

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

Civil Action No. 24-cv-00913-RMR

GAYS AGAINST GROOMERS, a nonprofit corporation;
ROCKY MOUNTAIN WOMEN'S NETWORK, an unincorporated association;
RICH GUGGENHEIM, an individual; and
CHRISTINA GOEKE, an individual,

Plaintiffs

v.

LORENA GARCIA, in her individual and official capacities as a Colorado State Representative;
MIKE WEISSMAN, in his individual and official capacities as a Colorado State Representative and Chair of the House Judiciary Committee;
LESLIE HEROD, in her individual and official capacities as a Colorado State Representative;
JULIE GONZALES, in her individual and official capacities as a Colorado State Senator and Chair of the Senate Judiciary Committee; and
DAFNA MICHAELSON JENET, in her individual and official capacities as a Colorado State Senator,

Defendants

**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION TO SUSPEND RMR CIV.
PRACTICE STANDARDS 43.1A(a)(1) & (2)(D) (CM/ECF Dkt. No. 15)**

Defendants Lorena Garcia, Mike Weissman, Leslie Herod, Julie Gonzales, and Dafna Michaelson Jenet, through undersigned counsel, respectfully respond to Plaintiffs' Motion to Suspend RMR CIV. Practice Standards 43.1A(a)(1) & 2(D) as follows:

Counsel for the Plaintiffs contacted undersigned counsel for the Defendants on April 23, 2024, regarding Plaintiffs' intent to request the Court to suspend RMR Civ.

Practice Standards 43.1A(a)(1) and 2(D) in the context of this case. Undersigned counsel responded that the Defendants would not and could not consent to the relief requested in such a motion, though they were uncertain to what degree they would actively oppose it.

Defendants, not surprisingly, are quite comfortable with the Practice Standards in question and intend to fully comply with them. That, of course, does not address Plaintiffs' concerns or resolve the issues. Defendants are also uncertain as to the circumstances – in the context of the specific issues presented in this case – in which application of these standards may pose a problem. However one may think or feel about the points raised in Plaintiffs' Motion, this case is directed specifically to the official behavior of the five named state legislative Defendants and the Colorado General Assembly.

Perhaps most important from the Defendants' perspective – in the context of a case directed precisely to the constitutional discretion to be accorded sitting state legislators in the exercise of their legislative duties – it would be extraordinarily odd for the Defendant legislators to interpose suggestions or responses to the federal judiciary as to the application of practice standards by a federal judge in a federal courtroom. And the generalized relief being requested is oddly similar to the generalized restrictions the Plaintiffs seek to impose upon the Defendant legislators.

That said, the Defendants defer to the Court on this question; they intend to comply with the practice standards irrespective of any relief granted to the Plaintiffs

under their motion; and they do not envision a situation pertinent to this case where application of these standards should become an issue.

Respectfully submitted this 14th day of May, 2024.

By: s/Edward T. Ramey
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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2024, I filed with the Court and served upon all parties herein a true and complete copy of the foregoing **DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION TO SUSPEND RMR CIV. PRACTICE STANDARDS 43.1A(a)(1) & (2)(D) (CM/ECF Dkt. No. 15)** by e-filing with the CM/ECF system maintained by the Court.

s/Edward T. Ramey