

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

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

PARABLE,  
an unincorporated nonprofit association, on behalf  
of itself and its members;  
RON HANKS;  
LAUREL IMER;  
DAVE PETERS;  
CHARLES W. STOCKHAM,,  
also known as Casper;  
JOANN WINDHOLZ,

Plaintiffs,

v.

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

Defendant.

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**OPPOSITION TO MOTION FOR EXPEDITED  
BRIEFING SCHEDULE AND EXPEDITED HEARING  
ON PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

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Jena Griswold, in her official capacity as Colorado Secretary of State, (the "Secretary") respectfully requests the Court deny Plaintiffs' motion for an expedited briefing schedule and expedited hearing on Plaintiffs' motion for preliminary injunction ("Motion").

Plaintiffs' Motion asks the Court to require the Secretary to respond to Plaintiffs' motion for a preliminary injunction by March 10. ECF #3, p. 3 The Secretary accepted service of the complaint, and waived service of the summons, on February 28, 2022. Thus, Plaintiffs propose to shorten considerably the standard 21-day response period. *See* D.C.COLO.LCivR 7.1(d).

Plaintiffs fail to explain why they waited until February 24, 2022 to file this lawsuit. The law they challenge—Proposition 108—was adopted by Colorado voters in 2016. ECF #1, pp. 1-2. The individual Plaintiffs allege an interest in challenging the constitutionality of Proposition 108 as of September 18, 2021. ECF #1, pp. 3-4. Yet Plaintiffs waited until late February 2022 to file this lawsuit, and now ask the Secretary to mount a defense of a well-known state law on mere days' notice.

“Poor planning on [Plaintiffs’] part does not translate into a crisis for everyone else.” *Garcia v. Estate of Arribas*, No. 04-1159-MLB, 2006 WL 5249748, \*5 (D. Kan. Mar. 31, 2006). Because Plaintiffs have not shown good cause for an expedited briefing schedule, the Court should deny Plaintiffs’ Motion for an expedited briefing schedule and permit the Secretary to respond to Plaintiffs’ motion for a preliminary injunction 21 days after February 28, 2022 (the date on which the Secretary waived and accepted service of the Complaint).

Respectfully submitted this 28th day of February, 2022.

PHILIP J. WEISER  
Attorney General

s/ Emily Buckley

*Emily Buckley\**

Assistant Attorney General

*Grant T. Sullivan\**

Assistant Solicitor General

Public Officials Unit / State Services Section

Ralph L. Carr Colorado Judicial Center

1300 Broadway, 6<sup>th</sup> Floor

Denver, Colorado 80203

Tel: 720 508-6403 (Buckley) / 6349 (Sullivan)

E-Mail: [emily.buckley@coag.gov](mailto:emily.buckley@coag.gov);

[grant.sullivan@coag.gov](mailto:grant.sullivan@coag.gov)

*Attorneys for Defendant*

\*Counsel of Record

**CERTIFICATE OF SERVICE**

I hereby certify that on February 28, 2022, I served a true and complete copy of the foregoing **OPPOSITION TO MOTION FOR EXPEDITED BRIEFING SCHEDULE AND EXPEDITED HEARING ON PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION** upon all parties herein by e-filing with the CM/ECF system maintained by the court and/or email, addressed as follows:

John C. Eastman  
Constitutional Counsel Group  
174 West Lincoln Avenue, Suite 620  
Anaheim, CA 92805-2901  
[jeastman@ccg1776.com](mailto:jeastman@ccg1776.com)

Randy Blair Corporon  
Law Offices of Randy B. Corporon, P.C.  
2821 South Parker Road  
Suite 555  
Aurora, CO 80014  
[rbc@corporonlaw.com](mailto:rbc@corporonlaw.com)

*Attorneys for Plaintiff*

s/ Xan Serocki  
*Xan Serocki*

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