

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:22-CV-00477-PAB-MEH

PARABLE, an unincorporated nonprofit association, on behalf of itself and its members, et al.,

Plaintiffs,

v.

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

Defendant.

**MOTION FOR LEAVE TO FILE BRIEF AS *AMICI CURIAE*
IN SUPPORT OF DEFENDANT**

The Governor of Colorado and the Attorney General of Colorado respectfully move for leave to file the *amici curiae* brief attached as Exhibit A. Plaintiffs do not oppose the motion on the condition that they be granted a response (to be no longer than the *amici's* brief) three days after their reply to Defendant's response is due. Neither *amici* nor Defendant opposes Plaintiffs' request so long as the additional briefing does not delay the Court's consideration of this matter.

The *amici* elected officials—the Governor and the Attorney General—have a strong interest in the enforcement of Colorado's election laws and upholding the will of Colorado voters. This is particularly so where, as here, the relevant law in dispute allows the political parties to afford more Coloradans the opportunity to exercise their voting rights. *Amici* also have an interest in the faithful interpretation and

implementation of the laws passed by Colorado voters through the initiative process. This case calls into question the constitutionality of Colorado's semi-open primary law, Proposition 108. Plaintiffs here seek a preliminary injunction to prevent the enforcement of this law. Relief sought by Plaintiffs would have the Court nullify the voters' will and disenfranchise a major segment of Colorado voters from participating in Colorado's primary elections, even though the Colorado Republican Party has elected to include unaffiliated voters in its primary.

For these reasons, the Court should accept the Governor and the Attorney General's *amici curiae* brief in support of the Defendant's opposition to a preliminary injunction.

Dated March 14, 2022.

PHILIP J. WEISER
Attorney General of Colorado
/s/ Abigail M. Hinchcliff
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**Counsel of Record*

CERTIFICATE OF SERVICE

I certify that on March 14, 2022, this document was filed with the Clerk of the Court, using the CM/ECF system, causing it to be served on all counsel of record.

Dated: March 14, 2022

Respectfully submitted,

/s/ Abigail M. Hinchcliff

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