

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 11-cv-1350-WJM-BNB

ANDY KERR, *et al.*,

Plaintiffs,

v.

JOHN HICKENLOOPER, Governor of Colorado, in his official capacity,

Defendant.

ORDER GRANTING IN PART PLAINTIFFS' MOTION FOR ORAL ARGUMENT

This matter is before the Court on Plaintiffs' Motion for Oral Argument on Motion to Dismiss. (ECF No. 53.) Defendant has filed a Response to the Motion (ECF No. 55.) The Court did not permit the filing of a Reply. (See ECF No. 54.)

Having considered the arguments of the parties, and given the importance of the issues presented in this action to the People of the State of Colorado, the Court has determined that the Motion shall be GRANTED in part. The Court hereby SETS oral argument on Defendant's Motion to Dismiss (ECF No. 18) Plaintiff's First Amended Substitute Complaint for Injunctive and Declaratory Relief (ECF No. 36) for January 20, 2012 at 10:30 a.m. in Courtroom A801. Oral argument shall be limited to 70 minutes. The Court may at its discretion extend that time should it have additional questions for the parties. Further, the Court hereby clarifies that this hearing is not in the nature of an evidentiary hearing; it is an oral argument on Defendant's Motion to Dismiss the operative complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

Dated this 13th day of December, 2011.

BY THE COURT:



William J. Martínez
United States District Judge