

No. _____

In The
Supreme Court of the United States

JUDY A. BRANNBERG, MSc.
JOHN DEWEY INSTITUTE AND ALEXANDRIA SCHOOL OF INNOVATION,

Applicants,

v.

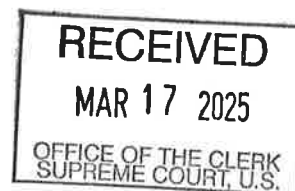
DCSD, Jeffco, Colorado State Board of Education, CDE, CCRD, CECFA,
STEM School Highlands Ranch et al., Sterling Ranch, UMB, OARC,
Douglas County Sheriff's Office, John A. Cimino Esq.,
Colorado Supreme Court, Colorado Attorney General Philip J. Weiser

Respondents.

To the Honorable Neil M. Gorsuch
Associate Justice of the United States Supreme Court
Circuit Justice for the Tenth Circuit

Emergency Application for Stay and Injunction

Judy A. Brannberg, MSc., *Pro Se*
8201 South Santa Fe Drive, Lot 52
Littleton, CO 80120
Email: judy.brannberg@gmail.com
Telephone: (303) 522-2158



QUESTIONS PRESENTED

1. Whether this Court should grant an emergency injunction to prevent Douglas County School District (“DCSD”), Jefferson County Public Schools (“Jeffco”), the Colorado Department of Education (“CDE”), and the Colorado State Board of Education (“SBE”) from approving or funding new charter schools while Petitioner’s school appeals remain pending, to prevent irreparable harm.

2. Whether Respondents, including Douglas County School District (“DCSD”); Jeffco, Sterling Ranch; Colorado State Board of Education (“SBE”); Colorado Department of Education (“CDE”); CDE Commissioner Susana Cordova; STEM School Highlands Ranch et al.; Colorado Civil Rights Division (“CCRD”), Colorado Civil Rights Commissioners (“CCRC”); Colorado Educational and Cultural Facility Authority (“CECFA”); Sterling Ranch Development Corp.; UMB Financial Corp.; Colorado Supreme Court Office Attorney Regulation Counsel (“OARC”); Douglas County Sheriff’s Office; John A. Cimino; Colorado Supreme Court Justices; Colorado Attorney General’s Office Philip J. Weiser have engaged in an unconstitutional monopoly and covered up federal crimes—including bond/wire/bank fraud, forgery, bribery, and obstruction of justice—to deny Petitioner’s charter schools, property ownership, and employment in violation of the

Sherman Antitrust Act, 42 U.S.C. § 1983, and the Fourteenth Amendment.

3. Whether the Colorado Supreme Court and Office of Attorney Regulation Counsel (OARC) have engaged in unconstitutional suppression of filings, obstruction of justice, and judicial misconduct, requiring intervention under the All Writs Act, 28 U.S.C. § 1651.
4. Whether the lower courts' orders—including those denying default judgment, staying relief, and quashing subpoenas—constitute systemic judicial bias and violate Petitioner's Due Process rights under the Fifth and Fourteenth Amendments.
5. Whether this Court should order the return of STEM School Highlands Ranch to Petitioner's leadership and void fraudulent contracts executed to strip Petitioner of her ownership rights.

PARTIES TO THE PROCEEDING

The Applicants are Charter School Entrepreneur Judy Brannberg, hereinafter (“JBrannberg”); Alexandria School of Innovation, hereinafter (“ASI”) a STEM-based charter school; and John Dewey Institute (“JDI”), a never-before-seen, unique, innovative and creative charter school-embedded-inside-a-charter school (at ASI), educating students on the Autism Spectrum in the Least Restrictive Environment (“LRE”).

The Respondents/Defendants are 14 Defendants, including board directors, plus their 25+ attorneys, who are part of the Public Education Antitrust RICO Cartel, who secretly and non-transparently executed Federal crimes to thwart, block, and deny the creation of Plaintiff’s 17 charter schools in 2023, 2019, 2018, 2017, and including:

1. Jefferson County Public Schools (“Jeffco”), boards and attorneys, et al.
2. Colorado State Board of Education, (“State Board”), boards, attorneys, et al.
3. Colorado Department of Education (“CDE”), Commissioner Susana Cordova et al.
4. Douglas County School District (“DCSD”), boards and attorneys, et al.
5. STEM School Highlands Ranch, (“STEM”), boards and attorneys, et al.
6. Colorado Civil Rights Division (“CCRD”), boards and attorneys, et al.
7. Colorado Educational and Cultural Facility Authority (“CECFA”), boards and attorneys, et al.
8. Sterling Ranch Development Corp., owners/developers, attorneys, et al.
9. UMB Financial Corporation – UMB Bank, et al.

10. Colorado Supreme Court Office of Attorney Regulation Counsel (“OARC”), Colorado Supreme Court, Jessica Yates, Counsel, and attorneys, et al.
11. Douglas County Sheriff’s Office, Douglas County Sheriff Darren Weekly
12. Attorney John A. Cimino
13. Colorado Supreme Court Justices, who oversee/have jurisdiction over the OARC
14. Colorado Attorney General Philip J. Weiser, who oversees/has jurisdiction over the OARC, State Board of Education, CCRD, CDE

JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 1257(a), which permits review of final judgments rendered by state courts that implicate federal constitutional rights.

Jurisdiction is further invoked under:

- **The All Writs Act, 28 U.S.C. § 1651(a)** – granting this Court the power to issue all writs necessary to protect its jurisdiction and prevent constitutional violations.
- **Supreme Court Rule 22** – allowing an individual Justice or the full Court to grant emergency injunctive relief when warranted.
- **Federal Rule of Civil Procedure 65** – authorizing injunctive relief where irreparable harm is likely.
- **5 U.S.C. § 705 (Administrative Procedure Act)** – permitting courts to stay agency actions to prevent irreparable injury while a case is under review.

This Emergency Application arises from an unprecedented obstruction of justice within the Colorado judiciary, where state actors have colluded to suppress filings, block appeals, and deny due process. The lower courts have refused to grant relief, making SCOTUS the only viable forum for justice.

CORPORATE DISCLOSURE STATEMENT

Pursuant to Supreme Court Rule 29.6, Applicants/Petitioners each represent that they do not have any parent entities and do not issue stock.

TABLE OF CONTENTS

QUESTIONS PRESENTED	i-ii
PARTIES TO THE PROCEEDING	iii-iv
JURISDICTION.....	v
CORPORATE DISCLOSURE STATEMENT.....	vi
TABLE OF CONTENTS.....	vii
I. Petitioner’s Urgent Request for Stay and Injunction.....	1
Irreparable Harm & Urgency.....	4
III. The Colorado Public Education Antitrust RICO Cartel.....	4
IV. Defendants’ Collusion to Control Public Education Funding and Eliminate Competition.....	6
V. Pattern of Fraudulent Conduct & Retaliation Against Dissenters.....	6
VI. Federal Intervention is Warranted to Dismantle the Education Monopoly.....	7
VII. Abuse of Discretion Requires Federal Oversight.....	8
VIII. Argument.....	9
IX. Cimino Was Bought Out by DCSD, Et Al. to Sabotage Plaintiff’s Legal Cases.....	11
X. Factual Background.....	13
XI. Federal Oversight and Suppression of Evidence Warrant Higher Court Review.....	18
XII. Judicial Suppression and Unconstitutional Conduct.....	20
XIII. Summary of Judicial Misconduct and Due Process Violations.....	21
XIV. Additional Constitutional Violations.....	22
XV. Legal Basis for Federal Intervention.....	23
XVI. Why This Court Must Intervene.....	24
XVII. Conclusion.....	24
APPENDIX TABLE OF CONTENTS.....	viii-x
TABLE OF AUTHORITIES.....	xi-xiv

APPENDIX TABLE OF CONTENTS

The following documents are included in the Appendix to support Petitioner's Emergency Application to the Supreme Court of the United States. These exhibits provide direct evidence of judicial obstruction, suppression of filings, and constitutional violations that warrant SCOTUS intervention.

