

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01300-MSK-MJW

JOHN B. COOKE, Sheriff of Weld County, Colorado
TERRY MAKETA, Sheriff of El Paso County, Colorado
JUSTIN SMITH, Sheriff of Larimer County, Colorado
DAVID A. WEAVER, Sheriff of Douglas County, Colorado
BRUCE W. HARTMAN, Sheriff of Gilpin County, Colorado
KEN PUTNAM, Sheriff of Cheyenne County, Colorado
DENNIS SPRUELL, Sheriff of Montezuma County, Colorado
TIM JANTZ, Sheriff of Moffat County, Colorado
JERRY MARTIN, Sheriff of Dolores County, Colorado
MIKE ENSMINGER, Sheriff of Teller County, Colorado
SHAYNE HEAP, Sheriff of Elbert County, Colorado
CHAD DAY, Sheriff of Yuma County, Colorado
FRED D. McKEE, Sheriff of Delta County, Colorado
LOU VALLARIO, Sheriff of Garfield County, Colorado
FRED HOSSELKUS, Sheriff of Mineral County, Colorado
BRETT L. POWELL, Sheriff of Logan County, Colorado
JAMES FAULL, Sheriff of Prowers County, Colorado
LARRY KUNTZ, Sheriff of Washington County, Colorado
BRIAN E. NORTON, Sheriff of Rio Grande County, Colorado
DUKE SCHIRARD, Sheriff of La Plata County, Colorado
JIM BEICKER, Sheriff of Fremont County, Colorado
RONALD BRUCE, Sheriff of Hinsdale County, Colorado
CHRIS S. JOHNSON, Sheriff of Otero County, Colorado
FRED JOBE, Sheriff of Custer County, Colorado
DONALD KRUEGER, Sheriff of Clear Creek County, Colorado
JAMES CRONE, Sheriff of Morgan County, Colorado
SI WOODRUFF, Sheriff of Rio Blanco County, Colorado
TOM RIDENOUR, Sheriff of Kit Carson County, Colorado
TOM NESTOR, Sheriff of Lincoln County, Colorado
STAN HILKEY, Sheriff of Mesa County, Colorado
FORREST FRAZEE, Sheriff of Kiowa County, Colorado
RICK DUNLAP, Sheriff of Montrose County, Colorado
TED B. MINK, Sheriff of Jefferson County, Colorado
DAVE STRONG, Sheriff of Alamosa County, Colorado
FRED WEGENER, Sheriff of Park County, Colorado
BRUCE NEWMAN, Sheriff of Huerfano County, Colorado
RANDY PECK, Sheriff of Sedgwick County, Colorado
DOMINIC MATTIVI JR., Sheriff of Ouray County, Colorado
JOHN MINOR, Sheriff of Summit County, Colorado

SCOTT FISCHER, Sheriff of Jackson County, Colorado
PETER GONZALEZ, Sheriff of Archuleta County, Colorado
RICK BESECKER, Sheriff of Gunnison County, Colorado
CHARLES “ROB” URBACH, Sheriff of Phillips County, Colorado
ROD FENSKE, Sheriff of Lake County, Colorado
GRAYSON ROBINSON, Sheriff of Arapahoe County, Colorado
DAVID D. CAMPBELL, Sheriff of Baca County, Colorado
MIKE NORRIS, Sheriff of Saguache County, Colorado
AMOS MEDINA, Sheriff of Costilla County, Colorado
MILES CLARK, Sheriff of Crowley County, Colorado
DAVID ENCINIAS, Sheriff of Bent County, Colorado
SUE KURTZ, Sheriff of San Juan County, Colorado
JAMES (JIM) CASIAS, Sheriff of Las Animas County, Colorado
GARRETT WIGGINS, Sheriff of Routt County, Colorado
DOUGLAS N. DARR, Sheriff of Adams County, Colorado
RODNEY JOHNSON, Sheriff of Grand County, Colorado
COLORADO OUTFITTERS ASSOCIATION;
COLORADO FARM BUREAU;
NATIONAL SHOOTING SPORTS FOUNDATION;
MAGPUL INDUSTRIES;
COLORADO YOUTH OUTDOORS;
USA LIBERTY ARMS;
OUTDOOR BUDDIES, INC.;
WOMEN FOR CONCEALED CARRY;
COLORADO STATE SHOOTING ASSOCIATION;
HAMILTON FAMILY ENTERPRISES, INC. d/b/a FAMILY SHOOTING
CENTER AT CHERRY CREEK STATE PARK;
DAVID STRUMILLO;
DAVID BAYNE;
DYLAN HARRELL;
ROCKY MOUNTAIN SHOOTERS SUPPLY;
2ND AMENDMENT GUNSMITH & SHOOTER SUPPLY, LLC;
BURRUD ARMS INC. d/b/a JENSEN ARMS;
GREEN MOUNTAIN GUNS;
JERRY’S OUTDOOR SPORTS;
GRAND PRIX GUNS;
SPECIALTY SPORTS & SUPPLY;
GOODS FOR THE WOODS;

