

DISTRICT COURT, COUNTY OF DENVER STATE OF COLORADO, 1437 Bannock St. Denver, CO 80202	▲ COURT USE ONLY ▲
Plaintiffs: JAMES LARUE; et al. vs. Defendants: COLORADO BOARD OF EDUCATION; et al. AND Plaintiffs: TAXPAYERS FOR PUBLIC EDUCATION; et al. vs. Defendants: DOUGLAS COUNTY SCHOOL DISTRICT RE-1, et al.	Case No.: 2011CV4424 (Combined with 2011CV4427) Courtroom 259
<i>Attorneys for Plaintiffs Taxpayers For Public Education, et al.</i> Names: Michael S. McCarthy, #6688 Colin C. Deihl, #19737 Nadia G. Malik, #35761 Sarah A. Kellner, #38111 Gordon M. Hadfield, #42759 Caroline G. Lee, #42907 Firm: Faegre & Benson LLP Address: 1700 Lincoln Street, Suite 3200 Denver, CO 80203-4532 Tel.: (303) 607-3500 E-mail: mmccarthy@faegre.com ; cdeihl@faegre.com nmalik@faegre.com ; skellner@faegre.com ghadfield@faegre.com ; cglee@faegre.com Name: Alexander Halpern, # 7704 Firm: Alexander Halpern, LLC Address: 1426 Pearl Street, Suite 420 Boulder, CO 80304 E-mail: (303) 449-6180 ahalpern@halpernllc.com	
JOINT RESPONSE IN OPPOSITION TO DEFENDANTS' JOINT MOTION TO STAY INJUNCTION PENDING APPEAL	

Plaintiffs, by their undersigned counsel, hereby submit the following Joint Response in Opposition to Defendants' Joint Motion to Stay Injunction Pending Appeal ("Motion"), and state

as follows:

INTRODUCTION

Defendants have offered no new arguments or facts to support staying the injunction granted by this Court on August 12, 2011. Nor could they. To obtain a stay under C.R.C.P. 62(c) or C.R.C.P. 62(b), Defendants must show that they are likely to succeed on the merits and will be irreparably harmed absent a stay. They also must show that Plaintiffs will not suffer substantial injury and that the stay will not disserve the public interest. As this Court ruled in its August 12 Order, however, each of these factors weighs heavily in favor of Plaintiffs. Since the Court issued its opinion, new developments have made clear that the alleged “hardships for the families already selected for enrollment in the Scholarship program” – the only argument Defendants proffer in support of their motion – are not nearly as great as Defendants claim. Indeed, several of the participating private schools have already announced that they will allow students to continue enrollment and will cover their tuition costs themselves.

The August 12, 2011 injunction was properly granted to protect Plaintiffs’ constitutional rights and avoid the irreparable harm that will befall them should the program be permitted to continue. Defendants’ motion to stay that Order should be denied.

LEGAL STANDARD

Although no published Colorado appellate decision has enumerated the relevant factors to grant a stay of an injunction pending appeal, federal courts have ruled on the requirements of Fed. R. Civ. P. 62(c), which is substantially similar to C.R.C.P. 62. Federal courts typically consider the following factors to ascertain whether a stay of an injunction is appropriate:

- (1) whether the stay applicant has made a strong showing that [it] is likely to succeed on the merits;
- (2) whether the applicant will be irreparably injured absent a stay;
- (3) whether

issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.

Mainstream Mktg. Servs. v. FTC, 284 F. Supp. 2d 1266, 1268 (D. Colo. 2003) (citing Hilton v. Braunskill, 107 S. Ct. 2113 (1987)). Because these four factors are nearly identical to those used to evaluate a motion for preliminary injunction, McClendon v. City of Albuquerque, 79 F.3d 1014, 1020-1021 (10th Cir. 1996), this Court has already addressed them when it determined that Plaintiffs were entitled to an injunction under Rathke v. MacFarlane, 648 P.2d 648, 653 (Colo. 1982).

