

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. 2026-10
ED Case No. 2025-71, 2025-72, 2025-73, and 2025-74

In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

KRAMER FOR DCSD, VAIL FOR DCSD, GAMBILL FOR DCSD, AND SMITH FOR
DCSD,

Respondents.

NOTICE OF DISMISSAL

Pursuant to C.R.C.P. 41(a)(1)(A), the Elections Division of the Secretary of State hereby provides notice of its voluntary dismissal, with prejudice, of its action against Respondents KRAMER FOR DCSD, VAIL FOR DCSD, GAMBILL FOR DCSD, and SMITH FOR DCSD.

1. Under Rule 41(a)(1)(A) of the Colorado Rules of Civil Procedure, a plaintiff may dismiss an action “without order of court . . . by filing a notice of dismissal at any time before filing or service by the adverse party of an answer or of a motion for summary judgment.” The dismissal is without prejudice “unless otherwise stated in the notice of dismissal.” *Id.*

2. The Elections Division and Respondents have entered a settlement agreement resolving this matter and the Deputy Secretary of State has approved that settlement agreement.

3. Under Rule 3.9.6 of the Secretary’s General Procedural Rules for Administrative Hearings, the Deputy Secretary’s approval of the settlement agreement on April 21, 2026 was final agency action under section 24-4-105, C.R.S. See 8 CCR 1505-3, Rule 3.9.6.

4. Therefore, the Elections Division voluntarily dismisses this action, with prejudice.

Respectfully submitted this May 27, 2026.

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

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CERTIFICATE OF SERVICE

This is to certify that I will cause the within filing to be served by electronic mail this May 27, 2026, addressed as follows:

Kramer for DCSD
C/O Registered Agent Katie Kennedy
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Respondents

Scott Undercofler
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Third-party Complainant

/s/ Nicole Flores

Nicole Flores
Campaign Finance Enforcement
Colorado Secretary of State