Plaintiffs,

v.

JOHN W. HICKENLOOPER, Governor of the State of Colorado,

Defendant.

**ANSWER TO SECOND AMENDED COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

JOHN W. HICKENLOOPER, Governor of the State of Colorado (“the Governor”), hereby submits the following Answer to the “SECOND AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF”

(“Complaint”):

I. OVERVIEW

1. The Governor denies the allegation in paragraph number one (1).
2. With respect to the allegations of paragraph number two (2) of the Complaint, the Governor affirmatively states that allegations in the first sentence call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations. The Governor denies the allegations in the second sentence of paragraph two.
3. With respect to the allegations of paragraph number three (3) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

4. With respect to the allegations of paragraph number four (4) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.
5. With respect to the allegations of paragraph number five (5) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.
6. With respect to the allegations of paragraph number six (6) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.
7. The Governor admits that an appendix attached to the complaint contains diagrams of firearms magazines.
8. With respect to the allegations of paragraph number eight (8) of the Complaint, the Governor is without knowledge or information sufficient

to form a belief as to the truth of the allegations and therefore the Governor denies them.

9. With respect to the allegations paragraph number nine (9) of the Complaint the Governor is without knowledge or information sufficient as to form a belief as to the truth of the allegations concerning “the chief sponsor of HB 1224.” The Governor denies the remaining allegations in paragraph nine.
10. With respect to the allegations of paragraph number ten (10) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.
11. With respect to the allegations of paragraph eleven (11), the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.
12. With respect to the allegations of paragraph number twelve (12) of the Complaint, the Governor affirmatively states that House Bill 13-1224 is a writing that speaks for itself.

13. With respect to the allegations of paragraph number thirteen (13) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

14. With respect to the allegations of paragraph number fourteen (14) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

15. With respect to the allegations of paragraph number fifteen (15) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore the Governor denies them.

16. With respect to the allegations of paragraph number sixteen (16) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore the Governor denies them.

17. With respect to the allegations of paragraph number seventeen (17) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations in the first

sentence of the paragraph, and therefore the Governor denies them.

The allegations in the second sentence of paragraph seventeen call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

18. With respect to the allegations of paragraph number eighteen (18) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

19. The Governor denies the allegations in paragraph nineteen (19). To the extent the allegations of paragraph number nineteen (19) of the Complaint call for legal conclusions, no response is required; but insofar as a response is required, the Governor denies the allegations.

20. With respect to the allegations of paragraph number twenty (20) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

21. With respect to the allegations of paragraph number twenty-one (21) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore

the Governor denies them. The Governor affirmatively states that House Bill 13-1224 is a writing that speaks for itself.

22. With respect to the allegations of paragraph number twenty-two (22) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

23. With respect to the allegations of paragraph number twenty-three (23) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

24. With respect to the allegations of paragraph number twenty-four (24) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

25. With respect to the allegations of paragraph number twenty-five (25) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

26. With respect to the allegations of paragraph number twenty-six (26) of the Complaint, the Governor affirmatively states that the allegations

call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

27. With respect to the allegations of paragraph number twenty-seven (27) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

28. With respect to the allegations of paragraph number twenty-eight (28) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

29. With respect to the allegations of paragraph number twenty-nine (29) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

30. With respect to the allegations of paragraph number thirty (30) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

31. With respect to the allegations of paragraph number thirty-one (31) of the Complaint, the Governor affirmatively states that the allegations

call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

32. With respect to the allegations of paragraph number thirty-two (32) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

II. JURISDICTION AND VENUE

33. With respect to the allegations of paragraph number thirty-three (33) of the Complaint, the Governor denies the allegations.

