

<p>COLORADO SUPREME COURT Court Address: 2 E. 14th Ave. Denver, CO 80203</p>	
<p>District Court, City & County of Denver, Colorado Hon. Elizabeth Anne Starrs Case No. 2016CV34522</p>	
<p>In re: Wayne W. WILLIAMS, in his official capacity as Colorado Secretary of State, Petitioner v. Polly BACA and Robert NEMANICH, in their official capacities as presidential electors, and others so similarly situated, Respondents.</p>	<p>▲ COURT USE ONLY ▲</p>
<p>Attorney: The Witt Law Firm Name: Jesse Howard Witt Address: 3100 Arapahoe Avenue Suite 340 Boulder, Colorado 80301 Telephone: (303) 216-9488 Facsimile: (303) 216-9489 E-mail: jesse@witt.law Atty. Reg. #: 33241</p>	<p>Case No.: _____</p>
<p>EMERGENCY MOTION FOR EXPEDITED BRIEFING AND REVIEW</p>	

Polly Baca and Robert Nemanich, petitioners in this Court and respondents in the court below, by and through their attorney, hereby submit this emergency motion for expedited briefing and review, and as grounds therefor state as follows.

1. This is an election dispute with substantial implications for Colorado and the United States as a whole. Petitioners Baca and Nemanich are two of Colorado's nine presidential electors. They have been appointed to vote for president when the Electoral College convenes in Denver at 12:00 p.m. on Monday, 19 December 2016.

2. At 5:26 PM on Tuesday, 13 December 2016, the Denver District Court entered order under § 1-1-113, C.R.S. that ostensibly limits the ability of Baca and Nemanich to fulfill their duties under federal law when the Electoral College convenes this Monday.

3. At 1:09 PM today, the district court entered a second order addressing an uncontested issue relating to the Electoral College that had been left unresolved. This order represents the termination of the current proceedings in the district court.

4. Section 1-1-113(3), C.R.S., provides:

The proceedings may be reviewed and finally adjudicated by the supreme court of this state, if either party makes application to the supreme court within three days after the district court proceedings are terminated, unless the supreme court, in its discretion, declines jurisdiction of the case.

5. Petitioners Baca and Nemanich now seek immediate review in this Court of the orders entered on Tuesday and today.

6. Because of the upcoming meeting of the Electoral College, Petitioners Baca and Nemanich file this motion on an emergency basis and respectfully ask that the Court set an expedited briefing schedule, review the district court's order, and grant them relief prior to the meeting of the Electoral College 12:00 pm on Monday, 19 December 2016.

7. Good cause exists for this extraordinary relief because of the fundamental rights involved and the importance of these issues to our government.

8. Wherefore, Petitioners Polly Baca and Robert Nemanich request that this honorable Court grant the relief sought herein.

Respectfully submitted this 15th day of December 2016.

THE WITT LAW FIRM

s/ Jesse Howard Witt
Original signature on file

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of December 2016, I served a true and correct copy of the foregoing document on the following via the Colorado Courts E-Filing system.

Leeann Morrill, First Assistant Attorney General
W. Eric Kuhn, Senior Assistant Attorney General
Christopher Jackson, Assistant Attorney General

Martha Moore Tierney
Tierney Lawrence LLC

Christopher Owen Murray
Brownstein Hyatt Farber Schreck LLP

s/ Jesse Howard Witt