Further, several categories of stays require a particularly strong showing on the merits: (1) those that afford the moving party substantially all the relief it might recover after appeal on the merits; (2) those that disturb the status quo; and (3) those that are mandatory as opposed to prohibitory. Prairie Band of Potawatomi Indians v. Pierce, 253 F.3d 1234, 1247 n.4 (10th Cir. 2001). These kinds of stays “should not be granted unless the four factors weigh heavily and compellingly in favor of the stay.” Mainstream Mktg. Servs., 284 F. Supp. 2d at 1268 (emphasis added).

Defendants here must meet this heightened burden. The proposed stay would afford them all of the relief they might recover after appeal on the merits—namely, implementation of the Voucher Program. Moreover, a stay would disturb the status quo by permitting the Voucher Program to move forward. (See Order at 31) (“The issuance of an injunction will preserve the status quo. . . . the last peaceable status before the dispute was the absence of the Scholarship Program”). As set forth below, Defendants have failed to meet this burden and are not entitled to a stay of the Court’s injunction.

ARGUMENT

Defendants fail to satisfy a single prong of the four-part test to grant a stay pending appeal. In the course of its preliminary injunction analysis, this Court addressed each of the factors used to evaluate the issuance of a stay pending appeal, concluding that each factor weighs in favor of Plaintiffs. A stay is thus inappropriate in this instance, and the Defendants' motion should be denied.

A. This Court Has Already Determined That Plaintiffs, Not Defendants, Are Highly Likely To Succeed On The Merits In This Case.

Defendants have not made a strong showing that they are likely to succeed on the merits. On the contrary, this Court held that Plaintiffs have presented "clear and certain evidence" in support of their claims such that they were entitled to "permanent injunctive relief." (Order at 26.) In particular, following an extensive analysis of this factor, the Court determined that the Voucher Program violates Article IX, Sections 3, 7, and 8 and Article V, Section 34 of the Colorado State Constitution, as well as the Public School Finance Act of 1994, C.R.S. § 22-54-101, *et seq.* (*Id.* at 43, 51, 56, 60, 63.) This factor, therefore, weighs against a stay.

B. Defendants Will Not Suffer Irreparable Injury Absent A Stay.

Defendants have made no showing that they will be irreparably injured absent a stay of the injunction. While there were 500 students enrolled in the Voucher Program, as of the date of this Court's Order, only 271 students had been accepted to participating private schools and had payments made on their behalf. (Order at ¶¶ 59, 12) (citing corroborating testimony of Dr. Christian Cutter).

Further, at least a substantial proportion of the students enrolled in the Voucher Program will suffer no "substantial hardship," as several Private School Partners have waived the

remainder of the payments they expected to receive from the Douglas County School District while allowing students to attend school. For example, Valor Christian High School's Board voted to waive the remaining three-quarters of the \$4,575 it expected to receive "for each of the 65 students enrolled under the Voucher Program." See Carlos Illescas, "Private schools to keep Douglas County voucher students during court fight," THE DENVER POST, Aug. 18, 2011, available at http://www.denverpost.com/news/ci_18704530, attached as Ex. A.¹ Valor Christian High School's Board has stated that it hopes to make up the money it would have received from the District through donations. See "Private Schools in Voucher Dispute Keep Teaching," CBS Denver, Aug. 18, 2011, available at <http://denver.cbslocal.com/2011/08/18/private-schools-in-voucher-dispute-keep-teaching/>, attached as Ex. B.

Likewise, Woodlands Academy, which the Defendants claim will suffer substantial hardship, has announced that Voucher Program students may remain enrolled and that the school will "take the loss" of Voucher Program funds that it would have received from the Douglas County School District. See Carlos Illescas, "Private schools to keep Douglas County voucher students during court fight," THE DENVER POST, Aug. 18, 2011. Other private schools, including Aspen Academy, Denver Christian Schools, and Lutheran High School, have also stated publicly that they will "stand behind" students enrolled through the Voucher Program. Id.