34. With respect to the allegations of paragraph number thirty-four (34) of the Complaint, the Governor denies the allegations.

35. The Governor denies the allegations in paragraph number thirty-five (35).

36. With respect to the allegations of paragraph number thirty-six (36) of the Complaint, the Governor admits the allegations.

III. PARTIES

37. With respect to the allegations of paragraph number thirty-seven (37) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

38. The Governor admits the allegations described in paragraph thirty-eight (38) of the Complaint.

39. The Governor admits the allegation described in paragraph thirty-nine (39) of the Complaint.

40. The Governor admits the allegation described in paragraph forty (40) of the Complaint.

41. The Governor admits the allegation described in paragraph forty-one (41) of the Complaint.

42. The Governor admits the allegation described in paragraph forty-two (42) of the Complaint.

43. The Governor admits the allegation described in paragraph forty-three (43) of the Complaint.

44. The Governor admits the allegation described in paragraph forty-four (44) of the Complaint.

45. The Governor admits the allegation described in paragraph forty-five (45) of the Complaint.

46. The Governor admits the allegation described in paragraph forty-six (46) of the Complaint.

47. The Governor admits the allegation described in paragraph forty-seven (47) of the Complaint.

48. The Governor admits the allegation described in paragraph forty-eight (48) of the Complaint.

49. The Governor admits the allegation described in paragraph forty-nine (49) of the Complaint.

50. The Governor admits the allegation described in paragraph fifty (50) of the Complaint.

51. The Governor admits the allegation described in paragraph fifty-one (51) of the Complaint.

52. The Governor admits the allegation described in paragraph fifty-two (52) of the Complaint.

53. The Governor admits the allegation described in paragraph fifty-three (53) of the Complaint.

54. The Governor admits the allegation described in paragraph fifty-four (54) of the Complaint.

55. The Governor admits the allegation described in paragraph fifty-five (55) of the Complaint.

56. The Governor admits the allegation described in paragraph fifty-six (56) of the Complaint.

57. The Governor admits the allegation described in paragraph fifty-seven (57) of the Complaint.

58. The Governor admits the allegation described in paragraph fifty-eight (58) of the Complaint.

59. The Governor admits the allegation described in paragraph fifty-nine (59) of the Complaint.

60. The Governor admits the allegation described in paragraph sixty (60) of the Complaint.

61. The Governor admits the allegation described in paragraph sixty-one (61) of the Complaint.

62. The Governor admits the allegation described in paragraph sixty-two (62) of the Complaint.

63. The Governor admits the allegation described in paragraph sixty-three (63) of the Complaint.

64. The Governor admits the allegation described in paragraph sixty-four (64) of the Complaint.

65. The Governor admits the allegation described in paragraph sixty-five (65) of the Complaint.

66. The Governor admits the allegation described in paragraph sixty-six (66) of the Complaint.

67. The Governor admits the allegation described in paragraph sixty-seven (67) of the Complaint.

68. The Governor admits the allegation described in paragraph sixty-eight (68) of the Complaint.

69. The Governor admits the allegation described in paragraph sixty-nine (69) of the Complaint.

70. The Governor admits the allegation described in paragraph seventy (70) of the Complaint.

71. The Governor admits the allegation described in paragraph seventy-one (71) of the Complaint.

72. The Governor admits the allegation described in paragraph seventy-two (72) of the Complaint.

73. The Governor admits the allegation described in paragraph seventy-three (73) of the Complaint.

74. The Governor admits the allegation described in paragraph seventy-four (74) of the Complaint.

75. The Governor admits the allegation described in paragraph seventy-five (75) of the Complaint.

76. The Governor admits the allegation described in paragraph seventy-six (76) of the Complaint.

77. The Governor admits the allegation described in paragraph seventy-seven (77) of the Complaint.

78. The Governor admits the allegation described in paragraph seventy-eight (78) of the Complaint.

79. The Governor admits the allegation described in paragraph seventy-nine (79) of the Complaint.

80. The Governor admits the allegation described in paragraph eighty (80) of the Complaint.

81. The Governor admits the allegation described in paragraph eighty-one (81) of the Complaint.

82. The Governor admits the allegation described in paragraph eighty-two (82) of the Complaint.

83. The Governor admits the allegation described in paragraph eighty-three (83) of the Complaint.

84. The Governor admits the allegation described in paragraph eighty-four (84) of the Complaint.

85. The Governor admits the allegation described in paragraph eighty-five (85) of the Complaint.

86. The Governor admits the allegation described in paragraph eighty-six (86) of the Complaint.

87. The Governor admits the allegation described in paragraph eighty-seven (87) of the Complaint.

88. The Governor admits the allegation described in paragraph eighty-eight (88) of the Complaint.

