

Colorado Supreme Court 101 West Colfax Avenue, Suite 800 Denver, CO 80202	
Certification of Question of Law United States District Court District of Colorado, 12-cv-1708 JLK-KLM	
Plaintiff: Coalition for Secular Government, a Colorado nonprofit corporation, v. Defendant: Scott Gessler, in his official capacity as Colorado Secretary of State.	Supreme Court Case No: 2012SA312
ORDER OF COURT	

Upon consideration of the Certification of Question of State Law from the United States District Court for the District of Colorado filed in the above cause, and now being advised in the premises,

The Supreme Court of Colorado accepts the following questions as framed by the United States District Court for the District of Colorado:

Is the policy paper published by the Coalition for Secular Government (CSG) in 2010 “express advocacy” under Art. XXVIII, § 2(8)(a) of the Colorado Constitution?

If the policy paper is express advocacy, does it qualify for the press exemption found at Art. XXVIII, § 2(8)(b)?

Is the policy paper a “written or broadcast communication” under § 1-45-103(12)(b)(II)(B), C.R.S.? If not, did it become a “written or broadcast communication” when it was posted to CSG’s blog or Facebook page?

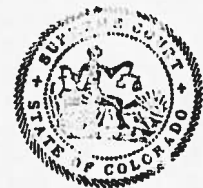
In light of *Sampson v. Buescher*, 625 F.3d 1247 (10th Cir. 2010), what is the monetary trigger for Issue Committee status under Art. XXVIII § 2(10)(a)(II) of the Colorado Constitution?

The Court requests that the clerk of the court for the United States District Court for the District of Colorado transmit the entire record.

IT IS ORDERED that the Plaintiff’s opening brief is due on or before December 3, 2012. The Defendants’ Answer brief shall be filed on or before January 2, 2013. The Plaintiff’s reply brief may be filed within fifteen days from receipt of the answer brief. All briefs shall be in conformance with the Colorado Appellate Rules.

IT IS FURTHER ORDERED that pursuant to C.A.R. 21.1(e) the Plaintiffs shall pay a docket fee in the amount of \$112.50.

BY THE COURT, EN BANC, NOVEMBER 2, 2012.



Case Number: 2012SA312

Caption: Coalition for Secular Government v Gessler, Scott

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OFFICE OF THE
ATTORNEY GENERAL

CERTIFICATE OF SERVICE

Copies mailed via the State's Mail Services Division on November 2, 2012. *J*

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