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| DISTRICT COURT, BROOMFIELD COUNTY, COLORADO Court Address: 17 Descombes Dr., Broomfield, CO, 80020 | DATE FILED: September 10, 2013 11:09 AM <p style="text-align: center;">⚠ COURT USE ONLY ⚠</p> |
| Plaintiff(s) OUR BROOMFIELD v. Defendant(s) CITY AND COUNTY OF BROOMFIELD COLORADO | |
| Order: Order Setting Ballot Title | |

Case Number: 2013CV30221
 Division: A Courtroom:

The motion/proposed order attached hereto: GRANTED.

Issue Date: 9/10/2013



PATRICK THOMAS MURPHY
 District Court Judge

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| DISTRICT COURT, BROOMFIELD COUNTY, STATE OF COLORADO Broomfield County Combined Courts 17 DesCombes Dr. Broomfield, CO 80020 | |
| Plaintiff and Contestor: OUR BROOMFIELD v. Defendant and Contestee: CITY AND COUNTY OF BROOMFIELD, COLORADO | ▲ COURT USE ONLY ▲ |
| | Case Number: 2013CV030221 Division/Courtroom: A |
| ORDER SETTING BALLOT TITLE | |

This matter is before the Court on a Petition for relief under C.R.S. § 1-11-203.5, challenging a ballot title.

The parties agree that C.R.S. § 1-11-203.5 sets out the exclusive procedure for contesting ballot titles in local elections. See Petition at ¶ 12; Answer at ¶ 12.

The Court was informed by the Parties on September 4, 2013 at 9:00 a.m. that the Parties have reached a settlement of this matter after Court ordered alternative dispute resolution. The Court, having reviewed the pleadings, considered the positions of the Parties and the proposed ballot title language agreed upon by them hereby FINDS and ORDERS as follows:

The Court finds that the ballot language stipulated to by the Parties and approved by the City and County Council of the City and County of Broomfield on September 3, 2013 meets the applicable statutory requirements.

The Court therefore hereby ORDERS, pursuant to C.R.S. § 1-11-203.5(3), that the City and County Clerk for the City and County of Broomfield, Colorado shall use the following language that has been agreed upon by the Parties and approved by the Court as the ballot title for the proposed Home Rule Charter amendment regarding hydraulic fracturing and waste disposal for the November 5, 2013 Coordinated Election:

Shall Broomfield's Home Rule Charter be amended for five years so as to prohibit the use of hydraulic fracturing to extract oil, gas, or other hydrocarbons within the City and County of Broomfield and to prohibit the disposal or open pit storage of solid or liquid wastes created in connection with the hydraulic fracturing process?

Pursuant to the representations of the Contestor and Contestee in open court on September 3, 2013, the Court hereby further ORDERS as follows:

The Motion to Dismiss filed by Contestee is hereby deemed withdrawn.

The Petition is dismissed with prejudice, each party to bear their own attorney fees, and each party to bear their own costs except as otherwise agreed by the Parties.

The Clerk of the Court release to Ms. Laura Fronckiewicz, the sum of \$500.00, which was deposited with the Clerk as bond in this matter on August 20, 2013, and mail such sum to 3317 Alexander Way, Broomfield, CO 80023.

DATED AND DONE THIS 4th day of September 2013.

BY THE COURT:

Patrick T. Murphy
District Court Judge