

**DISTRICT COURT  
CITY AND COUNTY OF DENVER,  
COLORADO**

1437 Bannock Street, Room 256  
Denver, CO 80202  
Phone: (303) 606-2300

**NORMA ANDERSON, MICHELLE PRIOLA,  
CLAUDINE CMARADA, KRISTA KAUFER,  
KATHI WRIGHT, and CHRISTOPHER  
CASTILIAN,**  
Petitioners,

v.

**JENA GRISWOLD,** in her official capacity as  
Colorado Secretary of State, and **DONALD J. TRUMP**  
Respondents.

and

**COLORADO REPUBLICAN STATE CENTRAL  
COMMITTEE,** an unincorporated association, and  
**DONALD J. TRUMP,**  
Intervenors.

**▲ COURT USE ONLY ▲**

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Case Number:  
2023CV32577

Division:

**MOTION FOR 48-HOUR ENLARGEMENT OF TIME TO FILE  
PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**Conferral under C.R.C.P. 121 § 15-8**

Undersigned counsel has conferred with all counsel. Petitioners and the Secretary of State oppose the relief requested in this *Motion*. The Colorado Republican State Central Committee does not object to the extension request.

1. The trial in this matter concluded on Friday, November 3, 2023.
2. The Court ordered that the parties file their *Proposed Findings of Fact and Conclusions of Law* by November 8, 2023. This *Motion* asks this Court to extend that deadline by 48 hours.
3. Undersigned counsel and President Trump's attorneys have been working on their *Proposed Findings of Fact and Conclusions of Law* almost continuously since the completion of the trial. They seek a short 48-hour enlargement due solely to the difficulty of completing the volume of work in the limited timeframe.
4. An enlargement of time will assist the Court. Thorough, well-researched, and well-reasoned *Proposed Findings of Fact and Conclusions of Law* will enable the Court to more quickly and readily incorporate any proposals into its final Order.
5. Several aspects of this case make the volume of work unique. First, the expedited schedule of this matter has resulted in a compressed timeframe for everything, ranging from dispositive motions and trial preparation, through findings of fact and conclusions of law. Second, much of the witnesses' testimony could not be fully predicted, due in part to the lack of discovery. Third, the conditional entry of the January 6<sup>th</sup> Report has required a careful analysis and individualized arguments for nearly 100 findings in the

report, and each proposal must be individually grounded in the evidence presented at trial. Fourth, the record is not fully clear on the admission of exhibits, requiring additional time and analysis.

6. Combined, these factors made it impractical to prepare proposed findings of fact and conclusions of law in advance of the hearing.

7. Importantly, this case presents complex constitutional issues that have not been litigated for over 100 years and that affect voters' and President Trump's fundamental rights. The additional 48 hours is necessary to allow President Trump to present thorough, well-reasoned, and well-researched set of proposed findings of fact and conclusions of law.

8. Counsel recognizes the expedited nature of this matter and the Court's stated goal to issue its order on Friday, November 17, 2023. While this compresses the Court's time, it still leaves the Court with a week to draft its Order. Further, the parties have either waived or do not oppose waiver of the 48-hour requirement under Section 1204, so it is feasible for this Court to take additional time, while still allowing adequate time to resolve any appeal by January 5, 2024.

9. The 48-hour enlargement will not significantly impact the time the Colorado Supreme Court or the Supreme Court of the United States will have to resolve the matter – should they even choose to accept anticipated appeals. In fact, the appellate time frame of 49 days (between November 17, 2023, and January 5, 2024), exceeds the 42 days (from the first status conference on September 18, 2023, to commencement of the hearing on October 30, 2023) allotted to prepare this entire matter for trial.

10. In short, undersigned counsel submits that a 48-hour enlargement of time will assist this Court in efficiently producing its Order and provide President Trump the opportunity to fully explicate the application of the facts to the law in this important case.

11. Finally, neither the Petitioners nor the Colorado Secretary of State will suffer any prejudice, because the enlargement of time will apply equally to them. They will also have additional time – should they choose to use it – to finalize their *Proposed Findings of Fact and Conclusions of Law*.

12. As required by C.R.C.P. 121 § 1-11, the undersigned counsel has served a copy of this *Motion* upon his client.

FOR THESE REASONS, the court should GRANT this motion and extend President Trump’s deadline to file his proposed Findings of Fact and Conclusions of Law by 48-hours from the original deadline through and including Friday, November 10, 2023, and also grant President Trump all such further relief as is just, proper or appropriate.

Respectfully submitted this 8<sup>th</sup> day of November 2023,

GESSLER BLUE LLC

s/ Scott E. Gessler  
Scott E. Gessler

**Certificate of Service**

I certify that on this 8<sup>th</sup> day of November 2023, the foregoing was electronically served via e-mail or CCES on all parties and their counsel of record:

By:           s/ Joanna Bila            
Joanna Bila, Paralegal