Exhibit 0 – March 10, 2025 – Colorado Supreme Court Order Denied the Expedited Motion for Emergency Stay of All Proceedings in 2023CV610 Pending Federal and Supreme Court Resolution filed in the above cause, and now being sufficiently advised in the premises, IT IS ORDERED that said Motion shall be, and the same hereby is, DENIED. BY THE COURT.....	App. 1
Exhibit 1: July 10, 2024 - Omnibus Order Re: Motions to Dismiss This order dismissed claims against 10 of 11 Defendants, but they later re-entered litigation, undermining their own argument. Supports the claim of procedural manipulation. Page 7 calls for the U.S. Attorney to investigate the Antitrust RICO Cartel and stated: “The Sherman Antitrust Act of 1890, 15 U.S.C. §§ 1-7, does not provide for a private cause of action for its violations. Rather, it is the duty of the United States attorneys to enforce its provisions.”	App. 4
Exhibit 2: January 21, 2025 - Motion for Default Judgment. Key evidence showing that Petitioner properly moved for Default Judgment after Defendants failed to respond. Essential for SCOTUS to consider.....	App. 18
Exhibit 3: February 19, 2025 - Order Denying Motion for Default Judgment. The trial court improperly denied Petitioner's Motion for Default Judgment, despite Defendants' failure to timely respond. Demonstrates obstruction of due process.....	App. 40
Exhibit 4: February 26, 2025 - Order Denying Expedited Motion for Certification. The court refused to certify the case for appeal, blocking Petitioner's ability to seek higher review.....	App. 61
Exhibit 5: March 3, 2025 - Colorado Court of Appeals Order Dismissing Appeal. Proves that no meaningful appellate review was available, strengthening the argument that SCOTUS must intervene.....	App. 64

Exhibit 6: March 3, 2025 - Notice of Suppressed Evidence of Judicial and Attorney Misconduct. Key evidence of corruption and suppression of filings. Supports Petitioner's claim of systemic misconduct.....	App.67
Exhibit 7: December 27, 2024 - Order Granting Injunction Against Petitioner. The trial court granted an injunction against Petitioner, effectively silencing her. Demonstrates unconstitutional suppression of speech and legal rights.....	App. 89
Exhibit 8: February 18, 2025 - Order Prohibiting Any Further Briefing on Racketeering Allegations. Judge barred Petitioner from submitting further evidence or arguments on RICO claims, showing clear obstruction of justice.....	App. 107
Exhibit 9: February 18, 2025 - Order Denying Motion to Stay All Proceedings Pending U.S. Attorney Investigation. The court ignored an active federal investigation and refused to halt proceedings, allowing Defendants to continue their misconduct.....	App. 128
Exhibit 10: March 10, 2025 - Motion to Strike Cimino's Motion to Dismiss. Proves that Cimino's motion was untimely and improper. Supports argument that Cimino should have been defaulted.....	App. 148
Exhibit 11: March 11, 2025 - Court Order Allowing Cimino's Response. Shows judicial bias in favor of Cimino by permitting an untimely response while denying Petitioner's motions.....	App. 170
Exhibit 12: December 27, 2024 - Order Denying Judicial Notice of Forged Separation Agreement Evidence of suppression of critical evidence—court refused to acknowledge a forged document that impacted the case.....	App. 192
Exhibit 13: December 23, 2024 - Order Denying Preliminary Injunction The court denied an injunction that would have prevented further harm to Petitioner's case. Shows bias in protecting Defendants.....	App. 195
Exhibit 14: December 26, 2024 - Order Denying Proposed Default Judgment. Further judicial inconsistencies regarding Default Judgment Strengthens the argument that Default Judgment was wrongfully denied.....	App. 220

Exhibit 15: December 24, 2024 - Order Denying Motion for Relief from Judgment (C.R.C.P. 60(b)). Despite presenting evidence of fraud, obstruction, and newly discovered evidence, the court denied relief. Shows systemic corruption.....App. 233

Exhibit 16: November 28, 2023 - Plaintiffs' Response in Opposition to Douglas County Sheriff's Motion to Dismiss. - Provides additional legal arguments against Defendants' efforts to dismiss claims against them and includes the threats from the CSC Justices to suppress evidence of attorney crimes.....App. 239

Exhibit 17: December 27, 2024 - Order Denying Plaintiffs' Motion to Request a Hearing on Attorney Fees. The court refused to allow a hearing that would have exposed fraudulent attorney fee claims, blocking due process.....App. 266

Exhibit 18: December 27, 2024 - Order Denying Plaintiffs' Motion for Disqualification of Hood, Edgar, Caplan, and Earnest. The court denied a motion to remove conflicted attorneys, ensuring continued bias and suppression.....App. 284

Exhibit 19: February 17, 2025 - Motion to Stay Denied. Despite ongoing suppression and pending appeals, the court denied a stay, forcing litigation forward unfairly.....App. 308

Exhibit 20: February 19, 2025 - Order Granting CCRD's Motion to Quash Subpoena. The court quashed one of 17 subpoenas, ensuring no testimony about RICO crimes or suppressed evidence would be heard..... App. 328

Exhibit 21: February 3, 2025 - Order Vacating the March 6, 2025, Attorney Fee Hearing. This order canceled the hearing after Defendants withdrew requests for attorney fees to avoid testimony under oath.....App. 337

Exhibit 22: February 12, 2025 - Motion of Notification of Buy-Out by the Jeffco of Special Master for Attorney Fees. Key evidence of Jeffco bribing Special Master, further proving racketeering and corruption in attorney fee rulings.....App. 339

TABLE OF AUTHORITIES

Cases	Pages
<i>Associated Gen. Contractors of Cal., Inc. v. California State Council of Carpenters</i> , 459 U.S. 519 (1983).....	8
<i>Borough of Duryea v. Guarnieri</i> , 564 U.S. 379 (2011).....	16, 24
<i>Caperton v. A.T. Massey Coal Co.</i> , 556 U.S. 868 (2009).....	14, 21, 24
<i>Continental Ore Co. v. Union Carbide & Carbon Corp.</i> , 370 U.S. 690 (1962).....	6
<i>Curtis, Inc. v. District Court</i> , 308 P.2d 619 (Colo. 1957).....	11
<i>Elrod v. Burns</i> , 427 U.S. 347 (1976).....	18
<i>Gideon v. Wainwright</i> (1963), 372 U.S. 335, 342 (p. 14, 22).....	24
<i>Griffith v. SSC Pueblo Belmont Operating Co. LLC</i> , 381 P.3d 308 (Colo. App. 2016).....	9
<i>Goldberg v. Kelly</i> , 397 U.S. 254 (1970).....	21
<i>Harding Glass Co. v. Jones</i> , 640 P.2d 1123 (Colo. 1982).....	8, 11, 15, 16, 19
<i>Hicks v. Miranda</i> , 422 U.S. 332 (1975).....	10, 11, 13, 19, 21
<i>Huntington Nat’l Bank v. Sproul</i> , 868 P.2d 464 (Colo. App. 1994).....	18
<i>Klor’s, Inc. v. Broadway-Hale Stores, Inc.</i> , 359 U.S. 207 (1959).....	6

<i>Lehman Bros. v. Adams</i> , 793 P.2d 450 (Colo. App. 1990).....	9
<i>Northern Pac. Ry. Co. v. United States</i> , 356 U.S. 1 (1958).....	7
<i>People v. Martinez</i> , 970 P.2d 469, 470 (Colo. 1998).....	8
<i>Peralta v. Heights Med. Ctr., Inc.</i> , 485 U.S. 80, 84-86 (1988).....	8, 13, 15, 17, 24
<i>Pinkerton v. United States</i> , 328 U.S. 640 (1946).....	13
<i>Reves v. Ernst & Young</i> 507 U.S. 170, 179 (1993).....	13
<i>Shelley v. Kraemer</i> (1948) 334 U.S. 1, 20 (p. 18).....	24
<i>Silver v. New York Stock Exchange</i> , 373 U.S. 341 (1963).....	7
<i>United States v. Aguilar</i> , 515 U.S. 593 (1995).....	15
<i>United States v. Lopez</i> (1995) 514 U.S. 549 (p. 25).....	24
<i>United States v. Grinnell Corp.</i> , 384 U.S. 563 (1966).....	6
<i>United States v. Nixon</i> , 418 U.S. 683 (1974).....	12
<i>Young v. United States ex rel. Vuitton et Fils S.A.</i> , 481 U.S. 787 (1987).....	12

U.S. Constitution

1 st Amendment – Freedom of Speech	16, 23, 24
5 th Amendment – Due Process & Takings Clause.....	22
6 th Amendment – Right to Legal Counsel & Fair Tribunal.....	22
7 th Amendment – Right to a Jury Trial.....	22
8 th Amendment – Excessive Sanctions & Judicial Retaliation.....	22
9 th and 10 th Amendments – State Overreach & Federal Jurisdiction.....	22
14 th Amendment - Due Process and Equal Protection Clauses	4, 14, 17, 23

United States Code (U.S.C.)

