

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:16-cv-02372-PAB

303 CREATIVE LLC, a limited liability company; and  
LORIE SMITH,

*Plaintiffs,*

vs.

AUBREY ELENIS, Director of the Colorado Civil Rights  
Division, in her official capacity;  
SERGIO RAUDEL CORDOVA,  
CHARLES GARCIA,  
GETA ASFAW,  
MAYUKO FIEWEGER,  
CHERYLIN PENISTON,  
JEREMY ROSS, and  
DANIEL S. WARD, as members of the Colorado Civil Rights  
Commission, in their official capacities, and  
PHILIP J. WEISER, Colorado Attorney General,  
in his official capacity;

*Defendants.*

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**JOINT NOTICE REGARDING PROPOSED FINAL JUDGMENT LANGUAGE**

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On November 7, 2023, the Court ordered the parties to submit a notice with a schedule to brief their positions on the language of the final judgment if they were unable to agree on that language. The Court ordered the parties to submit that notice by December 7, 2023. Despite their diligent efforts, the parties were unable to

agree on proposed language for the final judgment. This notice follows. The parties have conferred and have agreed to the following briefing schedule.

By Monday, January 8, 2024, 303 Creative LLC and Lorie Smith (Smith) will submit a brief justifying her proposed final judgment. Smith's brief will be limited to five pages of substantive text (excluding the caption page, table of contents, table of authorities, signature block, and certificates of counsel). Smith will attach her proposed final judgment as an exhibit to her brief.

By Monday, January 29, 2024, Colorado will file a combined brief justifying its proposed final judgment and responding to Smith's proposal. Colorado's combined brief will be limited to eight pages of substantive text. Colorado will attach its proposed final judgment as an exhibit to its brief.

By Monday, February 12, 2024, Smith will file her reply brief in response to Colorado's proposal. Smith's reply brief will be limited to three pages of substantive text.

Smith respectfully requests that the Court enter an order approving this briefing schedule.

Respectfully submitted this 6th day of December, 2023.

By: s/ Jonathan A. Scruggs

PHILIP J. WEISER  
Attorney General

/s/ Alison Faryl Kyles\*  
ALISON FARYL KYLES,  
Assistant Solicitor General

ANDREW M. WILLIAMS\*  
Assistant Deputy Attorney  
General

BILLY LEE SIEBER\*  
First Assistant Attorney  
General

JACK DAVY PATTEN, III\*  
Second Assistant Attorney  
General

VINCENT E. MORSCHER\*  
Senior Assistant Attorney  
General

1300 Broadway, 10th Floor  
Denver, CO 80203

Telephone: (720) 508-6589  
FAX: (720) 508-6032  
Email: alison.kyles@coag.gov  
\*Counsel of Record

*Attorneys for Defendants*

Jonathan A. Scruggs (AZ Bar No. 030505)  
Bryan N. Neihart (AZ Bar No. 035937)  
**Alliance Defending Freedom**  
15100 N. 90th Street  
Scottsdale, AZ 85260  
Telephone: (480) 444-0020  
Fax: (480) 444-0028  
jscruggs@ADFlegal.org  
bneihart@ADFlegal.org

Rachel A. Rouleau (VA Bar No. 97783)  
**Alliance Defending Freedom**  
44180 Riverside Parkway  
Lansdowne, Virginia 20176  
(571) 707-2119  
(480) 707-4790 Fax  
rrouleau@ADFlegal.org

David A. Cortman (GA Bar No. 188810)  
**Alliance Defending Freedom**  
1000 Hurricane Shoals Rd. NE  
Suite D-1100  
Lawrenceville, GA 30043  
Telephone: (770) 339-0774  
Fax: (770) 339-6744  
dcortman@ADFlegal.org

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 6, 2023, the foregoing motion was filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel of record:

Alison Faryl Kyles  
Jack Davy Patten, III  
Skippere Stewart Spear  
Vincent Edward Morscher  
Billy Lee Seiber  
Andrew M. Williams  
Colorado Attorney General's Office  
Ralph L. Carr Colorado Judicial Center  
1300 Broadway  
Denver, CO 80203  
720-508-6000  
Fax: 720-508-6032  
alison.kyles@coag.gov  
jack.patten@coag.gov  
skip.spear@coag.gov  
vincent.morscher@coag.gov  
billy.seiber@coag.gov  
drew.williams@coag.gov

s/ Jonathan A. Scruggs  
Jonathan A. Scruggs (AZ Bar No. 030505)  
**Alliance Defending Freedom**  
15100 N. 90th Street  
Scottsdale, AZ 85260  
Telephone: (480) 444-0020  
Fax: (480) 444-0028  
jscruggs@ADFlegal.org

*Attorney for Plaintiffs*