

Pat Alley, Dave Brackhahn, Wayne Bryant,
Greg Giehl, Cole Graham, Dean Greenamyre,
Bill Gottschalk, Sue Gottschalk, Stephen
Keno, Tom Kramer, Jeffrey Maehr,
Sharon Parker, Tracy Salazar, Dennis
Spencer, John and Jane Does, 1-600,
representing most signatories on ballot
initiatives:

Plaintiffs

v.

Archuleta County Board of County
Commissioner Clifford Lucero,
Commissioner Steve Wadley,
Commissioner Michael Whiting,
County Attorney Todd Starr;

Defendants

▲ COURT USE ONLY
Case No. 16-CV-4

MOTION QUESTIONING THE SUFFICIENCY OF THE
EVIDENCE SUPPORTING THE ORDER

Plaintiffs come before this court with this Motion questioning the evidentiary support for Judge Wilson's Order dated 10-17-17, and moving the court to amend the judgment accordingly, based on the supporting Motion for Reconsideration, attached herein, and under FRCPA Rule 52 (a)(5) and (6)(b)⁽¹⁾

¹ **FRCPA Rule 52.** (a) (5) Questioning the Evidentiary Support. A party may later question the sufficiency of the evidence supporting the findings, whether or not the party requested findings, objected to them, moved to amend them, or moved for partial findings. (a) (6) (b) Amended or Additional Findings; On a party's motion filed no later than 28 days after the entry of judgment, the court may amend its findings—or make additional findings—and may amend the judgment accordingly.

Respectfully submitted,

Greg Giehl for all Plaintiffs

CERTIFICATE OF SERVICE

I, Greg Giehl, hereby certify that on _____, I served a copy of the Plaintiffs **Motion for Reconsideration, with exhibits, and Motion Questioning the Evidence** documents, to the below named Counsel and Defendant by United States Postal Mail.

Todd Starr, 462 Lewis Street, P.O. Box 5917, Pagosa Springs, CO 81147

Date

Signature