

STATE OF COLORADO SECRETARY OF STATE ADMINISTRATIVE HEARING OFFICER 1700 Broadway #550 Denver, Colorado 80290	
BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE, <i>in re</i> ED 2024-09	
ELECTIONS DIVISION OF THE SECRETARY OF STATE,  Complainant,  vs.  DURANGO SCHOOL DISTRICT 9-R  Respondent.	▲ COURT USE ONLY ▲  CASE NUMBER  2024 AHO 0015
<b>NOTICE OF DISMISSAL WITH PREJUDICE</b>	

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 Durango School District 9-R.

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 June 10, 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

June 10, 2024, by electronic mail, addressed as follows:

Durango School District 9-R  
C/O Superintendent  
Dr. Karen Cheser  
kcheser@durangoschools.org  
*Respondent*

Kelly Hegarty  
k.hegarty@me.com  
*Third-party complainant*

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