Furthermore, granting a stay at this time, in the face of clear and certain evidence of multiple constitutional violations, would likely result in greater harm. For any students that have

¹ This Court may take judicial notice of facts "not subject to reasonable dispute . . . (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." C.R.E. 201(b). Courts may take judicial notice of newspaper articles. Antlers Athletic Ass'n v. Hartung, 274 P. 831, 833 (Colo. 1929) ("Matters that are of common knowledge, the public discussion in newspapers...may properly be taken into consideration by the courts"); see also C.R.E. 102, 201, 807.

or are changing schools as a result of the August 12, 2011 injunction, doing so now will be far less disruptive, at the beginning of the school year, than if the change were required in the middle of a school year or if the students have spent a year or more in a new school.

Thus, this factor weighs against granting a stay.

C. Issuance Of A Stay Will Substantially And Irreparably Injure Plaintiffs.

Even before these private schools declared that enrolled students' remaining tuition would be waived, this Court recognized that the threatened constitutional injury Plaintiffs would suffer under the Voucher Program "outweighs the threatened harm the injunction may inflict on Defendants, Intervenors, and the students and families selected for participation in the Scholarship Program." (Order at 30.) Holding that "the injuries to Plaintiffs' constitutional rights are irreparable," the Court thus concluded that "without enjoining the Scholarship Program, Plaintiffs' injury cannot be undone." (*Id.* at 26.) In their Joint Motion to Stay Injunction Pending Appeal, Defendants fail to address the impact that the proposed stay will have on Plaintiffs, and provide no legal support for the granting of their Motion in the face of inevitable constitutional violations that would result from a stay. This factor thus weighs heavily against staying the injunction.

D. The Public Interest Does Not Favor A Stay.

A stay of the injunction would not serve the public interest. Quite the opposite — as this Court noted, if allowed to continue, the Program would cause a "substantial disservice to the public interest that would result from the implementation of an unconstitutional program affecting approximately 58,000 students and the taxpaying residents of Douglas County." (*Id.* at 28-29.) The public interest, then, "ultimately favors, and is served, in upholding the

requirements established by the Colorado Constitution,” and this factor also weighs heavily against a stay. (See id. at 29.)

CONCLUSION

For the reasons stated above, Plaintiffs respectfully request that the Court deny Defendants’ Motion for Stay Pending Appeal.

Respectfully submitted this 24th day of August, 2011.

ARNOLD & PORTER LLP

FAEGRE & BENSON LLP

By: s/Matthew J. Douglas
Matthew J. Douglas

By: s/Michael S. McCarthy
Michael S. McCarthy

Attorneys for James LaRue, et al.

and

Alexander Halpern
ALEXANDER HALPERN, LLC

Attorneys for Plaintiffs Taxpayers for Public Education, et. al.

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of August, 2011, a true and correct copy of the foregoing **JOINT RESPONSE IN OPPOSITION TO DEFENDANTS' JOINT MOTION TO STAY INJUNCTION PENDING APPEAL** was served via LexisNexis File & Serve on the following:

Matthew J. Douglas
Matthew.Douglas@aporter.com
Timothy R. Macdonald
Timothy.Macdonald@aporter.com
Michelle K. Albert
Michelle.Albert@aporter.com
Arnold & Porter LLP
370 17th Street, Suite 4500
Denver, CO 8020

Paul Alexander
Paul.Alexander@aporter.com
Arnold & Porter LLP
1801 Page Mill Road, Suite 110
Palo Alto, CA 94304-1216

George Langendorf
George.Langendorf@aporter.com
Arnold & Porter LLP
One Embarcadero Center, 22nd Floor
San Francisco, CA 94111-3711
Attorneys for Plaintiffs (LaRue matter)

Nick Stancil
nick.stancil@state.co.us
Antony B. Dyle
tony.dyl@state.co.us
Office of the Colorado Attorney General
1525 Sherman Street, 7th Floor
Denver, CO 80203
**Attorneys for Defendants Colorado
Department of Education and Colorado State
Board of Education**

James M. Lyons
jlyons@rothgerber.com
Eric V. Hall
ehall@rothgerber.com
David M. Hyams
dhyams@rothgerber.com
Rothgerber, Johnson, & Lyons, LLP
One Tabor Center, Suite 3000
1200 Seventeenth Street
Denver, Colorado 80202
**Attorneys for Defendant Douglas County
Board of Education and Douglas County
School District RE-1**

