
STATE OF COLORADO
SECRETARY OF STATE
Administrative Hearing Office
1700 Broadway, Suite 550
Denver, CO 80290

Case number:

2025 AHO 11 CPF
(*in re* ED 2024-100)

IN THE MATTER OF:

ELECTIONS DIVISION of the SECRETARY OF STATE

Complainant

v.

SUMMIT COUNTY REPUBLICAN CENTRAL COMMITTEE,

Respondent

SCHEDULING ORDER

1. Complainant filed an Administrative Hearing Officer Complaint April 17, 2025. The Complaint alleges violations of the Fair Campaign Practices Act (FCPA) in connection with 14 text messages sent by Respondent to voters in 2024. The Complaint alleges that the texts failed to contain compliant disclaimers as required by FCPA § 1-45-108.3(3) and §1-45-108.3(4) (Count 1) and that the Respondent failed to report the money spent on the texts as required by FCPA § 1-45-108(1)(a)(1).

2. After reviewing the Complaint, I find that while it states claims for relief, it does not do so with the specificity that will enable Respondent to admit or deny acts related to the 14 text messages. And the lack of specificity also makes it hard for the trier of fact to track the allegations that the Division is making. Lumping all 14 text messages together invites confusion, and so with this Order, I am going to address that.

3. FCPA § 1-45-111.7(6)(a) states that proceedings “conducted by a hearing officer under this section must be in accordance with section 24-4-105. Using the authority I have under §24-4-105(4) C.R.S. to “regulate the course of the hearing” and to enter “appropriate orders that shall control the subsequent course of the proceedings,” I am ordering Division to file an amended complaint by April 28, 2025 and Respondent to file an Answer to the Amended Complaint by May 28, 2025.

4. The Amended Complaint shall identify the 14 texts that are at the heart of the Complaint by date and by any other unique or defining features and assign a number to each text message where the assigned numbers go from the first sent to the last sent of the 14 text messages. This identification of text messages can be done either in the Amended Complaint itself or in an attachment to the Complaint as permitted by Colo.R.Civ.P. 10(c).

5. The other pleadings, actions and events will happen on the schedule below. Where a date is on the weekend or a holiday, the date is extended to the next business day:

Pleading or event	Days after Complaint	Date of event
Amended Complaint	8	Monday, April 28, 2025
Scheduling Order	1	Friday, April 18, 2025
Answer	30	Wednesday, May 28, 2025
Discovery ends	90	Sunday, July 27, 2025
Dispositive Motions	104	Sunday, August 10, 2025
Response to Disp. Motions	118	Sunday, August 24, 2025
Reply re Disp Motions	125	Sunday, August 31, 2025
Pre-hearing statements due	104	Sunday, August 10, 2025
Exhibits list filed	107	Tuesday, August 26, 2025

6. Motions shall be handled in accordance with Campaign & Political Finance [CPF] Rule 24.9, 8 Code Colo. Regs. 1505-6.

7. Prehearing Statements shall comply with CPF Rule 24.11.

8. Exhibits—exchanged. Exhibits of the parties are to be exchanged on the same date that Prehearing Statements are filed.

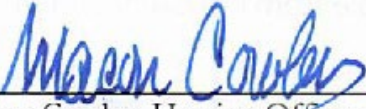
9. Exhibit format. Exhibits of the parties are also to be filed on the same date as the Prehearing Statements. Each party shall put its exhibits in a single bookmarked pdf file, with each exhibit labeled (with the Division using numbers and the Respondent using letters) and bookmarked within the pdf file. The exhibit “labels” must contain the exhibit number or letter, the hearing date and the case number.

10. Trial Efficiencies. Include an estimate of time needed for direct examination of each witness in each parties’ case in chief, as well as the amount of time required to try the case.

11. The Division shall file a single exhibit list, noting stipulations as to admissibility and objections by the parties, using the template that will be provided by the Court Clerk on request.

12. Hearing in this matter, pursuant to §1-45-111.7(6)(a) and §24-4-105, C.R.S. is hereby scheduled for Monday, September 1, 2025 at 10:00 AM in the hearing room of the Secretary of State at 1700 Broadway, Suite 550, Denver, CO 80290.

SO ORDERED this 18th day of April 2025.



Macon Cowles, Hearing Officer

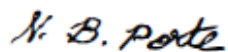
CERTIFICATE OF SERVICE

The undersigned hereby certifies that one true copy of this Scheduling Order was sent via email on April 21st, 2025 to the following:

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Nathan Borochoff-Porte, Administrative Court Clerk