5 U.S.C. § 705 (Administrative Procedure Act).....	v
15 U.S.C. §§ 1-38 - Federal Antitrust Enforcement Sherman Act.....	
.....	1, 2, 3, 4, 6, 7, 8, 11, 12, 17, 18, 19, 24
18 U.S.C. § 201 – Bribery of public officials and witnesses.....	
.....	1, 7, 12, 15, 16, 18, 20, 21
18 U.S.C. § 371 – Conspiracy to commit offense or to defraud United States	
18 U.S.C. § 471 Forgery.....	1, 12, 15, 20, 21
18 U.S.C. § 1112 – Negligent Homicide.....	5, 17
18 U.S. Code - § 1344 – Bank fraud U.S. Code.....	
.....	1, 4-7, 12-13, 16-17, 20-21, 24-25
18 U.S.C. § 1349 – Attempt and Conspiracy	4, 6, 11, 12, 13, 20, 24
18 U.S.C. §§ 1503, 1512, 1513 Obstruction Of Justice.....	
.....	1, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 25
18 U.S.C. §§1961-68 Racketeer Influenced Corrupt Organizations (RICO)	
.....	1, 2, 3, 4, 5, 6, 7, 8, 12, 13, 14, 16, 17, 18, 20, 24, 25

18 U.S. Code § 2331(5) Domestic Terrorism (5/7/19 STEM School Shooting).....	5, 17
28 U.S.C. § 1257(a).....	v
All Writs Act, 28 U.S.C. § 1651(a).....	v
18 U.S.C. § 3006A – Legal Malpractice.....	12, 16
42 U.S.C. §§ 2000e et seq. Title VII of the Civil Rights Act 2022.....	1, 3, 21, 22
Federal Whistle Blower Protection Act.....	4

Other Authorities

DOJ Report Antitrust Concerns to the Antitrust Division.....	19
https://www.justice.gov/atr/report-antitrust-concerns	
FBI Threat Intimidation Guide.....	2, 7, 15
https://www.fbi.gov/investigate/counterintelligence/threat-intimidation-guide	

Rules

C.A.R. 4.2.....	14
Federal Rule of Civil Procedure 65.....	v
Supreme Court Rule 22.....	v

**EMERGENCY APPLICATION FOR STAY AND INJUNCTION PENDING
DISPOSITION OF PETITION FOR CERTIORARI**

**TO THE HONORABLE NEIL GORSUCH, ASSOCIATE JUSTICE OF THE
UNITED STATES SUPREME COURT AND CIRCUIT JUSTICE FOR THE
TENTH CIRCUIT:**

I. PETITIONER'S URGENT REQUEST FOR STAY AND INJUNCTION

Petitioner, Judy A. Brannberg, respectfully applies for an Emergency Stay and Injunction pursuant to SCOTUS Rule 22 and Rule 23, seeking immediate relief from the Colorado Supreme Court ("CSC" – Case No. 2025SA69), Colorado Court of Appeals ("CCA" – Case No. 2025CA322), and Denver District Court ("DDC" – Case No. 2023CV610), which have engaged in ongoing judicial suppression, obstruction of justice, and protection of a Public Education Antitrust RICO Cartel. The cartel is controlled and protected by the Colorado Attorney General Philip J. Weiser, who also oversees the Colorado Supreme Court Office of Attorney Regulation Counsel ("OARC") and the Colorado Civil Rights Division ("CCRD") and has actively shielded 25+ attorneys, (who are 2023CV610 Defendants), from prosecution despite overwhelming evidence of bond/wire fraud, forgery, bribery, obstruction of justice, and coverup of the racket.

The judicial corruption in this case is extensive, as the lower courts have engaged in blatant suppression of filings, ensuring that critical evidence never reaches the record. Petitioner has faced repeated denials of hearings without justification, quashing of validly issued subpoenas to prevent witness testimony under oath, and procedural manipulations designed to obstruct justice. The courts have systematically insulated the Defendants, dismissing motions without legal

basis while actively impeding Petitioner's ability to present her case. These actions demonstrate a coordinated effort to suppress accountability and protect the entrenched interests of their Public Education Antitrust RICO cartel.

In September and October 2022, the Colorado Supreme Court directly threatened Petitioner, warning her against further legal action and making it clear that any attempt to expose judicial corruption would result in severe consequences. These threats were not idle; they were followed by procedural roadblocks, suppression of filings, and an orchestrated effort to derail her case at every level of the judiciary. Such retaliatory actions underscore the systemic corruption within Colorado's courts and their vested interest in protecting the Public Education Antitrust RICO Cartel (Exhibits 6, 7, 12, 16, 18, 19).

RELIEF REQUESTED

Petitioner seeks:

1. An immediate stay of all proceedings in Denver District Court (2023CV610), the Colorado Court of Appeals (2025CA322), and the Colorado Supreme Court (2025SA69), pending resolution by this Court.
2. An order vacating the trial court's improper denial of Petitioner's Motion for Default Judgment, (Exhibit 3), and remanding the case with instructions to grant Default Judgment against Defendant John Cimino and all Defendants in Case No. 2023CV610. The trial court's refusal to enter Default Judgment, despite Defendants' failure to timely respond and their procedural re-entry into litigation, constitutes a fundamental

violation of due process. SCOTUS intervention is required to ensure enforcement of well-established procedural rules and protect Petitioner's constitutional rights.

3. An injunction preventing DCSD, Jeffco, State Board, CDE, CSI, from illegally approving any and all charter schools, and claiming land and school buildings, which rightfully belongs to Plaintiff, including the John Adams Charter at Sterling Ranch, and schools in Ridgeway, Crystal Valley, Highlands Ranch, Red Rocks Ranch, and Leyden Rock while Petitioner's school appeals remain pending.
4. An order barring Attorney General Weiser and the Attorney General's Office; OARC including OARC Counsel Jessica Yates; Jefferson County Public Schools ("Jeffco"); Colorado State Board of Education; Colorado Department of Education; CDE Commissioner Susana Cordova; Douglas County School District ("DCSD"); STEM School Highlands Ranch, et al.; Colorado Civil Rights Division ("CCRD"); Colorado Educational and Cultural Facility Authority ("CECFA"); Sterling Ranch Development Corp.; UMB Financial Corporation - UMB Bank, Colorado Supreme Court Office of Attorney Regulation Counsel; Douglas County Sheriff's Office; JOHN A. CIMINO Esq.; the Colorado Supreme Court; and the 25+ Defendant Attorneys from continuing to obstruct justice and suppress filings related to the Public Education Antitrust RICO Cartel.
5. An order blocking enforcement of the fraudulent Joint Injunction granted to Defendants in December 2024, (Exhibit 7), which was explicitly designed to suppress evidence and silence Petitioner.

6. A formal recognition of systemic judicial corruption in Colorado courts, which have operated as a RICO enterprise under AG Weiser's leadership.

II. IRREPARABLE HARM & URGENCY

This case presents extraordinary urgency because:

- Petitioner is being actively retaliated against through judicial suppression.
- The lower courts have repeatedly refused to address overwhelming evidence of corruption.
- If this Court does not intervene, the Public Education Antitrust RICO Cartel will continue obstructing justice, suppressing evidence, and destroying Petitioner's charter school rights, in this case the right to own school property, land, buildings and Petitioner's right to employment, which are 14th Amendment Rights.
- The illegal approval process for John Adams Charter at Sterling Ranch is underway, undermining Petitioner's legal claims.

III. THE COLORADO PUBLIC EDUCATION ANTITRUST RICO CARTEL

The wrongful prosecution and political targeting of Mesa County Clerk Tina Peters by Attorney General Philip J. Weiser exemplifies his pattern of abusing legal authority to suppress whistleblowers and obstruct justice, reinforcing the urgent need for federal intervention. This case exposes one of the most egregious Antitrust RICO conspiracies in modern public education history.

Key Facts:

- CECFA issued over \$9 BILLION in bonds, (some fraudulent), across 26

states, with AG Weiser protecting these schemes, evidencing interstate commerce RICO violations.

- STEM School Highlands Ranch fraudulently secured a \$14.6 MILLION CECFA bond in 2014, with DCSD and multiple defendant attorneys illegally signing off, despite STEM failing to meet required contingencies to qualify for a low-interest BB+ bond, which resulted in unsafe school conditions that caused the May 7, 2019 STEM School shooting where one student was murdered and 8 others were shot.
- Parents who attempted to report safety concerns before the May 7, 2019, school shooting were silenced by STEM, DCSD, OARC, Sheriff, and AG Weiser (ROA41489-41727.)
- AG Weiser and OARC Counsel Jessica Yates personally obstructed investigation into this fraudulent bond and protected the attorneys involved in the cover-up.
- Sterling Ranch, UMB Financial, and others have colluded to monopolize public education funding while obstructing new, innovative charter schools from being approved.