William H. Mellor
wmellor@ij.org
Richard D. Komer
rkomer@ij.org
Institute for Justice
901 N. Glebe Road, Suite 900
Arlington, VA 22203

Michael E. Bindas
Institute for Justice
101 Yesler Way, Suite 603
Seattle, WA 94104
Mbindas@ij.org
Attorneys for Intervenors

/s/Stephanie Rzepa
Stephanie Rzepa

This document was e-filed through the LexisNexis CourtLink electronic filing procedures, under C.R.C.P. 121(c), § 1-26. As required by those rules, the original signed copy of this document is on file with Faegre & Benson LLP

fb.us.7215843.05

denverpost.com

THE DENVER POST

denver and the west

Private schools to keep Douglas County voucher students during court fight

By Carlos Illescas
The Denver Post

Posted: 08/18/2011 01:00:00 AM MDT

Updated: 08/18/2011 10:20:10 AM MDT

Private schools that agreed to enroll students through the Douglas County district's voucher program are standing by those students, even though a judge halted the program Friday.

Denver District Judge Michael A. Martinez issued a permanent injunction against the Choice Scholarship Program after several organizations filed a lawsuit in June, claiming it violated the state constitution because taxpayer money would be used for private and religious schools.

The program was to provide up to \$4,575 each for up to 500 students to help cover private-school tuition.

Before Martinez's ruling, the school district had cut about \$300,000 in checks for first-quarter payments to 265 students enrolled in private schools in and near Douglas County. Checks will stop during the court appeal, district spokesman Randy Barber said.

Over the weekend, Valor Christian High School's board voted to waive the three-quarters of the

\$4,575 it expected to receive for each of the 65 students enrolled in the Highlands Ranch school through the voucher program.

It hopes to make up the money through donations.

"We just didn't see it being in the best interest of the students to say we aren't going to stand with you at this late date," said head of school Kurt Unruh.

Woodlands Academy in Castle Rock is allowing 12 students in the voucher program to stay.

Academic director Therese Martin said the school of 31 students had not cashed the checks from the district. For accounting purposes, Woodlands Academy will call the money "pending" until appeals are over.

Should the program be eliminated, the school will take the loss, she said. "We have to take that risk," Martin said.

Private schools including Aspen Academy, Denver Christian Schools and Lutheran High School have notified the district that they will "stand behind" accepted voucher students.

Meanwhile, officials for the Douglas County

Send flowers
for any occasion
Bouquets
from \$19.99
+s/h
ProFlowers
Offer ONLY available at:
proflowers.com/happy
or call 1.877.804.1133

Print Powered By Format Dynamics

EXHIBIT A

denverpost.com

THE DENVER POST

School District say lawyers are going over the ruling to determine financial and other implications.

The district is working to return students who had enrolled in private school to their neighborhood and charter schools, should they take that option.

Barber could not say how many students had chosen to return to district schools.

Carlos Illescas: 303-954-1175 or cillescas@denverpost.com

More TV. Less Money.

NO EQUIPMENT TO BUY!
NO START-UP COSTS!

Call now 1-888-478-3360

All offers require 2 year agreement. Offers end 12/31/11 and are based on approved credit, credit card required. New customers only. Fees required, must maintain programming, DVR and/or HD Access. Prices higher and terms & conditions vary in select markets. \$100 shipping & delivery fee may apply. Call for details. ©2011 DIRECTV and the Cyclone Design logo are trademarks of DIRECTV, Inc.

Print Powered By Format Dynamics

Autos Your Home Local Events More

Watch Video

Listen Live!



