

STATE OF COLORADO SECRETARY OF STATE ADMINISTRATIVE HEARING OFFICER 1700 Broadway #550 Denver, Colorado 80290	▼ COURT USE ONLY ▼
BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE, <i>in re</i> ED 2024-40, 48, 49 ELECTIONS DIVISION OF THE SECRETARY OF STATE, Complainant, vs. VAN WINKLE FOR COLORADO Respondent.	CASE NUMBER 2024 AHO 0025

NOTICE OF DISMISSAL WITH PREJUDICE

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 Van Winkle for Colorado.

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 November 12, 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 November 12, 2024, by electronic mail, addressed as follows:

Kevin van Winkle

kevin@vanwinkleforcolorado.com

Respondent

Carolyn Pastore

cplovesgolfing@yahoo.com

Third-party complainant

/s/ Nicole Flores

Nicole Flores

Campaign Finance Enforcement

Colorado Secretary of State