The entire Public Education RICO Cartel has been shielded by the Colorado courts, which have systematically blocked Petitioner's filings, suppressed critical evidence, and refused to enforce due process, all with the purpose of thwarting, blocking, denying the creation of Plaintiff's 17 charter schools in 2023, 2019, 2018, 2017 and 2014, because State Board decisions are final and not subject to appeal.

IV. DEFENDANTS' COLLUSION TO CONTROL PUBLIC EDUCATION FUNDING AND ELIMINATE COMPETITION

This case exposes a deeply entrenched RICO and Antitrust education monopoly, orchestrated through a coordinated network of public and private entities to maintain absolute control over public education funding, resources, and governance while systematically eliminating competition from alternative educational models. Defendants have conspired to obstruct the creation of Plaintiff-Appellant's 17 charter schools and retaliate against her for challenging their monopoly over public education.

Through fraudulent means, Defendants misappropriated public funds, suppressed key evidence, and leveraged regulatory power to prevent new charter schools from gaining approval. Their actions align with classic monopolistic practices prohibited under the Sherman Antitrust Act, 15 U.S.C. §§ 1-2, and RICO statutes, 18 U.S.C. §§ 1961-1968.

- *United States v. Grinnell Corp.*, 384 U.S. 563 (1966) (holding that monopolization through collusion and exclusionary practices violates antitrust laws);
- *Klor's, Inc. v. Broadway-Hale Stores, Inc.*, 359 U.S. 207 (1959) (holding that a conspiracy to suppress competition is per se illegal under antitrust laws);
- *Continental Ore Co. v. Union Carbide & Carbon Corp.*, 370 U.S. 690 (1962) (holding that antitrust conspiracies must be evaluated as a whole.)

In this case, Defendants have conspired to exclude Plaintiff and her 17 charter school initiatives from access to public education funding and facilities, ensuring that only favored institutions—aligned with Defendants' interests—are allowed to operate.

V. PATTERN OF FRAUDULENT CONDUCT & RETALIATION AGAINST DISSENTERS

Defendants have engaged in a pattern of fraud, bribery, and coercion to suppress educational alternatives and silence dissenting educators and institutions. This is evidenced by:

- **Retaliation Against Charter School Founders** – Plaintiff and other educators who attempted to establish independent charter schools were subjected to legal harassment, contract interference, and fraudulent denials of applications.
- **Misuse of Public Funds** – Defendants improperly funneled taxpayer dollars into politically connected organizations, bypassing fair and legal funding mechanisms.
- **Suppression of Evidence & Procedural Manipulation** – Defendants obstructed the discovery of critical evidence proving their collusion and engaged in legal suppression tactics to prevent judicial review of their unlawful activities.
- **Bribery and Coercion of Legal Representatives** – Attorneys representing charter school founders were coerced, threatened, or financially incentivized to abandon their clients, mirroring predicate RICO offenses under 18 U.S.C. § 1962(c).

VI. FEDERAL INTERVENTION IS WARRANTED TO DISMANTLE THE EDUCATION MONOPOLY

Such coordinated misconduct meets the standard for a pattern of racketeering activity under 18 U.S.C. § 1961(5), warranting federal intervention to investigate and dismantle this antitrust scheme. The suppression of competition in the public education sector is an urgent matter of public interest, requiring immediate judicial and regulatory scrutiny.

- *Northern Pac. Ry. Co. v. United States*, 356 U.S. 1 (1958) (holding that monopolistic restrictions on commerce are inherently illegal under antitrust law).
- *Silver v. New York Stock Exchange*, 373 U.S. 341 (1963) (finding that organizations controlling economic access cannot arbitrarily exclude competition).

- *Associated Gen. Contractors of Cal., Inc. v. California State Council of Carpenters*, 459 U.S. 519 (1983) (establishing that antitrust violations extend to economic entities harmed by anti-competitive practices).

The Court must take judicial notice of these systemic antitrust and RICO violations and recognize the necessity of federal oversight to restore fairness in the administration of education policy and funding.

VII. ABUSE OF DISCRETION REQUIRES FEDERAL OVERSIGHT

A. The Trial Court's Repeated Errors Constitute an Abuse of Discretion

The trial court's continued pattern of adverse rulings, procedural manipulation, and acceptance of blatantly improper filings constitutes a clear abuse of discretion warranting immediate intervention. A court abuses its discretion when it acts arbitrarily, capriciously, or in a manner that is manifestly unreasonable, particularly when it disregards controlling legal principles or ignores clear procedural violations. (*People v. Martinez*, 970 P.2d 469, 470 (Colo. 1998); and *Harding Glass Co. v. Jones*, 640 P.2d 1123 (Colo. 1982)). Here, the trial court has allowed Defendant Cimino to file an untimely and procedurally defective Motion to Dismiss, (Ex. 11), while simultaneously refusing to grant Plaintiff's rightful Motion for Default Judgment, (Ex. 3), in direct violation of C.R.C.P. 12(a)(1), C.R.C.P. 55(a), and case law.

Exhibit 2, Plaintiff's January 21, 2025, Motion for Default Judgment, demonstrates Plaintiff's full compliance with procedural requirements and highlights the trial court's failure to grant Default Judgment, despite the absence of any legal basis for denial.

The trial court's refusal to strike Cimino's improper filings while simultaneously suppressing Plaintiff's legitimate motions and evidence demonstrates a reckless disregard for due process and fundamental fairness. (*Peralta v. Heights Med. Ctr., Inc.*, 485 U.S. 80, 84-86

(1988)). Given these egregious violations, the trial court must recognize their abuse of discretion, which has resulted in the improper delay of enforcement of a \$2.8 billion Default Judgment.

VIII. ARGUMENT

A. DEFENDANT CIMINO WAS PROPERLY SERVED AND DEFAULTED

On December 26, 2023, the U.S. Postal Service Delivery Confirmation Receipt was filed into the Court record, confirming that the Court itself executed service upon Cimino via Certified Mail. Once the Court assumed this responsibility, Cimino had a legal duty to accept service and respond within 35 days, pursuant to C.R.C.P. 12(a)(2). He failed to do so. Cimino's failure to retrieve his mail does not invalidate service. Under Colorado law:

- *Griffith v. SSC Pueblo Belmont Operating Co. LLC*, 381 P.3d 308 (Colo. App. 2016)
– A party cannot evade service by refusing to pick up certified mail.
- *Lehman Bros. v. Adams*, 793 P.2d 450 (Colo. App. 1990) – Certified mail service is presumed valid even if the recipient does not claim it.

Thus, Cimino's refusal to retrieve his certified mail is legally irrelevant. Service was properly completed, and his deadline to respond expired in February 2024. He is in default.

B. CIMINO'S MOTION TO DISMISS IS UNTIMELY AND VOID

Having failed to respond within the legal deadline, Cimino waived his right to contest the Complaint. Colorado courts do not permit a party in default to file a Motion to Dismiss after the fact. Allowing such a filing would reward procedural evasion and undermine judicial integrity. Further, his Motion to Dismiss directly contradicts his prior claim that he was dismissed from the case. If he was truly dismissed, why is he seeking dismissal now? By filing this Motion, he has voluntarily subjected himself to the Court's jurisdiction.

C. DEFENDANTS CONTINUED PARTICIPATION CONFIRMS THEIR LIABILITY

Defendants, including Cimino, have demanded conferrals, filed JOINT objections, and engaged in procedural maneuvering. This undermines their July 10, 2024, dismissal argument. Their conduct aligns with *Hicks v. Miranda*, which holds that continued participation in litigation confirms jurisdiction. Cimino and other Defendants cannot re-enter litigation selectively—engaging when convenient but evading responsibility when faced with Default Judgment. Their procedural games expose their legal strategy and further validate the \$2.8 billion Default Judgment against all 23CV610 Defendants.

D. CIMINO’S MOTION TO DISMISS IS PROCEDURALLY BARRED

Cimino’s Motion to Dismiss (MTD) was filed well beyond the deadline set forth in C.R.C.P. 12(a)(1). On December 26, 2023, the U.S. Postal Service Delivery Confirmation Receipt was filed into the Court record, confirming that the Court itself executed service upon Cimino via Certified Mail. Once the Court assumed this responsibility, Cimino had a legal duty to accept service and respond within 35 days, pursuant to C.R.C.P. 12(a)(2). He failed to do so. Under C.R.C.P. 12(a)(1), he was required to file a responsive pleading within 35 days, making his deadline February 1, 2024 at the latest (Exhibit 10).