Login



77° H 92° L 63° Current Forecast

View Traffic Report

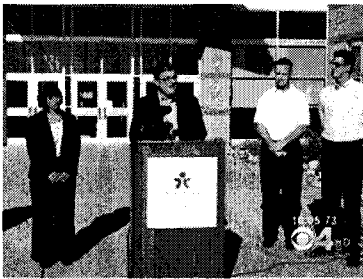
- Home
 - News
 - Sports
 - Health
 - Top Spots
 - Photos
 - Video
 - Traffic
 - Weather
 - Get Answers
 - Directory
 - Deals
- Latest News Investigates Consumer Investigator Money Saver Only On CBS4 Blogs Local Politics Business Entertainment

NEWS

Private Schools In Voucher Dispute Keep Teaching

August 18, 2011 1:06 PM

Share this Like 6 Share No comments



Douglas County School District officials react on Aug. 12 after a judge halted their school voucher system. (credit: CBS)

CASTLE ROCK, Colo. (AP) – Private schools in Douglas County have agreed to keep teaching even though a judge halted a voucher program last week.

According to the Denver Post, private schools including Aspen Academy, Denver Christian Schools and Lutheran High School have notified the district that they will stand behind accepted voucher students.

Valor

Filed Under
Local, News

Related Tags
Aspen Academy, Castle Rock, Denver Christian Schools, Douglas County, Education, Lutheran High School, School Vouchers, Valor Christian High School, Woodlands Academy

Christian High School's board says it hopes to make up the money through donations. Woodlands Academy in Castle Rock says it will allow 12 students in the voucher program to stay.

Denver District Judge Michael Martinez blocked the voucher program on Friday, saying it's a disservice to the public interest for taxpayers to pay tuition for religious schools.

(Copyright 2011 by The Associated Press. All Rights Reserved.)

Share this Like Tweet Share No comments

We Recommend

'Iron' Mike Ditka Weighs In On Cutler, Tebow & SNL « CBS Denver

Colorado Mother Worries About Daughter In New Zealand

More From Around the Web

Prophet Economist Issues Eerie Warning. Disturbing Charts Expose The Unthinkable. (theohimn.com)

How your credit affects insurance premiums (bankrate.com)

Unthinkable Poised to Happen on Wall Street.



SEND CBS4 A NEWS TIP

04 NewsTIPS
303-863-TIPS
303-863-8477
CLICK HERE

LATEST NEWS VIDEOS



NEWS

1 2 3 4 5

PHOTO GALLERIES



USA Pro Cycling Challenge



Tour de Cure



EXHIBIT B

Your transaction has been successfully submitted to LexisNexis File & Serve. Your transaction information appears below. To print this information for your records, click anywhere on the transaction information, then click the browser Print button.

For a formatted copy of this information, obtain a transaction report.

To perform another transaction, click **Begin a New Transaction**.

To exit File & Serve, click **Return to My File & Serve**.

TIP: Receive notifications of new Filing & Service activity that match your search criteria. Click on the Alerts tab.

LexisNexis File & Serve Transaction Receipt

Transaction ID: 39459707
Submitted by: Stephanie Rzepa, Faegre & Benson LLP-Colorado
Authorized by: Michael S McCarthy, Faegre & Benson LLP-Colorado
Authorize and file on: Aug 24 2011 10:52AM MDT

Court: CO Denver County District Court 2nd JD
Division/Courtroom: 259 - Division 259
Case Class: Civil
Case Type: Injunctive Relief
Case Number: 2011CV4424
Case Name: LARUE, JAMES et al vs. COLO BD OF EDUCATION et al

Transaction Option: File and Serve
Billing Reference: 86214-399810
Read Status for e-service: Not Purchased
Note to Clerk: This Joint Response is filed on behalf of both Plaintiffs (LaRue and Taxpayers).

Documents List

3 Document(s)

Attached Document, 8 Pages Document ID: 41932633 [PDF Format](#) | [Original Format](#)
Document Type: Response **Access:** Public **Statutory Fee:** \$0.00 **Linked:** Yes

Document title: Joint Response in Opposition to Defendants' Joint Motion to Stay Injunction Pending Appeal

Attached Document, 2 Pages Document ID: 41932695 [PDF Format](#) | [Original Format](#)
 Related Document ID: 41932633

Document Type: Filing Other **Access:** Public **Statutory Fee:** \$0.00 **Linked:**

Document title: Exhibit A to Joint Response in Opposition to Defendants' Joint Motion to Stay Injunction Pending Appeal