89. The Governor admits the allegation described in paragraph eighty-nine (89) of the Complaint.

90. The Governor admits the allegation described in paragraph ninety (90) of the Complaint.

91. The Governor admits the allegation described in paragraph ninety-one (91) of the Complaint.

92. The Governor admits the allegation described in paragraph ninety-two (92) of the Complaint.

93. With respect to the allegations of paragraph number ninety-three (93) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

94. With respect to the allegations of paragraph number ninety-four (94) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

95. With respect to the allegations of the first two sentence of paragraph number ninety-five (95) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response

is required; but insofar as a response is required, the Governor denies the allegations. With respect to the allegations of the last sentence of paragraph number ninety-five (95) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

96. With respect to the allegations of paragraph number ninety-six (96) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

97. With respect to the allegations of paragraph number ninety-seven (97) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

98. With respect to the allegations of paragraph number ninety-eight (98) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

99. With respect to the allegations of paragraph number ninety-nine (99) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required, and contains factual allegations that the Governor lacks sufficient knowledge to

answer and therefore denies; insofar as a response is required, the Governor denies the allegations.

100. With respect to the allegations of paragraph number one hundred (100) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

101. With respect to the allegations of paragraph number one hundred-one (101) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

102. With respect to the allegations of paragraph number one hundred-two (102) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

103. With respect to the allegations of paragraph number one hundred-three (103) of the Complaint, the Governor affirmatively states that

C.R.S. 16-2.5-101, et seq. and C.R.S. 30-10-501, et seq. are writings that speak for themselves. With respect to all other allegations of paragraph number one hundred-three (103) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

104. With respect to the allegations of paragraph number one hundred-four (104) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

105. With respect to the allegations of paragraph number one hundred-five (105) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

106. With respect to the allegations of paragraph number one hundred-six (106) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

107. With respect to the allegations of paragraph number one hundred-seven (107) of the Complaint, the Governor is without knowledge or

information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

108. With respect to the allegations of paragraph number one hundred-eight (108) of the Complaint, the Governor affirmatively states that House Bill 13-1229 is a writing that speaks for itself.

109. With respect to the allegations of paragraph number one hundred-nine (109) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

110. With respect to the allegations of paragraph number one hundred-ten (110) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

111. With respect to the allegations of all parts of paragraph number one hundred-eleven (111) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

112. With respect to the allegations of paragraph number one hundred-twelve (112) of the Complaint, the Governor affirmatively states that

allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

113. With respect to the allegations of paragraph number one hundred-thirteen (113) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

114. With respect to the allegations of paragraph number one hundred-fourteen (114) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

115. With respect to the allegations of paragraph number one hundred-fifteen (115) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

116. With respect to the allegations of paragraph number one hundred-sixteen (116) of the Complaint, the Governor is without knowledge or

information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

117. With respect to the allegations of paragraph number one hundred-seventeen (117) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

118. With respect to the allegations of paragraph number one hundred-eighteen (118) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

119. With respect to the allegations of paragraph number one hundred-nineteen (119) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

120. With respect to the allegations of paragraph number one hundred-twenty (120) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

121. With respect to the allegations of paragraph number one hundred-twenty-one (121) of the Complaint, the Governor denies the allegations.

122. With respect to the allegations of paragraph number one hundred-twenty-two (122) of the Complaint, the Governor denies the allegations.

