

STATE OF COLORADO
SECRETARY OF STATE
1700 BROADWAY #550
DENVER, COLORADO 80290

BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE,
ADMINISTRATIVE HEARING OFFICER

AHO Case No. 2025 AHO 12 CPF

ED Case No. 2024-88

In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

YARA FOR COLORADO,

Respondent.

MOTION TO VACATE DEADLINES AND HEARING

The Elections Division of the Colorado Department of State moves to vacate all deadlines in this matter including the hearing scheduled for January 20, 2026. As good cause, the Division states:

1. On April 17, 2025, the Division initiated this action by filing an Administrative Complaint against Respondent, Yara for Colorado (“the Committee”).
2. On April 20, 2025, the Hearing Officer issued a Scheduling Order. The Scheduling Order required the Committee to file an Answer to the Complaint on or before May 17, 2025. Scheduling Order at 2 (April 20, 2025). The Scheduling Order also set a hearing for August 19, 2025.
3. The Committee did not file an Answer on or before May 17, 2025, as ordered by the Hearing Officer.

4. While preparing a motion for default judgment, counsel for the Division contacted the candidate, who expressed interest in a settlement. *See Ex. A to Motion for Entry of Default Judgment (Baumann Decl.) ¶¶ 4-6.*

5. The parties agreed to a settlement in principle, and the Division moved to stay proceedings to enable the parties to execute the Settlement Agreement. *Mot. to Stay (July 21, 2025).*

6. After repeated efforts to contact the Committee and finalize the agreement, the Division moved to lift the stay. *Mot. to Lift Stay and Re-Set Hearing (Dec. 18, 2025).*

7. The Hearing Officer ordered the Committee to respond to that Motion and file an Answer to the Complaint by January 2, 2025. The Committee neither responded to the Motion nor Answered the Complaint.

8. A Hearing is currently set in this matter for January 20, 2025. Contemporaneously with this Motion, the Division is filing a Motion for Entry of Default Judgment.

9. Because the Division reasonably expects that the Motion for Entry of Default Judgment will resolve the matters at issue in this action, the Division respectfully requests that all other deadlines set in this matter—including but not limited to the deadlines for prehearing statements and the hearing itself--be vacated.

10. Given the need to resolve the default proceedings, the parties and the Hearing Officer are best served by focusing on the default proceedings.

11. Moreover, the Division is unable to prepare for a hearing in this matter without the benefit of an Answer from Respondent or without the benefit of answers to its discovery requests. *See Ex. A to Motion for Entry of Default Judgment (Baumann Decl.), ¶¶ 4, 10.*

12. Undersigned counsel attempted to confer with the Committee regarding the relief requested in this motion by both email and telephone. The Committee did not respond to counsel's request for its position.

Therefore, the Division respectfully requests that the Hearing Officer vacate all deadlines in this matter including the hearing set for January 20, 2026.

Respectfully submitted this 9th day of January, 2026.

NATALIE HANLON LEH
Chief Deputy Attorney General

/s/ Peter G. Baumann

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CERTIFICATE OF SERVICE

This is to certify that I will cause the foregoing to be served this 9th day of January, 2026, by email and/or U.S. mail, addressed as follows:

Yara for Colorado
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Third-Party Complainant

/s/ Peter G. Baumann