Instead, he filed his MTD on January 17, 2025, which is grossly untimely and should have been immediately rejected by the Court. *In re Marriage of Connell*, 831 P.2d 913 (Colo. App. 1992) (Failure to timely file a Rule 12 motion results in waiver). Cimino participated in litigation prior to filing his Motion to Dismiss, thereby waiving any Rule 12 defenses including:

- On October 23, 2024, Cimino improperly filed a Motion to Quash Service of Process and Opposition to Motion for Default Judgment (Exhibit 10).
- On December 4, 2024, Cimino filed an improper Joinder in Opposition to Plaintiff’s Motion for Relief from Judgment (Exhibit 10).

Because Cimino participated in the case before filing an MTD, he waived his right to seek dismissal under Rule 12(b). *Curtis, Inc. v. District Court*, 308 P.2d 619 (Colo. 1957).

E. CIMINO’S “LAW OF THE CASE” ARGUMENT IS A FRAUD ON THE COURT

Cimino falsely argues that the July 10, 2024, dismissal of other Defendants applies to him. The July 10, 2024 Order did NOT dismiss Cimino (Exhibit 1). *Hicks v. Miranda*, 422 U.S. 332 (1975) Post-dismissal participation nullifies prior dismissal protections and revives liability. Cimino’s argument is a blatant misrepresentation of the trial court’s own rulings.

F. CIMINO’S MOTION TO DISMISS VIOLATES DUE PROCESS AND MUST BE STRICKEN

Cimino’s motion (Ex. 10) is legally defective, procedurally improper, and must be stricken. *Harding Glass Co. v. Jones*, 640 P.2d 1123 (Colo. 1982) (denial of default judgment is immediately appealable). This issue is now before the Colorado Supreme Court, No. 25SA69. Cimino’s Motion to Dismiss should never have been accepted and must be stricken immediately.

IX. CIMINO WAS BOUGHT OUT BY DCSD, ET AL. TO SABOTAGE PLAINTIFF’S LEGAL CASES AND BLOCK/DENY THE CREATION OF 17 CHARTER SCHOOLS

A. Suppressed Evidence of Attorney Buy-Out and Obstruction of Justice (Ex. 4)¹

Petitioner has presented irrefutable evidence in this case, (Exhibit 6), that Defendant John Cimino was financially coerced and pressured by DCSD/Jeffco/Joint Defendants’ Attorney Elliott Hood and other co-conspirators to sabotage Plaintiff’s legal cases and obstruct the

¹ On March 3, 2025, Appellant Brannberg filed a ‘Notice of Suppressed Evidence of Judicial and Attorney Misconduct’ with the Colorado Court of Appeals (Ex. 4, with Court stamp). Despite proper submission, the filing has not been entered into the Court Register of Actions, constituting suppression of evidence. The CCA then denied Plaintiff’s appeal without reviewing this material evidence, violating due process. Given the severity of these procedural violations, this Court must take judicial notice of the suppression and its impact on Plaintiff’s Antitrust RICO claims.

establishment of her 17 charter schools from 2014 to the present. This deliberate interference was part of a broader Antitrust RICO conspiracy executed by multiple Defendants in 23CV610.

Starting in March 2020, Plaintiff filed formal complaints with the OARC/AG, DA, Sheriff, CCRD against over 25 Defendant Attorneys, detailing their direct participation in the Antitrust RICO enterprise. The OARC, 25+ attorneys including Cimino, et al. acted to suppress critical evidence of fraud, forgery, and bribery. The suppression was strategically orchestrated to prevent Plaintiff from securing charter school approvals and to shield Defendants from liability for documented financial misconduct. The coverup is bigger than the crimes. See *United States v. Nixon*, 418 U.S. 683, 713 (1974). (The very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts.)

B. Concrete Evidence from the OARC Investigation which was Obstructed/Suppressed

Evidence released in September 2020 during the OARC Investigation confirmed that Attorney Elliott Hood, counsel for DCSD, Jeffco, and all JOINT Defendants, exerted undue pressure on John Cimino to abandon Plaintiff as a client and prevent her from amending her legal complaints. This illegal collusion was exposed in internal emails where Hood explicitly stated:

"We (State Board/AG Attorneys Julie Tolleson and Jenna Zerylnick) think it would be most productive to discuss this matter among counsel only. Your client (Plaintiff) should not be involved. If she insists, we ask that you, as her counsel, take full control of the discussion." (Exhibit 6, pp. 5-7).

This documented suppression of evidence and obstruction of justice violated 18 U.S.C. § 1503 (Obstruction of Justice) and 18 U.S.C. § 1512 (Tampering with a Witness). Further, this interference constituted legal malpractice, violating the principles of *Young v. United States ex rel. Vuitton et Fils S.A.*, 481 U.S. 787 (1987), which holds that conflicts of interest and undue influence in legal representation violate due process.

C. Implications for Default Judgment and Court's Failure to Act

The trial court's failure to address this systemic misconduct and suppression of evidence has directly contributed to Plaintiff being denied her right to Default Judgment. Under *Peralta v. Heights Med. Ctr., Inc.*, 485 U.S. 80, 84-86 (1988), procedural fairness is violated when courts allow a party to litigate before curing default. The court's refusal to acknowledge Defendants' procedural and ethical violations constitutes a gross miscarriage of justice requiring immediate correction. Plaintiff incorporates the attached March 3, 2025, Notice of Suppressed Evidence of Judicial and Attorney Misconduct, (Exhibit 6), filed in Colorado Court of Appeals under Case No. 2025CA322 into this Motion to Strike and urges this Court to take judicial notice of the coordinated conspiracy to obstruct Plaintiff's rights and suppress crucial evidence.

Because Defendants collectively retained DCSD/Jeffco Attorney Elliott Hood to draft the JOINT Injunction on November 25, 2024, they are each jointly and severally liable for Hood (DCSD/Jeffco)/Tolleson's (State Board of Education/CDE) buy-out, procedural fraud, and RICO violations. Under *Pinkerton v. United States*, 328 U.S. 640, 647 (1946), co-conspirators are held responsible for the foreseeable crimes committed in furtherance of their conspiracy.

Likewise, under *Hicks v. Miranda*, 422 U.S. 332, 345 (1975), Defendants' ongoing litigation conduct further reaffirms their continued participation and liability in the RICO enterprise. Based on these emails, DCSD/Jeffco/Joint Defendants' Attorneys Elliott Hood and Jeffco/State Board Julie Tolleson are the RICO enterprise ringleaders. Under *Reves v. Ernst & Young*, 507 U.S. 170, 179 (1993), RICO liability extends to every single Defendant. Even those who didn't personally commit each act are still liable under RICO, regardless of formal titles or direct involvement in every fraudulent act.

X. FACTUAL BACKGROUND

This case presents an unprecedented pattern of judicial suppression,

procedural irregularities, and Constitutional violations designed to obstruct Petitioner's access to justice. Colorado courts, influenced by Defendants and the Attorney General's Office, have engaged in coordinated suppression tactics that necessitate immediate federal intervention.

A. Court of Appeals' False Misrepresentation Regarding Certification

On February 25, 2025, Petitioner properly sought certification for interlocutory appeal under C.A.R. 4.2 in the trial court. The following day, February 26, 2025, the trial court denied this certification (Exhibit 4). Despite this clear record, the Colorado Court of Appeals falsely claimed that Petitioner had not sought certification, using this misrepresentation to dismiss the appeal. This is a clear due process violation and an unconstitutional obstruction of appellate review. Courts have held that judicial misrepresentation invalidating appeal rights is a due process violation under the Fourteenth Amendment. See *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).

B. Unlawful Denial of Petitioner's Motion for Default Judgment

On December 26, 2024, the trial court granted Petitioner leave to seek default judgment against Defendant John Cimino (Exhibit 14). Petitioner complied by filing the motion on January 21, 2025, seeking default judgment against Cimino and all Defendants under RICO liability (Exhibit 3).

On February 19, 2025, the trial court denied this motion, terminating over \$2.6 billion in damages sought by Petitioner. Under Colorado law, when an order fully disposes of claims against specific Defendants, it qualifies as a final judgment

for appeal. See *Harding Glass Co. v. Jones*, 640 P.2d 1123 (Colo. 1982).

C. Legal Impact:

- This denial constitutes a final, appealable order.
- The Court of Appeals' refusal to review it violates due process.
- The improper denial of default judgment when a defendant fails to respond is a violation of procedural fairness. See *Peralta v. Heights Med. Ctr., Inc.*, 485 U.S. 80, 84-86 (1988).