123. With respect to the allegations of paragraph number one hundred-twenty-three (123) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

124. With respect to the allegations of paragraph number one hundred-twenty-four (124) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

125. With respect to the allegations of paragraph number one hundred-twenty-five (125) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

126. With respect to the allegations of paragraph number one hundred-twenty-six (126) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

127. With respect to the allegations of paragraph number one hundred-twenty-seven (127) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

128. With respect to the allegations of paragraph number one hundred-twenty-eight (128) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

129. With respect to the allegations of paragraph number one hundred-twenty-nine (129) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

130. With respect to the allegations of paragraph number one hundred-thirty (130) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

131. With respect to the allegations of paragraph number one hundred-thirty-one (131) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

132. With respect to the allegations of paragraph number one hundred-thirty-two (132) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

133. With respect to the allegations of paragraph number one hundred-thirty-three (133) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

134. With respect to the allegations of paragraph number one hundred-thirty-four (134) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

135. With respect to the allegations of paragraph number one hundred-thirty-five (135) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

136. With respect to the allegations of paragraph number one hundred-thirty-six (136) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

137. With respect to the allegations of paragraph number one hundred-thirty-seven (137) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

138. With respect to the allegations of paragraph number one hundred-thirty-eight (138) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

139. With respect to the allegations of paragraph number one hundred-thirty-nine (139) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

140. With respect to the allegations of paragraph number one hundred-forty (140) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

141. With respect to the allegations of paragraph number one hundred-forty-one (141) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

142. With respect to the allegations of paragraph number one hundred-forty-two (142) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

143. With respect to the allegations of paragraph number one hundred-forty-three (143) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

144. With respect to the allegations of paragraph number one hundred-forty-four (144) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

145. With respect to the allegations of paragraph number one hundred-forty-five (145) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

146. With respect to the allegations of paragraph number one hundred-forty-six (146) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

147. With respect to the allegations of paragraph number one hundred-forty-seven (147) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

148. With respect to the allegations of paragraph number one hundred-forty-eight (148) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

149. With respect to the allegations of paragraph number one hundred-forty-nine (149) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

150. With respect to the allegations of paragraph number one hundred-fifty (150) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

151. With respect to the allegations of paragraph number one hundred-fifty-one (151) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

152. With respect to the allegations of paragraph number one hundred-fifty-two (152) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

153. With respect to the allegations of paragraph number one hundred-fifty-three (153) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

154. With respect to the allegations of paragraph number one hundred-fifty-four (154) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

155. With respect to the allegations of paragraph number one hundred-fifty-five (155) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

156. With respect to the allegations of paragraph number one hundred-fifty-six (156) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

157. With respect to the allegations of paragraph number one hundred-fifty-seven (157) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

158. With respect to the allegations of paragraph number one hundred-fifty-eight (158) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

159. With respect to the allegations of paragraph number one hundred-fifty-nine (159) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge

or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

160. With respect to the allegations of paragraph number one hundred-sixty (160) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

161. With respect to the allegations of paragraph number one hundred-sixty-one (161) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

162. With respect to the allegations of paragraph number one hundred-sixty-two (162) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

163. With respect to the allegations of paragraph number one hundred-sixty-three (163) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

164. With respect to the allegations of paragraph number one hundred-sixty-four (164) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is

required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

165. With respect to the allegations of paragraph number one hundred-sixty-five (165) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

166. With respect to the allegations of paragraph number one hundred-sixty-six (166) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

167. With respect to the allegations of paragraph number one hundred-sixty-seven (167) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

168. With respect to the allegations of paragraph number one hundred-sixty-eight (168) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

169. With respect to the allegations of paragraph number one hundred-sixty-nine (169) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

170. With respect to the allegations of paragraph number one hundred-seventy (170) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

171. With respect to the allegations of paragraph number one hundred-seventy-one (171) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

172. With respect to the allegations in paragraph one-hundred seventy-two (172) the Governor admits that he is the Governor of the State of Colorado. To the extent a response is required, Colo. Const. art. IV, § 2, speaks for itself. To the extent a response is required to the last sentence of paragraph 172, the Governor denies the allegations.

