

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

Civil Action No. 1:17-cv-1937-WYD-NYW

MICHEAL BACA, POLLY BACA and ROBERT NEMANICH,

Plaintiffs

v.

WAYNE W. WILLIAMS, Colorado Secretary of State, in his individual capacity,

Defendant.

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**PLAINTIFFS' NOTICE OF SECOND AMENDED COMPLAINT**

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**TAKE NOTICE** that Plaintiffs, by and through undersigned counsel, hereby amend their Complaint a second time pursuant to F.R.C.P. 15(a)(2) and pursuant to the Court's orders issued October 19, 2017 (Document 35-NYW) and October 20, 2017 (Document 37-WYD). This second amendment to the initial Complaint is made upon conference with Defendant who is not opposed to the filing of this second amendment.

Plaintiffs Micheal Baca, Polly Baca and Robert Nemanich filed their initial Complaint on August 10, 2017. Plaintiffs amended their initial Complaint on September 20, 2017. The parties met with the Court for a Status Conference on October 19, 2017 and further discussed the forthcoming amendment.

Federal Rule of Civil Procedure 15(a)(2) provides for amendment of pleadings and provides a party the right to amend its pleading only with the opposing party's written consent or the court's leave. Plaintiffs' second amended complaint is not proposed in bad faith or merely for the purpose of delay and is timely filed per the Court's direction.

By leave of the Court, Plaintiffs hereby file the second amendment to their Complaint.

See Second Amended Complaint attached as Exhibit 1.

Respectfully submitted this 25<sup>th</sup> day of October, 2017.

/s/ Lawrence Lessig

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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I certify that on the 25<sup>th</sup> day of October, 2017, a true and correct copy of the above and foregoing **PLAINTIFFS' NOTICE OF SECOND AMENDED COMPLAINT** was filed with the Court and served via CM/ECF upon the following:

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*Attorneys for Defendant*

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