D. Systematic Suppression & Retaliation Against Petitioner

Petitioner has faced **severe judicial suppression and retaliation**, including:

1. **Quashing of subpoenas** to prevent witnesses from testifying on forgery, bribery, and financial fraud (Exhibit 20).
2. **Striking filings** that documented attorney misconduct (Exhibit 8).
3. **Vacating hearings** to obstruct the presentation of evidence (Exhibit 21).
4. **Direct threats from** Colorado Supreme Court Justices in 2022, warning her to abandon these claims. (Exhibit 16).
5. **Misrepresentations** and procedural blocks by the Court of Appeals.

E. Legal Impact:

1. **Suppression of filings, threats, and procedural blocks** constitute obstruction of justice. See *United States v. Aguilar*, 515 U.S. 593 (1995).
2. **Retaliation against Petitioner** for exposing judicial corruption violates

First Amendment protections. See *Borough of Duryea v. Guarnieri*, 564 U.S. 379 (2011).

F. Financial Losses and Constitutional Harm

Under Colorado law, when an order fully disposes of claims against specific Defendants, it qualifies as a final judgment for appeal. See *Harding Glass Co. v. Jones*, 640 P.2d 1123 (Colo. 1982). The Court of Appeals' refusal to review it violates due process.

G. Legal Impact of the Improper Denial of Default Judgment

1. On December 26, 2024, the trial court granted Petitioner leave to seek default judgment against Defendant John Cimino.
2. On January 21, 2025, Petitioner properly filed a Motion for Default Judgment against Cimino and all Defendants under RICO liability (Ex. 2).
3. On February 19, 2025, the trial court denied this motion, terminating Petitioner's ability to recover over \$2.6 billion in damages (Exhibit 3).

Category	Amount (\$)	Legal Basis for Claim
Total Finance to Build 12 Schools from DCSD and Jeffco Master Capital Plans	\$1,611,450,071.00 DCSD/Jeffco/State Board, CDE Insurance Co. CSDSIP Invoiced	Breach of contract, fraudulent inducement, and RICO violations under 18 U.S.C. §§ 1961-68. The funds allocated for educational institutions were fraudulently misappropriated by Defendants through a scheme designed to suppress competition and maintain monopolistic control over charter school development.
CSC Attorneys' Fund for Client Protection Reimbursement	\$137,516.41 CSC OARC	Fraud and legal malpractice under Colo. RPC 1.8(h)(1). Defendants' attorneys engaged in forgery, bribery, and obstruction of justice, causing direct financial losses to Petitioner.

Employment Losses for Judy Brannberg	\$3,846,973.00 (ASI and JDI Budgets)	Tortious interference with employment, loss of earning capacity, and retaliation under 42 U.S.C. § 1983. Defendants' actions directly prevented Plaintiff from operating the Jeffco Alexandria School of Innovation ("ASI") and John Dewey Institute ("JDI"), eliminating career opportunities
Personal Compensatory Damages for Judy Brannberg	\$10,000,000.00	Intentional infliction of emotional distress and due process violations under the 14th Amendment. Defendants' conduct caused severe financial, reputational, and emotional harm.
Additional Damages/ Remedial Measures to Build Additional Schools	\$1,000,000,000.00 OARC/Attorneys	Antitrust and RICO damages (18 U.S.C. § 1964(c)). The suppression of alternative educational institutions through fraud, coercion, and financial manipulation constitutes an antitrust violation and requires remedial measures.
Wrongful Death & Emotional Damages for John and Maria Castillo	\$10,000,000.00 (Sheriff NOC)	Negligence and wrongful death damages under Colo. Rev. Stat. § 13-21-202. Defendants' fraudulent mismanagement and financial misconduct led to the unsafe STEM School environment, ultimately causing the tragic May 7, 2019, STEM School shooting.
Total Damages	\$2,635,434,560.41	Final Compensatory Damages Claim.

The trial court's February 19, 2025, order unlawfully deprived Petitioner of \$2,635,434,560.41 in damages, which include the following legally compensable claims, as further delineated in the Attached Exhibit C, filed on January 21, 2025 with the Motion for Default Judgment and with the CCA Appeal on February 24, 2025. Additionally:

- The improper denial of default judgment when a defendant fails to respond is a violation of procedural fairness. See *Peralta v. Heights Med. Ctr., Inc.*, 485 U.S. 80, 84-86 (1988).

- Allowing Defendant Cimino's untimely Motion to Dismiss—17 months late—is an unconstitutional due process violation. See *Elrod v. Burns*, 427 U.S. 347 (1976) (Exhibit 10).
- Colorado law recognizes that an order precluding further litigation on financial damages is a final appealable order. See *Huntington Nat'l Bank v. Sproul*, 868 P.2d 464 (Colo. App. 1994).

H. Need for Federal Intervention

Given the unprecedented corruption, procedural violations, and due process violations, this case must be escalated to the U.S. Supreme Court and Federal authorities.

I. Federal Crimes Implicated:

1. **Obstruction of Justice (18 U.S.C. § 1503)** – Quashing subpoenas, striking filings, and denying hearings. (Exhibits 20, 8, 21).
2. **Bribery (18 U.S.C. § 201)** – Jeffco's secret financial control over the Special Master process.
3. **RICO Violations (18 U.S.C. §§ 1961-68)** – Defendants' coordinated legal maneuvers and monopolization of education.
4. **Sherman Antitrust Act (15 U.S.C. §§ 1-38)**

XI. Federal Oversight and Suppression of Evidence Warrant Higher Court Review

The pattern of procedural manipulation, suppression of evidence, and refusal to apply controlling law extends beyond this case and has been raised in active appeals before the Colorado Supreme Court (*Case No.*) and the Colorado Court of Appeals (*Case No. 2025CA322*). Given the serious nature of these procedural violations, Plaintiff has also submitted

documentation to the U.S. Attorney's Office and the FBI for federal review due to the systemic obstruction of justice and conflicts of interest involving the Colorado judiciary. In December 2023, at the recommendation of the Denver based U.S. Attorney, Plaintiff filed an antitrust complaint with the Department of Justice.

The trial court's failure to enforce its own procedural rules, while suppressing valid motions and evidence, demonstrates a reckless disregard for due process and the rule of law, necessitating higher court intervention and federal oversight to ensure that Plaintiff's rights are protected. The court's refusal to enforce its own procedural rules has resulted in irreparable harm to Plaintiff. A litigant cannot be required to repeatedly re-litigate procedural issues that have already been conclusively decided under binding law. Courts have a duty to uphold procedural integrity and must not enable forum manipulation or judicial favoritism.

Defendant Cimino's procedural evasion tactics have been allowed to continue unchecked, despite his waiver of defenses under C.R.C.P. 12(b). See *In re Marriage of Connell*, 831 P.2d 913 (Colo. App. 1992) (failure to file a timely Rule 12 motion constitutes a waiver of defenses). The court's failure to strike his Motion to Dismiss, despite his extensive post-default participation, confirms that all Defendants remain subject to the \$2.8 billion Default Judgment.

Harding Glass Co. v. Jones, 640 P.2d 1123 (Colo. 1982), holds that a final order denying default judgment is immediately appealable. This Court must recognize the trial court's repeated failure to enforce binding procedural law as an abuse of discretion warranting appellate review. Accordingly, the acceptance of Cimino's Motion to Dismiss and his participation in litigation despite jurisdictional default necessitates immediate intervention to correct the trial court's failure to enforce fundamental procedural safeguards and reinstate the \$2.8 billion Default Judgment against all Defendants under *Hicks v. Miranda*.

The trial court's pattern of suppression warrants higher court and federal intervention. The pattern of procedural manipulation, suppression of evidence, and refusal to apply controlling law extends beyond this case and has been raised in active appeals before the Colorado Supreme Court, (No. 25SA69) and the Colorado Court of Appeals (No. 2025CA322).

Given the serious nature of these procedural violations, Plaintiff has also submitted documentation to the U.S. Attorney's Office and the FBI for federal review due to the systemic obstruction of justice and conflicts of interest involving the Colorado judiciary. The failure of the trial court to enforce its own procedural rules, while suppressing valid motions and evidence, demonstrates a reckless disregard for due process and the rule of law, necessitating higher court intervention and federal oversight to ensure that Plaintiff's rights are protected.

XII. JUDICIAL SUPPRESSION AND UNCONSTITUTIONAL CONDUCT

The judicial misconduct in this case has escalated to a level that necessitates immediate federal intervention. Denver District Court Judge Kandace C. Gerdes explicitly acknowledged in her July 10, 2024, Omnibus Order, (Exhibit 1), that federal oversight was required. However, rather than addressing the rampant violations, the courts have actively suppressed filings, denied fundamental due process, and obstructed justice at every turn.