173. With respect to the allegations of paragraph number one hundred-seventy-three (173) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

174. With respect to the allegations of paragraph number one hundred-seventy-four (174) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

175. With respect to the allegations of paragraph number one hundred-seventy-five (175) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

176. With respect to the allegations of paragraph number one hundred-seventy-six (176) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

177. With respect to the allegations of paragraph number one hundred-seventy-seven (177) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

178. With respect to the allegations of paragraph number one hundred-seventy-eight (178) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

179. With respect to the allegations of paragraph number one hundred-seventy-nine (179) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

180. With respect to the allegations of paragraph number one hundred-eighty (180) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

181. With respect to the allegations of paragraph number one hundred-eighty-one (181) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

182. With respect to the allegations of paragraph number one hundred-eighty-two (182) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

183. With respect to the allegations of paragraph number one hundred-eighty-three (183) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

184. With respect to the allegations of paragraph number one hundred-eighty-four (184) of the Complaint, the Governor lacks knowledge sufficient to admit or deny that that handguns are used in the majority of homicides in the United States, but with respect to the remainder of the allegations of paragraph number one hundred-eighty-four (184) of the Complaint, the Governor affirmatively states that the allegations

call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

185. With respect to the allegations of paragraph number one hundred-eighty-five (185) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

186. With respect to the allegations of paragraph number one hundred-eighty-six (186) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

187. The Governor lacks knowledge sufficient to admit or deny the allegations of paragraph one hundred-eighty-seven (187), and therefore denies them.

188. With respect to the allegations of paragraph number one hundred-eighty-eight (188) of the Complaint, the Governor affirmatively states

that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

189. With respect to the allegations of paragraph number one hundred-eighty-nine (189) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

190. The Governor denies the allegations in paragraph number one hundred-ninety (190) of the Complaint.

191. With respect to the allegations of paragraph number one hundred-ninety-one (191) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

192. The Governor denies the allegations in paragraph number one hundred-ninety-two (192) of the Complaint.

193. The Governor denies the allegations in paragraph one hundred-ninety-three (193) of the Complaint.

194. The Governor denies the allegations in the first sentence of paragraph one hundred ninety-four (194) of the Complaint. With respect to the remaining allegations of paragraph number one hundred-ninety-four (194) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

195. With respect to the allegations of paragraph number one hundred-ninety-five (195) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

196. With respect to the allegations of paragraph number one hundred-ninety-six (196) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

197. With respect to the allegations of paragraph number one hundred-ninety-seven (197) of the Complaint, the Governor affirmatively states that allegations call for legal conclusions to which no response is

required; but insofar as a response is required, the Governor denies the allegations.

198. With respect to the allegations of paragraph number one hundred-ninety-eight (198) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

199. With respect to the allegations of paragraph number one hundred-ninety-nine (199) of the Complaint, the Governor affirmatively states that House Bill 13-1229 is a writing that speaks for itself. With respect to the remainder of the allegations of paragraph number one hundred-ninety-nine (199) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

200. With respect to the allegations of paragraph number two hundred (200) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

201. With respect to the allegations of paragraph number two hundred-one (201) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

202. With respect to the allegations of paragraph number two hundred-two (202) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

203. With respect to the allegations of paragraph number two hundred-three (203) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

204. With respect to the allegations of paragraph number two hundred-four (204) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

205. With respect to the allegations of paragraph number two hundred-five (205) of the Complaint, the Governor lacks knowledge sufficient to admit or deny the allegations, and therefore denies them.
206. With respect to the allegations of paragraph number two-hundred-six (206) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies them.
207. With respect to the allegations of paragraph number two hundred-seven (207) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.
208. With respect to the allegations of paragraph number two hundred-eight (208) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.
209. The Governor denies the allegations in paragraph number two hundred-nine (209) of the Complaint.

210. With respect to the allegations of paragraph number two hundred-ten (210) of the Complaint, the Governor admits that he issued a signing statement requiring interpretive guidance regarding House Bill 13-1224 and House Bill 13-1229 be issued, that the Department of Law issued such guidance on May 16, 2013, and that the guidance has been made publicly available. With respect to the remaining allegations of paragraph number two hundred-ten (210) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

FIRST CLAIM FOR RELIEF

211. With respect to the allegations of paragraph number two hundred-eleven (211), the Governor responds as if the answers set forth in paragraphs numbers one (1) through two hundred-ten (210) of this answer were set forth in full in this paragraph.

212. With respect to paragraph number two hundred-twelve (212) of the Complaint, the Governor admits that he signed HB 1224 on or about March 20, 2013. With respect to the remaining allegations, the Governor affirmatively states that the statute speaks for itself.

213. The Governor lacks information sufficient to admit or deny the allegations in paragraph 213, and therefore denies them.

