

STATE OF COLORADO
SECRETARY OF STATE
Administrative Hearing Office
1700 Broadway, Suite 550
Denver, CO 80290

Case Number:

2026 AHO 12 CPF
(in re ED Nos. 2025-45, 2025-103)

IN THE MATTER OF:

ELECTIONS DIVISION of the SECRETARY OF STATE,

Complainant,

v.

MICHAEL BENNET AND BENNET FOR GOVERNOR,

Respondents.

**UNOPPOSED MOTION FOR RECONSIDERATION OF ORDER DENYING MOTION
TO RESET AND RESCHEDULE**

Respondents Michael Bennet and Bennet for Governor, by and through their undersigned counsel, Womble Bond Dickinson (US) LLP, hereby submit this Unopposed Motion for Reconsideration of Order Denying Motion to Reset and Reschedule:

Certificate of Compliance with C.R.C.P. 121 § 1-15(8) and 8 Colo. Code Regs. § 1505-3:3(3.6.3)(a)

Undersigned counsel certifies that he has conferred with counsel for Complainant regarding the relief requested in this Motion and Complainant does not oppose the relief requested.

1. The Hearing Officer issued an Order Denying Motion to Reset and Reschedule on May 15, 2026. The Order expressed three different reasons for the denial. First, the Order states that no declaration was attached to the Motion to Reset Hearing Date and Modify the Scheduling

Order, rather the Motion stated that counsel has “a scheduling conflict on June 16, 2026, that cannot be avoided.”

2. Counsel for Respondents will be out of town for an event related to his daughter’s wedding on June 16, 2026. Aff. of Michael D. Plachy ¶¶ 5–7.¹

3. The Hearing Officer is permitted to grant a continuance for good cause. Colo. Code Regs. § 1505-3:3(3.6.3)(i); § 1-45-111.7(6), C.R.S.

4. Good cause exists to continue the hearing and modify the scheduling order because counsel for Respondents will not be in Denver on the day of the hearing and is, therefore, unable to attend the hearing. Aff. of Michael D. Plachy ¶ 7.

5. Second, the Hearing Officer expressed concerns about setting the case long after the original June 16, 2026, setting and the primary election. To that end, the Parties have conferred on available dates closer to the original June 16 trial setting. All parties and counsel are available on June 22, 23, and 29. The Parties request that the hearing be re-set on one of those three days. The Parties further request that the deadline for filing and exchanging pre-hearing statements and exhibits be set for eight days prior to the hearing date, and the deadline for objections to exhibits be set one day prior to the new hearing date (consistent with the original scheduling order).

6. Finally, the Hearing Officer was concerned about delaying the date on which Respondents’ answer to the complaint was due. To resolve that concern, Respondents will file their Answer on or before June 1 as set forth in the original scheduling order.

WHEREFORE, Respondents Michael Bennet and Bennet for Governor respectfully request that the Hearing Officer re-set the hearing and case deadlines as set forth herein.

¹ Counsel for Respondents respectfully apologizes for failing to include a declaration with the prior submission. A supporting declaration is included with this Motion to address that deficiency, to confirm the previously mentioned scheduling conflict, and to provide the Hearing Officer with a complete record for reconsideration.

DATED this 22nd day of May, 2026.

Respectfully submitted,

s/ Michael D. Plachy

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*Attorney for Respondents Michael Bennet and
Bennet for Governor*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 22, 2026, a true and correct copy of the foregoing **MOTION FOR RECONSIDERATION OF ORDER DENYING UNOPPOSED MOTION TO RESET HEARING DATE AND MODIFY THE SCHEDULING ORDER** was served via email upon the following:

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| <p>William D. Hauptman (#51168) Special Assistant Attorney General Miranda B. Worthington (#55135) Wheeler Trigg O'Donnell LLP 370 Seventeenth Street, Suite 4500 Denver, CO 80202 Telephone: 303.244.1800 Facsimile: 303.244.1879 Email: hauptman@wtotrial.com worthington@wtotrial.com Attorneys for Complainant the Elections Division of the Secretary of State</p> | <p>Alyssa Holladay 6300 East Hampden Avenue Denver, CO 80222 cakes4giraffes@gmail.com <i>Third - Party Complainant</i></p> |
| <p>Seth Belzley, Counsel Holland & Knight LLP 1801 California Street, Suite 5000 Denver, CO 80202 Seth.belzley@hkllaw.com <i>Respondents</i></p> | |

s/ Stella Yuan
Of Womble Bond Dickinson (US) LLP