Since July 2024, critical discovery has been unlawfully blocked, default judgment was improperly denied despite clear procedural violations, and filings exposing attorney and judicial misconduct were systematically struck from the record. In December 2024, Defendants conspired to obtain a Joint Injunction against Petitioner designed to suppress all filings related to the Public Education Antitrust RICO Cartel, ensuring that evidence of bribery, forgery, and fraudulent financial transactions remained concealed.

By March 2025, Colorado Attorney General Philip Weiser’s office directly intervened to prevent appellate review of Petitioner’s case, leveraging his control over the Office of Attorney Regulation Counsel (“OARC”) and the Colorado Civil Rights Division (“CCRD”) to suppress misconduct complaints against Defendant attorneys, further blocking access to justice.

XIII. SUMMARY OF JUDICIAL MISCONDUCT AND DUE PROCESS VIOLATIONS

A. Unconstitutional Obstruction of Appellate Review

The Colorado Court of Appeals falsely claimed Petitioner failed to seek trial court certification, despite a February 26, 2025, order denying certification. This misrepresentation constitutes obstruction of justice and a denial of due process. (*Caperton v. Massey Coal Co.*, 556 U.S. 868 (2009)).

B. Suppression of Evidence and Witness Testimony

The trial court actively blocked discovery by quashing 17 subpoenas, vacating hearings, and striking filings that documented forgery, bribery, and financial fraud. These actions obstructed key witness testimony under oath, violating *Goldberg v. Kelly*, 397 U.S. 254 (1970) (*Exhibit 20*).

C. Defendants' Improper Re-Entry After Dismissal

Despite being dismissed from litigation on July 10, 2024, Defendants re-entered the case through a November 25, 2024, Joint Response and a December 20, 2024, Joint Injunction request. Under *Hicks v. Miranda*, 422 U.S. 332 (1975), post-dismissal participation nullifies dismissal protections and renders Defendants fully liable. (*See Exhibit 3, pp. 24-44*).

D. Defendant Cimino’s Improper Motion to Dismiss

On January 17, 2025, Defendant John A. Cimino filed a Motion to Dismiss—almost 17 months after the Complaint was filed and nearly 14 months after the trial court’s December 22,

2023, Order directing service via Certified Mail (JDF 1300). According to C.R.C.P. 12(a)(1), Cimino was required to file a responsive pleading within 35 days of service. He failed to do so, violating procedural law and further delaying justice.

XIV. ADDITIONAL CONSTITUTIONAL VIOLATIONS

A. Fifth Amendment – Due Process & Takings Clause

Defendants' obstruction of justice, suppression of filings, and financial deprivation constitute an unconstitutional taking of property without due process. Judicial misconduct and suppression have stripped Petitioner of the ability to seek financial recovery and legal remedies.

B. Sixth Amendment – Right to Legal Counsel & Fair Tribunal

Petitioner has been functionally denied the right to legal representation, as no attorney is willing to oppose the OARC and Colorado Attorney General Philip Weiser. Systemic conflicts of interest have made it impossible for Petitioner to obtain legal counsel.

C. Seventh Amendment – Right to a Jury Trial

The suppression of Petitioner's claims, including financial damages and attorney misconduct, deprives Petitioner of the constitutional right to a jury trial in civil cases.

D. Eighth Amendment – Excessive Sanctions & Judicial Retaliation

Judicial misconduct—including suppression of filings, obstruction of appellate review, and unjust imposition of legal costs—amounts to excessive sanctions, violating fundamental fairness.

E. Ninth & Tenth Amendments – State Overreach & Federal Jurisdiction

The Colorado judiciary has engaged in systemic misconduct that obstructs Petitioner's federally protected rights, warranting immediate federal intervention under *Ex parte Young*, 209 U.S. 123 (1908).

F. Fourteenth Amendment – Due Process & Equal Protection

Defendants' suppression of Petitioner's charter school rights, including the right to own school property, land, and buildings, and the right to employment, constitutes a violation of the Fourteenth Amendment's Due Process and Equal Protection Clauses. The unlawful obstruction of Petitioner's ability to develop and operate charter schools has deprived her of legally protected property and employment interests without due process of law. Additionally, the state's deliberate suppression of filings and judicial bias have denied Petitioner the equal protection of the laws, further warranting immediate federal intervention.

G. First Amendment – Freedom of Religion & Retaliation for Religious Expression

Petitioner has been unlawfully targeted and retaliated against based on her personal religious beliefs, in violation of the First Amendment's Free Exercise Clause. While Petitioner's charter schools are secular and serve diverse student populations, Defendants have engaged in unconstitutional discrimination by obstructing her ability to establish and operate these schools due to her religion. This discriminatory treatment, coupled with systemic judicial interference, underscores the need for federal intervention to protect Petitioner's constitutional rights.

XV. LEGAL BASIS FOR FEDERAL INTERVENTION

Given the broad constitutional violations at play, including due process violations and judicial suppression, this case presents an urgent need for Federal intervention. The Supreme Court has consistently held that state actors may not suppress constitutional rights through procedural manipulation.

- *Ex parte Young*, 209 U.S. 123 (1908) – Federal courts may intervene when state officials violate constitutional rights.

- *Caperton v. Massey Coal Co.*, 556 U.S. 868 (2009) – Due process is violated when judicial bias or financial conflicts undermine fairness.
- *Peralta v. Heights Med. Ctr., Inc.*, 485 U.S. 80 (1988) – The failure to provide due process before depriving a party of financial and legal claims is unconstitutional.
- *Borough of Duryea v. Guarnieri*, 564 U.S. 379 (2011) – Retaliation against a litigant for exercising constitutional rights is a First Amendment violation.

XVI. WHY THIS COURT MUST INTERVENE

This case presents a once-in-a-century opportunity to break the public education monopoly and expose the systemic judicial and executive corruption that has enabled massive Antitrust RICO crimes.

SCOTUS Precedent & Federal Interest:

1. *Gideon v. Wainwright (1963)*, 372 U.S. 335, 342 (p. 14, 22) –
Fundamental due process rights cannot be denied by corrupt state actors.
2. *Shelley v. Kraemer (1948)*, 334 U.S. 1, 20 (p. 18) – Judicial enforcement of unconstitutional policies must be struck down.
3. *United States v. Lopez (1995)*, 514 U.S. 549 (p. 25) – The federal government has a vested interest in protecting education from monopolization and fraud.
4. **RICO (Racketeer Influenced and Corrupt Organizations Act) 18 U.S.C. § 1962** – This case presents undeniable evidence of a multi-agency RICO conspiracy protected by AG Weiser.

XVII. CONCLUSION

Justice Gorsuch, this case is a legal and constitutional emergency. Petitioner respectfully urges this Court to:

- **GRANT the Emergency Stay** of all proceedings in Colorado courts.
- **ISSUE an Injunction** preventing further obstruction of justice and fraudulent charter approvals.
- **ORDER immediate federal investigation** into the Colorado Public Education Antitrust RICO Cartel.

The suppression ends here. SCOTUS must act now.

RESPECTFULLY SUBMITTED this 13th day of March 2025

Judy A. Brannberg

Judy A. Brannberg, MSc, Pro Se Litigant
8201 S. Santa Fe Drive #52 Littleton, CO 80120
303.522.2158 | Judy.brannberg@gmail.com

APPENDIX TABLE OF CONTENTS

Exhibit 0 – March 10, 2025 – Colorado Supreme Court Order Denied the Expedited Motion for Emergency Stay of All Proceedings in 2023CV610 Pending Federal and Supreme Court Resolution filed in the above cause, and now being sufficiently advised in the premises, IT IS ORDERED that said Motion shall be, and the same hereby is, DENIED. BY THE COURT

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED March 10, 2025 CASE NUMBER: 2025SA69
Original Proceeding District Court, City and County of Denver, 2023CV610	
In Re: Plaintiffs: Judy A. Brannberg, Alexandria School of Innovation, John Dewey Institute at Red Rocks Ranch, and Leyden Rock, v. Defendants: Jefferson County Public Schools, Colorado State Board of Education, Colorado Department of Education, Douglas County School District, STEM School Highlands Ranch Lighthouse B, Colorado Civil Rights Division, Colorado Educational and Cultural Facility Authority, Sterling Ranch Development Corp., UMB Financial Corp., UMB Bank, Colorado Supreme Court Office of Attorney Regulation Counsel, Douglas County Sheriffs Office, John A. Cimino, and Colorado Supreme Court.	Supreme Court Case No: 2025SA69
ORDER OF COURT	

Upon consideration of the Expedited Motion for Emergency Stay of All Proceedings in 2023CV610 Pending Federal and Supreme Court Resolution filed in the above cause, and now being sufficiently advised in the premises,

IT IS ORDERED that said Motion shall be, and the same hereby is, DENIED.