Attached Document, 1 Pages Document ID: 41932719 [PDF Format](#) | [Original Format](#)
 Related Document ID: 41932633

Document Type: Filing Other **Access:** Public **Statutory Fee:** \$0.00 **Linked:**

Document title: Exhibit B to Joint Response in Opposition to Defendants' Joint Motion to Stay Injunction Pending Appeal

Expand All

Sending Parties (23)

Party	Party Type	Attorney	Firm	Attorney Type
BARNARD, CINDRA S	Plaintiff	Deihl, Colin C	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, CINDRA S	Plaintiff	McCarthy, Michael S	Faegre & Benson LLP-Colorado	Privately Retained Attorney

BARNARD, CINDRA S	Plaintiff	Malik, Nadia G	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, CINDRA S	Plaintiff	Mastalir Kellner, Sarah	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, CINDRA S	Plaintiff	Hadfield, Gordon	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, CINDRA S	Plaintiff	Lee, Caroline	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Minor	Deihl, Colin C	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Plaintiff	Deihl, Colin C	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Minor	McCarthy, Michael S	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Plaintiff	McCarthy, Michael S	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Minor	Malik, Nadia G	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Plaintiff	Malik, Nadia G	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Minor	Mastalir Kellner, Sarah	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Plaintiff	Mastalir Kellner, Sarah	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Minor	Hadfield, Gordon	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Plaintiff	Hadfield, Gordon	Faegre & Benson LLP-Colorado	Privately Retained Attorney
BARNARD, MASON S	Plaintiff	Lee, Caroline	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Deihl, Colin C	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	McCarthy, Michael S	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Malik, Nadia G	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Mastalir Kellner, Sarah	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Hadfield, Gordon	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Lee, Caroline	Faegre & Benson LLP-Colorado	Privately Retained Attorney

 Recipients (98)
 Service List (98)

 Additional Recipients (0)

 Case Parties

Party	Party Type	Attorney	Firm	Attorney Type
ANDERSON, MARK	Intervenor	Mellor, William H	Institute for Justice	Privately Retained Attorney
ANDERSON, MARK	Intervenor	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
ANDERSON, MARK	Intervenor	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
ANDERSON, MAX	Movant	Mellor, William H	Institute for Justice	Privately Retained Attorney
ANDERSON, MAX	Movant	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney

<u>ANDERSON, MAX</u>	Movant	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>BARNARD, CINDRA S</u>	Plaintiff	Deihl, Colin C	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, CINDRA S</u>	Plaintiff	McCarthy, Michael S	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, CINDRA S</u>	Plaintiff	Halpern, Alexander	Halpern, Alexander LLC	Privately Retained Attorney
<u>BARNARD, CINDRA S</u>	Plaintiff	Malik, Nadia G	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, CINDRA S</u>	Plaintiff	Mastalir Kellner, Sarah	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, CINDRA S</u>	Plaintiff	Hadfield, Gordon	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, CINDRA S</u>	Plaintiff	Lee, Caroline	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Minor	Deihl, Colin C	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Plaintiff	Deihl, Colin C	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Minor	McCarthy, Michael S	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Plaintiff	McCarthy, Michael S	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Minor	Halpern, Alexander	Halpern, Alexander LLC	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Plaintiff	Halpern, Alexander	Halpern, Alexander LLC	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Minor	Malik, Nadia G	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Plaintiff	Malik, Nadia G	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Minor	Mastalir Kellner, Sarah	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Plaintiff	Mastalir Kellner, Sarah	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Minor	Hadfield, Gordon	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Plaintiff	Hadfield, Gordon	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BARNARD, MASON S</u>	Plaintiff	Lee, Caroline	Faegre & Benson LLP-Colorado	Privately Retained Attorney
<u>BINDAS, MICHAEL E</u>	Intervenor	Pro Se	Pro Se-	Pro Se
<u>CARRERA, MARITZA</u>	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>CARRERA, MARITZA</u>	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>CARRERA, MARITZA</u>	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>CARRERA, MARITZA</u>	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>CARRERA, MARITZA</u>	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>COLO BD OF EDUCATION</u>	Defendant	Dyl, Antony B	CO Attorney General	Attorney General
<u>COLO BD OF EDUCATION</u>	Defendant	Stancil, Nicholas	CO Attorney General	Attorney General
<u>COLO DEPT OF EDUCATION</u>	Defendant	Dyl, Antony B.	CO Attorney General	Attorney General
<u>COLO DEPT OF EDUCATION</u>	Defendant	Stancil, Nicholas	CO Attorney General	Attorney General
<u>COX, BETTE</u>	Movant	Pro Se	Pro Se-	Pro Se
<u>DOUGLAS CNTY BD OF EDUCATION</u>	Defendant	Nussbaum, L Martin	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY BD OF EDUCATION</u>	Defendant	Lyons, James M	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney

<u>DOUGLAS CNTY BD OF EDUCATION</u>	Defendant	Hall, Eric V	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY BD OF EDUCATION</u>	Defendant	Carmody, Renee	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY BD OF EDUCATION</u>	Defendant	Francisco, Michael	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY BD OF EDUCATION</u>	Defendant	Hyams, David M	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY SCHOOL DIST</u>	Defendant	Nussbaum, L Martin	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY SCHOOL DIST</u>	Defendant	Lyons, James M	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY SCHOOL DIST</u>	Defendant	Hall, Eric V	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY SCHOOL DIST</u>	Defendant	Carmody, Renee	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY SCHOOL DIST</u>	Defendant	Francisco, Michael	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOUGLAS CNTY SCHOOL DIST</u>	Defendant	Hyams, David M	Rothgerber Johnson & Lyons LLP-Denver	Privately Retained Attorney
<u>DOYLE, ALEXANDRA</u>	Movant	Mellor, William H	Institute for Justice	Privately Retained Attorney
<u>DOYLE, ALEXANDRA</u>	Movant	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>DOYLE, ALEXANDRA</u>	Movant	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>DOYLE, DERRICK</u>	Intervenor	Mellor, William H	Institute for Justice	Privately Retained Attorney
<u>DOYLE, DERRICK</u>	Intervenor	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>DOYLE, DERRICK</u>	Intervenor	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>DOYLE, DONOVAN</u>	Movant	Mellor, William H	Institute for Justice	Privately Retained Attorney
<u>DOYLE, DONOVAN</u>	Movant	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>DOYLE, DONOVAN</u>	Movant	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>DOYLE, FLORENCE</u>	Intervenor	Mellor, William H	Institute for Justice	Privately Retained Attorney
<u>DOYLE, FLORENCE</u>	Intervenor	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>DOYLE, FLORENCE</u>	Intervenor	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>HIMSCHOOT, MALCOLM</u>	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>HIMSCHOOT, MALCOLM</u>	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>HIMSCHOOT, MALCOLM</u>	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>HIMSCHOOT, MALCOLM</u>	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>HIMSCHOOT, MALCOLM</u>	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>INTERFAITH ALLIANCE OF COLO</u>	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>INTERFAITH ALLIANCE OF COLO</u>	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>INTERFAITH ALLIANCE OF COLO</u>	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>INTERFAITH ALLIANCE OF COLO</u>	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney

