48, which Petitioners filed on September 29, 2023, and (2) Petitioners' forthcoming Proposed Findings of Fact and Conclusions of Law.

Date: November 8, 2023 Respectfully submitted,

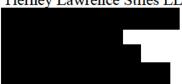
/s/ Sean Grimsley
Eric Olson, Atty. Reg. # 36414
Sean Grimsley, Atty. Reg. # 36422
Jason Murray, Atty. Reg. # 43652



Mario Nicolais, Atty. Reg. # 38589 KBN Law, LLC



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



Donald Sherman\* Nikhel Sus\* Jonathan Maier\*

Citizens for Responsibility and Ethics in Washington



\*Appearing pro hac vice

Counsel for Petitioners

## CERTIFICATE OF SERVICE

I served this document on November 8, 2023, by Colorado Courts E-filing and/or via electronic mail as follows:

Michael T. Kotlarczyk Grant T. Sullivan LeeAnn Morrill Colorado Attorney General's Office

Attorneys for Secretary of State Jena Griswold in her official capacity as Colorado Secretary of State

Scott E. Gessler Geoffrey N. Blue Justin T North Gessler Blue LLC gblue@gesslerblue.com jnorth@gesslerblue.com sgessler@gesslerblue.com

Jonathan Shaw
Mark P. Meuser
Jacob Roth
Christopher Halbohn
Dhillon Law Group, Inc.
jshaw@dhillonlaw.com
mmeuser@dhillonlaw.com
jroth@dhillonlaw.com

Attorneys for Intervenor Donald J. Trump

Michael William Melito Melito Law LLC melito@melitolaw.com

Robert Alan Kitsmiller Podoll & Podoll, P.C. bob@podoll.net

Benjamin Sisney Nathan J. Moelker Jordan A. Sekulow Jay Alan Sekulow Jane Raskin Stuart J. Roth
American Center for Law and Justice
<a href="mailto:bsisney@aclj.org">bsisney@aclj.org</a>
<a href="mailto:nmoelker@aclj.org">nmoelker@aclj.org</a>
<a href="mailto:jorg">jordansekulow@aclj.org</a>
<a href="mailto:sekulow@aclj.org">jordansekulow@aclj.org</a>
<a href="mailto:sekulow@aclj.org">jorgaskin@raskinlaw.com</a>

Andrew J. Ekonomou aekonomou@outlook.com

Attorneys for Intervenor Colorado Republican State Central Committee

/S/ Sean Grimsley
Counsel for Petitioners