

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

Civil Action No. 13-CV-1300-MSK-MJW

COLORADO OUTFITTERS ASSOCIATION, *et. al.*,

Plaintiffs

v.

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

Defendant.

PLAINTIFF SHERIFFS AND DAVID STRUMILLO NOTICE OF APPEAL

Notice is hereby given that Plaintiffs David Strumillo, Jim Beicker (Sheriff of Fremont County), Rick Besecker (Sheriff of Gunnison County), Ronald Bruce (Sheriff of Hinsdale County), David D. Campbell (Sheriff of Baca County), James (Jim) Casias (Sheriff of Las Animas County), Miles Clark (Sheriff of Crowley County), John B. Cooke (Sheriff of Weld County), James Crone (Sheriff of Morgan County), Douglas N. Darr (Sheriff of Adams County), Chad Day (Sheriff of Yuma County), Rick Dunlap (Sheriff of Montrose County), David Encinias (Sheriff of Bent County), Mike Ensminger (Sheriff of Teller County), James Faull (Sheriff of Prowers County), Rod Fenske (Sheriff of Lake County), Scott Fischer (Sheriff of Jackson County), Forrest Frazee (Sheriff of Kiowa County), Peter Gonzalez (Sheriff of Archuleta County), Bruce W. Hartman (Sheriff of Gilpin County), Shayne Heap (Sheriff of Elbert County), Fred Hosselkus (Sheriff of Mineral County), Tim Jantz

(Sheriff of Moffat County), Fred Jobe (Sheriff of Custer County), Chris S. Johnson (Sheriff of Otero County), Rodney Johnson (Sheriff of Grand County), Donald Krueger (Sheriff of Clear Creek County), Larry Kuntz (Sheriff of Washington County), Sue Kurtz (Sheriff of San Juan County), Terry Maketa (Sheriff of El Paso County), Jerry Martin (Sheriff of Dolores County), Dominic Mattivi, Jr. (Sheriff of Ouray County), Fred D. McKee (Sheriff of Delta County), Amos Medina (Sheriff of Costilla County), Ted B. Mink (Sheriff of Jefferson County), John Minor (Sheriff of Summit County), Tom Nestor (Sheriff of Lincoln County), Bruce Newman (Sheriff of Huerfano County), Mike Norris (Sheriff of Saguache County), Brian E. Norton (Sheriff of Rio Grande County), Randy Peck (Sheriff of Sedgwick County), Brett L. Powell (Sheriff of Logan County), Ken Putnam (Sheriff of Cheyenne County), Tom Ridnour (Sheriff of Kit Carson County), Grayson Robinson (Sheriff of Arapahoe County, ret.), Duke Schirard (Sheriff of La Plata County), Justin Smith (Sheriff of Larimer County), Dennis Spruell (Sheriff of Montezuma County), Dave Stong (Sheriff of Alamosa County), Charles “Rob” Urbach (Sheriff of Phillips County), Lou Vallario (Sheriff of Garfield County), David A. Weaver (Sheriff of Douglas County), Fred Wegener (Sheriff of Park County), Garrett Wiggins (Sheriff of Routt County), and Si Woodruff (Sheriff of Rio Blanco County), hereby appeal to the United States Court of Appeals for the Tenth Circuit from the following orders: (1) this Court’s Findings of Fact, Conclusions of Law, and Order, as well as the corresponding and separate Judgment, both of which were entered in this action on June 26, 2014; (2)

this Court's Opinion and Order Granting in Part and Denying in Part Defendant's Motion to Dismiss, which was entered in this action on November 27, 2013; (3) this Court's Denial of Plaintiffs' unopposed Motion to Amend/Correct/Modify the aforesaid Order, which was entered in this action on December 12, 2013; (4) this Court's Granting in Part and Denying in Part of Plaintiffs' Motion for Joinder and for Leave to File an Amended Complaint, which was entered in this action on December 19, 2013; and (5) this Court's instruction to the Plaintiffs at the Feb. 20, 2014, Final Pretrial Conference that evidence regarding standing should not be presented at trial. An appeal from a judgment allows judicial review of all the prior rulings in the case. *McBride v. Citgo Petroleum Corp.*, 281 F.3d 1099 (10th Cir. 2002). Nevertheless, items (2), (3), (4), and (5) are specifically listed in an abundance of caution.

Dated this 28th day of July, 2014.

Respectfully submitted,

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**ATTORNEY FOR SHERIFFS AND DAVID
STRUMILLO**

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2014, I have served the foregoing Notice of Appeal via the CM/ECF system for the United States District Court for the District of Colorado, and that the system will deliver the Notice to:

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