

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, Colorado 80202 (720) 865-8301	↑ COURT USE ONLY ↑
Plaintiff: SCOTT GESSLER, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE FOR THE STATE OF COLORADO, v. Defendant: DEBRA JOHNSON, IN HER OFFICIAL CAPACITY AS THE CLERK AND RECORDER FOR THE CITY AND COUNTY OF DENVER	
<i>Attorneys for Amici Curiae Mi Familia Vota Education Fund & Urban League of Metropolitan Denver:</i> Terrance D. Carroll, #36592 Cuneyt Akay, #39085 GREENBERG TRAUIG, LLP 1200 Seventeenth Street, Suite 2400 Denver, Colorado 80202 Phone Number: 303.572.6500 Fax Number: 303.572.6540 E-Mail: carrollt@gtlaw.com, akayc@gtlaw.com	Case No. 2011CV6588 Courtroom: 203
AMICI CURIAE MI FAMILIA VOTA EDUCATION FUND AND URBAN LEAGUE OF METROPOLITAN DENVER’S UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF IN OPPOSITION TO THE SECRETARY OF STATE’S MOTION FOR PRELIMINARY INJUNCTION	

Amici Curiae Mi Familia Vota Education Fund (“MFVEF”) and the Urban League of Metropolitan Denver (“ULMD”), by and through their undersigned counsel, hereby submit this Unopposed Motion for Leave to File Brief in Opposition to the Secretary of State’s Motion for Preliminary Injunction. In support of their Motion, MFVEF and ULMD state as follows:

CERTIFICATION

Pursuant to C.R.C.P. 121 § 1-15(8), undersigned counsel has conferred in good faith with counsel for Secretary Gessler and Clerk Johnson. Neither party opposes the relief requested in this Motion.

1. MFVEF is a nonpartisan, 501(c)(3) organization working to ensure social and economic justice through increased civic engagement and to unite and build power in Latino, immigrant, and allied communities.

2. ULMD is a nonpartisan, non-profit organization founded in 1946 for the purpose of promoting the attainment of economic and social self-reliance among poor and disadvantaged African-Americans. Since its founding, ULMD has worked aggressively to create equality for African-Americans and others of disadvantaged ethnic and cultural backgrounds.

3. MFVEF and ULMD have historically considered the protection of the poor, the elderly, and people of color from political, social, and economic disenfranchisement as a key component to their stated organizational mission statements. Both organizations conduct significant nonpartisan voter education and Get-Out-The-Vote efforts during each election cycle.

4. This litigation raises important issues under Colorado's Uniform Election Code of 1992 and Mail Ballot Election Act and will have wide-ranging implications for future Colorado elections.

5. MFVEF and ULMD's participation is important because of their collective experience in working with groups that have historically suffered political disenfranchisement. Additionally, the outcome of this litigation will directly affect the ability of MFVEF and ULMD, along with other similarly situated groups, to foster active civic engagement among historically disenfranchised persons.

6. MFVEF and ULMD's particular expertise is necessary to the Court's understanding of why Secretary Gessler's interpretation of Colo. Rev. Stat. § 1-7.5-107(3)(a)(I) is facially inaccurate and, therefore, his order to Clerk Johnson is *void ab initio*. Further, MFVEF and ULMD can illustrate the harmful and disproportionate effect Secretary Gessler's order will have on the ability of eligible electors to exercise their right to vote because of their race or color.

7. Amici Curiae Mi Familia Vota Education Fund and Urban League of Metropolitan Denver's Brief in Opposition to the Secretary of State's Motion for Preliminary Injunction is submitted with this Motion and tendered to the Court for conditional filing. Granting MFVEF and ULMD's Motion will not delay the resolution of this case.

WHEREFORE, Amici Curiae MFVEF and ULMD respectfully request that this Court grant their Unopposed Motion for Leave to File Brief in Opposition to the Secretary of State's Motion for Preliminary Injunction and accept for filing its contemporaneously and conditionally filed Amici Curiae Mi Familia Vota Education Fund and Urban League of Metropolitan Denver's Brief in Opposition to the Secretary of State's Motion for Preliminary Injunction.

Respectfully submitted this 6th day of October, 2011.

GREENBERG TRAURIG, LLP

s/ Terrance D. Carroll

Terrance D. Carroll #36592

Cuneyt Akay #39085

1200 Seventeenth Street, Suite 2400

Denver, Colorado 80202

(Original signature on file at the offices of Greenberg Traurig,
LLP, pursuant to C.R.C.P. 121, § 1-26)

ATTORNEYS FOR AMICI CURIAE

CERTIFICATE OF SERVICE

I hereby certify on October 6, 2011, a true and correct copy of the foregoing **AMICI CURIAE MI FAMILIA VOTA EDUCATION FUND AND URBAN LEAGUE OF METROPOLITAN DENVER'S UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF IN OPPOSITION TO THE SECRETARY OF STATE'S MOTION FOR PRELIMINARY INJUNCTION** was filed with the Court and served via LexisNexis File and Serve on the following:

Maurice G. Knaizer, #5264
Deputy Attorney General
Office of the Colorado Attorney General
1525 Sherman Street, 7th Floor
Denver, Colorado 80203

Victoria J. Ortega, #19919
David V. Cooke, #34623
Office of the Denver City Attorney
201 W. Colfax Avenue, Dept. 1207
Denver, Colorado 80202

s/Cuneyt A. Akay
Cuneyt A. Akay

(Original on file at offices of Greenberg Traurig,
LLP, pursuant to C.R.C.P. 121, § 1-26)