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| <p>STATE OF COLORADO SECRETARY OF STATE ADMINISTRATIVE HEARING OFFICER 1700 Broadway #550 Denver, Colorado 80290</p> <hr/> <p>BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE, <i>in re</i> ED 2023-66</p> <p>ELECTIONS DIVISION OF THE SECRETARY OF STATE,</p> <p>Complainant,</p> <p>vs.</p> <p>CITIZENS FOR EXCEPTIONAL EAGLE COUNTY SCHOOLS</p> <p>Respondent.</p> | <p>▲ COURT USE ONLY ▲</p> <hr/> <p>CASE NUMBER</p> <p>2024 AHO 0009</p> |
| <p>NOTICE OF DISMISSAL WITH PREJUDICE</p> | |

Pursuant to C.R.C.P. 41(a)(1)(A) and 8 CCR 1505-6, Rule 24.14.2, the Elections Division of the Secretary of State hereby provides notice of its voluntary dismissal, with prejudice, of its action against Respondent Citizens for Exceptional Eagle County Schools.

1. Pursuant to C.R.C.P. 41(a)(1)(A), a plaintiff may dismiss an action “without order of court . . . by filing a notice of dismissal at any time before filing or service by the adverse party of an answer or of a motion for summary judgment.” The dismissal is without prejudice “unless otherwise stated in the notice of dismissal.” *Id.*

2. Pursuant to Rule 24.14.2 of the Secretary’s Rules on Campaign and Political Finance, “the division shall file a notice of dismissal with the hearing officer if a settlement has been approved by the Deputy Secretary.”

3. The Elections Division and Respondent have entered a settlement agreement resolving this matter, and that settlement agreement has been approved by the Deputy Secretary.

Therefore, the Elections Division voluntarily dismisses this action, with prejudice.

Respectfully submitted this May 14, 2024.

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

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CERTIFICATE OF SERVICE

This is to certify that I will cause the within filing to be served this

May 14, 2024, by electronic mail, addressed as follows:

Citizens for Exceptional Eagle County Schools
Wendy Rimel, Registered Agent
wendyr@efec.org
Respondent

Jose A G Martinez II
Tmartinz92@sbcglobal.net
Third-party complainant

/s/ Nicole Flores
Nicole Flores
Campaign Finance Enforcement
Colorado Secretary of State