

**IN RE: TITLE, BALLOT TITLE, AND SUBMISSION CLAUSE  
FOR INITIATIVE 2025-2026 #328  
("Congressional Redistricting")**

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John Brackney and Robyn Carnes, Objectors

v.

Colorado Title Board

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**AMENDED MOTION FOR REHEARING**

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By undersigned counsel, John Brackney, a registered voter of Arapahoe County, and Robyn Carnes, a registered voter of Arapahoe County, Colorado, object under C.R.S. § 1-40-107(1)(a)(I) to the denial of the title setting for Proposed Ballot Initiative 2005-2006 #328,

On April 15, 2026, the Title Board determined that it did not have jurisdiction to set a title for Proposed Ballot Initiative 2025-2026 #328, reasoning that the proposed initiative did not contain a single subject.

In so doing, the Board erred for the following reasons:

1. The initiative contains a single subject, because the subject of the proposed initiative is limited to a new redistricting map. All other provisions are necessarily and properly connected to that central subject.

2. The Title Board previously found that Proposed Ballot Initiative 2005-2006 #242 contained a single subject. That proposed initiative is, in all material respects, identical to Proposed Ballot Initiative 2005-2006 #328. The Title Board has an obligation to treat people equally under the law. It should not treat proponents differently.

3. The Title Board has already determined that the provisions within the effective date section of the proposed initiative must be challenged after the election and is not a separate subject.

FOR THESE REASONS, in light of the arguments and legal precedent cited above, the Title Board should determine that Proposed Initiative 2005-2006 #328 has a single subject and set title for the measure.

Respectfully submitted this 22nd day of April 2026,

GESSLER BLUE LLC

s/ *Scott E. Gessler*

Scott E. Gessler

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### **CERTIFICATE OF SERVICE**

I certify that on April 22, 2026, a true and correct copy of the **AMENDED MOTION FOR REHEARING** was sent via email to:

Colorado Title Board  
[statewide.initiatives@coloradosos.gov](mailto:statewide.initiatives@coloradosos.gov)

/s/ *Joanna Bila*

Joanna Bila, Paralegal