

<p>STATE OF COLORADO SECRETARY OF STATE ADMINISTRATIVE HEARING OFFICER 1700 Broadway #550 Denver, CO 80290</p> <hr/> <p>BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE, <i>in re</i> ED 2023-56</p> <p>ELECTIONS DIVISION OF THE SECRETARY OF STATE,</p> <p>Complainant,</p> <p>vs.</p> <p>UNITE FOR COLORADO, d.b.a., ADVANCE COLORADO ACTION,</p> <p>Respondent.</p>	<p>▲ COURT USE ONLY ▲</p>
<p>PHILIP J. WEISER, Attorney General KYLE M. HOLTER, No. 52196 Assistant Attorney General* 1300 Broadway, 6th Floor Denver, CO 80203 Telephone: (720) 508-6150 Email: kyle.holter@coag.gov *Counsel of Record <i>Attorneys for Elections Division of the Secretary of State</i></p>	<p>2024 AHO 0024</p>
<p>ELECTIONS DIVISION’S MOTION TO SET HEARING</p>	

The Elections Division (the “Division”) files this Motion to Set Hearing pursuant to the Hearing Officer’s Amended Order dated July 18, 2024. The parties conferred by telephone on this matter on July 23, 2024.

The Division filed, and Unite for Colorado (“Unite”) did not oppose, a Motion to Stay proceedings in this matter on July 22, 2024. The parties agree that this matter should be stayed, and therefore that no deadlines should be set, until a final judgment has issued in the related case of *Colorado Department of State v. Unite for Colorado* (“*Unite I*”), currently pending a decision on Unite’s Petition for Certiorari to the Colorado Supreme Court (Case No. 2024SC281).

Pursuant to the Hearing Officer’s July 18 Order, however, and in the event that the Division’s Unopposed Motion to Stay is not granted, the Division proposes, and Unite does not oppose, the following schedule:

- Discovery deadline: October 30, 2024
- Deadlines for Dispositive Motions
 - Motions: November 29, 2024
 - Responses: December 20, 2024
 - Replies: January 3, 2024
- Deadline for filing prehearing statements, exhibits, and witness lists: January 10, 2024
- Hearing: January 16 and January 17, 2024

For the foregoing reasons, as well as those set forth in the Division’s Unopposed Motion to Stay, the Division respectfully requests that proceedings in this matter be stayed until all appeals for *Unite I* have concluded.

Respectfully submitted this 24th day of July 2024.

PHILIP J. WEISER
Attorney General

/s/ Kyle M. Holter

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CERTIFICATE OF SERVICE

This is to certify that I will cause the within filing to be served this 24th day of July, 2024, by email, addressed as follows:

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Counsel for Respondent Unite for Colorado

/s/ Kyle M. Holter