<u>INTERFAITH ALLIANCE OF COLO</u>	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>KOMER, RICHARD D</u>	Intervenor	Pro Se	Pro Se-	Pro Se
<u>LARUE, JAMES</u>	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LARUE, JAMES</u>	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LARUE, JAMES</u>	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>LARUE, JAMES</u>	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>LARUE, JAMES</u>	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LARUE, SUZANNE T</u>	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LARUE, SUZANNE T</u>	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LARUE, SUZANNE T</u>	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>LARUE, SUZANNE T</u>	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>LARUE, SUZANNE T</u>	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LEUNG, KEVIN</u>	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LEUNG, KEVIN</u>	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LEUNG, KEVIN</u>	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>LEUNG, KEVIN</u>	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>LEUNG, KEVIN</u>	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>LYNOTT, GERALDINE</u>	Intervenor	Mellor, William H	Institute for Justice	Privately Retained Attorney
<u>LYNOTT, GERALDINE</u>	Intervenor	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>LYNOTT, GERALDINE</u>	Intervenor	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>LYNOTT, TIMOTHY</u>	Intervenor	Mellor, William H	Institute for Justice	Privately Retained Attorney
<u>LYNOTT, TIMOTHY</u>	Intervenor	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>LYNOTT, TIMOTHY</u>	Intervenor	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>LYNOTT, TIMOTHY JR</u>	Movant	Mellor, William H	Institute for Justice	Privately Retained Attorney
<u>LYNOTT, TIMOTHY JR</u>	Movant	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>LYNOTT, TIMOTHY JR</u>	Movant	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
<u>MCMAHON, SUSAN</u>	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>MCMAHON, SUSAN</u>	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>MCMAHON, SUSAN</u>	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>MCMAHON, SUSAN</u>	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney
<u>MCMAHON, SUSAN</u>	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
<u>MOREAU, CHRISTIAN</u>	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained

MOREAU, CHRISTIAN	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Attorney Privately Retained Attorney
MOREAU, CHRISTIAN	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
MOREAU, CHRISTIAN	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney
MOREAU, CHRISTIAN	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
N/A	N/A	Martinez, Michael Anthony	CO Denver County District Court 2nd JD	Primary Judge
OAKLEY, DIANA	Intervenor	Mellor, William H	Institute for Justice	Privately Retained Attorney
OAKLEY, DIANA	Intervenor	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
OAKLEY, DIANA	Intervenor	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
OAKLEY, MARK	Intervenor	Mellor, William H	Institute for Justice	Privately Retained Attorney
OAKLEY, MARK	Intervenor	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
OAKLEY, MARK	Intervenor	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
OAKLEY, NATHANIEL	Movant	Mellor, William H	Institute for Justice	Privately Retained Attorney
OAKLEY, NATHANIEL	Movant	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
OAKLEY, NATHANIEL	Movant	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
SCHWARTZMAN, JOEL R	Plaintiff	Douglas, Matthew J	Arnold & Porter LLP-Denver	Privately Retained Attorney
SCHWARTZMAN, JOEL R	Plaintiff	Macdonald, Timothy R	Arnold & Porter LLP-Denver	Privately Retained Attorney
SCHWARTZMAN, JOEL R	Plaintiff	Silverstein, Mark	American Civil Liberties Union of Colorado	Privately Retained Attorney
SCHWARTZMAN, JOEL R	Plaintiff	Wallace, Rebecca	American Civil Liberties Union of Colorado	Privately Retained Attorney
SCHWARTZMAN, JOEL R	Plaintiff	Albert, Michelle K	Arnold & Porter LLP-Denver	Privately Retained Attorney
STROHM ANDERSON, JEANETTE	Intervenor	Mellor, William H	Institute for Justice	Privately Retained Attorney
STROHM ANDERSON, JEANETTE	Intervenor	Roselli, Phil	Wilkinson Barker Knauer LLP	Privately Retained Attorney
STROHM ANDERSON, JEANETTE	Intervenor	Gifford, Ray	Wilkinson Barker Knauer LLP	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Deihl, Colin C	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	McCarthy, Michael S	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Halpern, Alexander	Halpern, Alexander LLC	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Malik, Nadia G	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Mastalir Kellner, Sarah	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Hadfield, Gordon	Faegre & Benson LLP-Colorado	Privately Retained Attorney
TAXPAYERS FOR PUBLIC EDUCATION	Plaintiff	Lee, Caroline	Faegre & Benson LLP-Colorado	Privately Retained Attorney

[Begin a New Transaction](#)

[Return to My File & Serve](#)

[Print](#)

[Transaction Report](#)



LexisNexis

[About LexisNexis](#) | [Terms & Conditions](#) | [Privacy](#) | [Customer Support](#) - 1-888-529-7587
Copyright © 2011 LexisNexis®, a division of Reed Elsevier Inc. All rights reserved.