214. With respect to the allegations of paragraph number two hundred-fourteen (214) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

215. With respect to the allegations of paragraph number two hundred-fifteen (215) of the Complaint, the Governor lacks information sufficient to admit or deny the allegations, and therefore denies them.

216. With respect to the allegations of paragraph number two hundred-sixteen (216) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

217. With respect to the allegations of paragraph number two hundred-seventeen (217) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

218. With respect to the allegations of paragraph number two hundred-eighteen (218) of the Complaint, the Governor is without knowledge or

information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

219. With respect to the allegations of paragraph number two hundred-nineteen (219) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

SECOND CLAIM FOR RELIEF

220. With respect to the allegations of paragraph number two hundred-twenty (220) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 220 or the Second Claim for Relief is required at this time.

221. With respect to the allegations of paragraph number two hundred-twenty (221) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 221 or the Second Claim for Relief is required at this time.

222. With respect to the allegations of paragraph number two hundred-twenty-two (222) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 222 or the Second Claim for Relief is required at this time.

223. With respect to the allegations of paragraph number two hundred-twenty-three (223) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 223 or the Second Claim for Relief is required at this time.

224. With respect to the allegations of paragraph number two hundred-twenty-four (224) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 224 or the Second Claim for Relief is required at this time.

225. With respect to the allegations of paragraph number two hundred-twenty-five (225) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to

dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 225 or the Second Claim for Relief is required at this time.

226. With respect to the allegations of paragraph number two hundred-twenty-six (226) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 226 or the Second Claim for Relief is required at this time.

227. With respect to the allegations of paragraph number two hundred-twenty-seven (227) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 227 or the Second Claim for Relief is required at this time.

228. With respect to the allegations of paragraph number two hundred-twenty-eight (228) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Second Claim for Relief. No response to the allegations contained in paragraph 228 or the Second Claim for Relief is required at this time.

THIRD CLAIM FOR RELIEF

229. With respect to the allegations of paragraph number two hundred twenty-nine (229) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Third Claim for Relief. No response to the allegations contained in paragraph 229 or the Third Claim for Relief is required at this time.

230. With respect to the allegations of paragraph number two hundred thirty (230) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Third Claim for Relief. No response to the allegations contained in paragraph 230 or the Third Claim for Relief is required at this time.

231. With respect to the allegations of paragraph number two hundred-thirty-one (231) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Third Claim for Relief. No response to the allegations contained in paragraph 231 or the Third Claim for Relief is required at this time.

232. With respect to the allegations of paragraph number two hundred-thirty-two (232) of the Complaint, in a motion to dismiss filed

contemporaneously with this answer, the Governor has moved to dismiss the Third Claim for Relief. No response to the allegations contained in paragraph 232 or the Third Claim for Relief is required at this time.

233. With respect to the allegations of paragraph number two hundred-thirty-three (233) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Third Claim for Relief. No response to the allegations contained in paragraph 233 or the Third Claim for Relief is required at this time.

234. With respect to the allegations of paragraph number two hundred-thirty-four (234) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Third Claim for Relief. No response to the allegations contained in paragraph 234 or the Third Claim for Relief is required at this time.

235. With respect to the allegations of paragraph number two hundred-thirty-five (235) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Third Claim for Relief. No response to the allegations

contained in paragraph 235 or the Third Claim for Relief is required at this time.

FOURTH CLAIM FOR RELIEF

236. With respect to the allegations of paragraph number two hundred thirty-six (236) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations contained in paragraph 236 or the Fourth Claim for Relief is required at this time.

237. With respect to the allegations of paragraph two hundred thirty-seven (237), in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations contained in paragraph 237 or the Fourth Claim for Relief is required at this time.

238. With respect to the allegations of paragraph two hundred thirty-eight (238), in a motion to dismiss filed contemporaneously with this Answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations contained in paragraph 238 or the Fourth Claim for Relief is required at this time.

239. With respect to the allegations of paragraph number two hundred thirty-nine (239) of the Complaint, in a motion to dismiss filed

contemporaneously with this answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations contained in paragraph 239 or the Fourth Claim for Relief is required at this time.

240. With respect to the allegations of paragraph number two hundred forty (240) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations contained in paragraph 240 or the Fourth Claim for Relief is required at this time.

241. With respect to the allegations of paragraph number two hundred forty-one (241) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations contained in paragraph 241 or the Fourth Claim for Relief is required at this time.

