

**DISTRICT COURT, CITY AND COUNTY OF DENVER,
COLORADO** 1437 Bannock St. Denver CO 80202

DATE FILED: January 10, 2022 8:25 PM
FILING ID: 74A5B86277B8B
CASE NUMBER: 2021CV33691

Plaintiffs: **Ron Hanks, Amy Mitchell, Gary Moyer, Jeff Rector, Merlin Klotz, individually and as Clerk and Recorder for Douglas County, Colorado, and Dallas Schroeder, individually and as Clerk and Recorder for Elbert County**

v.

Defendant: **JENA GRISWOLD, individually and as Colorado Secretary of State**

Plaintiff's Attorney:
John Case, Atty reg. # 2431
John Case, P.C.
5460 S. Quebec St. #330
Greenwood Village CO 80111
Phone: (303) 667-7407
FAX: (303) 648-4786
E-mail: brief@johncaselaw.com

Case No: 2021CV033691

Courtroom: 280

PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION TO DISMISS

Plaintiffs advise the Court that Plaintiffs have filed an Unopposed Motion to Amend Complaint with the Second Amended Complaint attached to the motion. Plaintiffs anticipate that Defendant's Motion to Dismiss the First Amended Complaint will become moot when the Court accepts for filing the Second Amended Complaint.

WHEREFORE, Plaintiffs respectfully ask the Court to deny Defendant's Motion to Dismiss as moot.

Respectfully submitted January 10, 2022.

JOHN CASE, P.C.
Counsel for Plaintiffs

s/John Case

John Case, #2431

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2022, a true copy of the foregoing was filed with the Court and served on opposing counsel electronically via ICCES to:

Denver District Court
1437 Bannock St.
Denver CO 80202

Emily Buckley, Assistant Attorney General, emily.buckley@coag.gov
Peter G. Baumann, Assistant Attorney General, peter.baumann@coag.gov
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 6th Floor
Denver CO 80203

s/John Case

John Case