242. With respect to the allegations of paragraph number two hundred-forty-two (242) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations

contained in paragraph 242 or the Fourth Claim for Relief is required at this time.

243. With respect to the allegations of paragraph number two hundred forty-three (243) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations contained in paragraph 243 or the Fourth Claim for Relief is required at this time.

244. With respect to the allegations of paragraph number two hundred forty-four (244) of the Complaint, in a motion to dismiss filed contemporaneously with this answer, the Governor has moved to dismiss the Fourth Claim for Relief. No response to the allegations contained in paragraph 244 or the Fourth Claim for Relief is required at this time.

FIFTH CLAIM FOR RELIEF

245. With respect to the allegations of paragraph number two hundred forty-five (245) of the Complaint, the Governor responds as if the answers set forth in paragraphs numbers one (1) through two hundred forty-four (244) of this answer were set forth in full in this paragraph.

246. With respect to the allegations of paragraph two hundred forty-six (246), the Governor affirmatively states that Title II of the Americans with Disabilities Act (ADA) is a writing that speaks for itself.

247. With respect to the allegations of paragraph two hundred forty-seven (247), the Governor affirmatively states that definitions contained within the ADA are writings that speak for themselves.

248. With respect to the allegations of paragraph number two hundred-forty-eight (248) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor lacks knowledge sufficient to admit or deny the allegations, and therefore denies them.

249. With respect to the allegations of paragraph number two hundred-forty-nine (249) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

250. With respect to the allegations of paragraph number two hundred-fifty (250) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

251. The Governor denies the allegations in paragraph number two hundred-fifty-one (251) of the Complaint.

252. With respect to the allegations of paragraph number two hundred-fifty-two (252) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

SIXTH CLAIM FOR RELIEF

253. With respect to the allegations of paragraph number two hundred fifty-three (253) of the Complaint, the Governor responds as if the answers set forth in paragraphs numbers one (1) through two hundred fifty-two (252) of this answer were set forth in full in this paragraph.

254. With respect to the allegations of paragraph two hundred fifty-four (254), the Governor affirmatively states that HB 1229 is a writing that speaks for itself.

255. With respect to the allegations of paragraph number two hundred-fifty-five (255) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

256. With respect to the allegations of paragraph number two hundred-fifty-six (256) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

257. With respect to the allegations of paragraph number two hundred-fifty-seven (257) of the Complaint, the Governor affirmatively states that the allegations call for legal conclusions to which no response is required; but insofar as a response is required, the Governor denies the allegations.

258. With respect to the allegations of paragraph number two hundred-fifty-eight (258) of the Complaint, the Governor is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore the Governor denies them.

259. The Governor denies the allegations in paragraph number two hundred-fifty-nine (259) of the Complaint.

260. The Governor denies all allegations contained in the Complaint not specifically admitted in this answer.

RELIEF REQUESTED

261. The Governor denies that Plaintiffs are entitled to the relief they request, including their requests for declaratory relief, injunctive relief, attorney fees and costs.

AFFIRMATIVE DEFENSES

1. Plaintiffs have failed to state claims for relief.
2. Plaintiffs' claims may be barred because Plaintiffs lack a private right of action.
3. Plaintiffs' claims may be barred by Eleventh Amendment immunity.
4. Plaintiffs' claims may be barred because some or all Plaintiffs lack the standing to assert them.
5. Plaintiffs have been afforded all the rights, privileges, and immunities granted by the United States Constitution, the Colorado Constitution, and state and federal law.
6. The Governor is not a proper party to some or all of Plaintiffs' claims.
7. This court lacks subject matter jurisdiction over Plaintiffs' claims.
8. Plaintiffs have not been excluded from participation in the benefits and programs of a public entity.
9. The Governor reserves the right to assert additional affirmative defenses or rescind affirmative defenses after further investigation and discovery.

Wherefore, the Governor requests this Court to enter judgment in their favor and additionally request attorney fees and any other relief this Court deems just and proper.

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s/ Kathleen Spalding

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Senior Assistant Attorney General

*Counsel of Record

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2013, I served a true and complete copy of the foregoing ANSWER TO SECOND AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF upon all counsel of record listed below via the CM/ECF system for the United States District Court for the District of Colorado:

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s/ Matt Grove