BY THE COURT, EN BANC, MARCH 10, 2025.

Exhibit 1: July 10, 2024 - Omnibus Order Re: Motions to Dismiss

This order dismissed claims against 10 of 11 Defendants, but they later re-entered litigation, undermining their own argument. Supports the claim of procedural manipulation. Page 7 calls for the U.S. Attorney to investigate the Antitrust RICO Cartel and stated: "The Sherman Antitrust Act of 1890, 15 U.S.C. §§ 1-7, does not provide for a private cause of action for its violations. Rather, it is the duty of the United States attorneys to enforce its provisions

DISTRICT COURT, CITY & COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, Colorado 80202	<div style="text-align: center;"> DATE FILED July 10, 2024 5:43 PM COURT USE ONLY CASE NUMBER: 2023CV610 </div>
Plaintiffs: JUDY BRANNBERG; et al. v. Defendants: JEFFERSON COUNTY PUBLIC SCHOOLS; et al.	
OMNIBUS ORDER RE: MOTIONS TO DISMISS	

This matter is before the Court on the numerous Motions to Dismiss filed in this case.¹ The Court having reviewed the pleadings, the file, applicable law, and being fully advised in the premises, hereby FINDS and ORDERS as follows:

¹ The following reflects the briefing related to the Motions to Dismiss:

Douglas County Sheriff's Office

Motion filed 11/15/23

Response filed 11/28/23

Reply filed 12/5/23

MTD First Amended Complaint 1/26/24

Response to MTD FAC filed 2/1/24

Reply to MTD FAC filed 2/7/24

Sterling Ranch Development Company

Motion filed 12/5/23

Response filed 12/12/23

Reply filed 12/19/23

MTD Amended Complaint filed 2/2/24

STEM School Highlands Ranch, Lighthouse Build Corp, Lighthouse on a Hill d/b/a STEM Academy, Koson Network of Schools/Koson Schools

Motion filed 12/12/23

Response filed 12/20/23

Reply filed 1/10/24

Supplement filed 2/2/24

Douglas County School District

Motion filed 12/12/23

Response filed 12/20/23

Reply filed 1/10/24

Supplement filed 2/2/24

BACKGROUND

1. Procedural History

This matter originated with the September 27, 2023 filing by Plaintiffs Judy Brannberg (“Brannberg”), Alexandria School of Innovation (“ASI”), and John Dewey Institute at Red Rocks and Leyden Rock’s (“JDI”) (collectively, “Plaintiffs”) of a “Notice of Appeal for Judicial Review,” purporting to seek review of two decisions by Defendant Colorado State Board of Education (“State Board”) and Defendant Jefferson County Public Schools (“JeffCo”) as respondents.

Thereafter, on October 27, 2023, Plaintiffs filed their “Complaint of Judicial review Pursuant to § 24-4-106, C.R.S. and Request for Stay With the Notices of Claim Filed Herein,” naming, in addition to the State Board and JeffCo, as Defendants: the Colorado Department of Education (“CDE”); the Douglas County School District (“DCSD”); the STEM School Highlands Ranch (“STEM School”); the Colorado Civil Rights Division (“CCRD”); the Colorado Educational and Cultural Facility Authority (“CECFA”); the Sterling Ranch Development Corporation (“Sterling Ranch”); UMB Financial Corporation (“UMB”); the Colorado Supreme Court Office of Attorney Regulation (“OARC”); the Douglas County Sheriff’s Office (“DCSO”); John Cimino (“Cimino”); the Supreme Court of the United States;² and 100 Jane Doe Defendants.

After the Motions to Dismiss were filed in late 2023, on January 12, 2024, this Court accepted Plaintiffs’ January 11, 2024 “Amended Complaint for Judicial Review Pursuant to C.R.C.P. 15 To Add New Causes Of Action, C.R.C.P. 121, 1-15(8), and C.R.C.P. 8” (“FAC”), and ordered that those Defendants which had filed motions to dismiss that had been fully briefed could, if they saw

UMB Bank

Motion filed 12/20/23

Response filed 1/2/24

Reply filed 1/30/24

Colorado State Bd of Ed, Colo Dept of Ed., Jeff Co School District, CECFA

Motion filed 12/21/23

Responses filed to JeffCo and CECFA on 1/16/24

Response filed to Colorado State Bd. Of Ed and Colo. Dept. of Ed. 1/22/24

Reply filed by CECFA on 1/23/24

Reply filed by JeffCo on 1/30/24

Reply filed by Colorado State Bd/Dept of Ed on 1/29/24

Colorado Civil Rights Division

Motion filed 12/22/23

Response filed 1/9/24

Reply filed 1/16/24

Colorado Office of Attorney Regulation

Motion filed 12/22/23

Response on 1/16/24

Reply on 1/30/24

² Plaintiffs voluntarily dismissed the Supreme Court of the United States on December 12, 2023.

fit, file a supplement to their motions addressing any new claims added by the FAC. Only Defendants DCSD and Stem School filed such a supplement, though Defendants DCSO and Sterling Ranch filed new motions to dismiss directed at the FAC.³

2. Plaintiffs' First Amended Complaint ("FAC")

Plaintiffs' FAC additionally names as Defendants: JeffCo, State Board, CDE, DCSD, STEM School, CCRD, CECFA, Sterling Ranch, UMB, OARC, DCSO, the Colorado Supreme Court ("COSC"), and the Colorado Attorney General's Office ("COAG"). Plaintiffs' FAC sets forth twelve claims:

- (1) a claim for violation of the Sherman Act;
- (2) a claim for violation of 18 U.S.C. § 2331(5), Domestic Terrorism;
- (3) a retaliation claim under the Occupational Safety and Health Act ("OSHA");
- (4) a claim for violation of 18 U.S.C. § 873, Blackmail;
- (5) a discrimination claim under Title VII of the Civil Rights Act of 1964 ("Title VII");
- (6) a claim for violation of 18 U.S.C. § 201, Bribery of Public Officials and Witnesses;
- (7) a claim for violation of 18 U.S.C. § 1349, Conspiracy;
- (8) a claim for harassment under Title VII, the Age Discrimination Act of 1967 ("ADEA"), and the Americans with Disabilities Act of 1990 ("ADA");
- (9) a claim for tortious interference with prospective business advantage;
- (10) a claim for violation of 18 U.S.C. § 471;
- (11) a claim for violation of 18 U.S.C. § 1503, Obstruction of Justice; and
- (12) a claim for libel.

Plaintiffs seek the following relief:

- (1) an order reversing the State Board's September 2023 decisions affirming the denial of the ASI and JDI charter applications, with directions to remand the applications to JeffCo and DCSD for approval, along with instructions to approve eight additional charter applications as well as orders to donate land for the construction of such schools and to cause such schools to be constructed;
- (2) an order appropriating certain funds under the State Board's insurance policy to finance said schools;
- (3) an order reinstating Plaintiff Brannberg, and her husband, Barry Brannberg, to leadership positions in the STEM School;
- (4) an order transferring ownership of the STEM School building to Plaintiff Brannberg and her husband, Barry Brannberg;

³ DCSO's January 26, 2024 motion to dismiss Plaintiffs' first amended complaint has been fully briefed; Plaintiffs did not respond to Sterling Ranch's February 2, 2024 motion.

- (5) an order for “remedial measures” against certain attorneys;
- (6) an order directing payment from the Colorado Attorney’s Fund for Client Protection;
- (7) an order “overturning” the CCRD, “plus settlement;” and
- (8) an order directing payment and appropriating land from Sterling Ranch for the development of another school.

In addition to the enumerated relief requested, as detailed above, Plaintiffs’ FAC has the following requests embedded in the allegations:

- (1) an order from this Court overturning the *Colorado State Board of Education v. Brannberg*, 525 P.3d 290 (Colo. 2023) (see *Id.* at p. 25, ¶ 97); and
- (2) an order from this Court voiding and overturning the decision in Douglas County District Court case number 15CV30586, in which Plaintiff Judy Brannberg unsuccessfully sued a STEM School official for libel. (See *Id.* at p. 34, ¶149).

3. Summary of Allegations⁴

The Court has spent considerable time parsing out Plaintiffs’ forty-plus page FAC, to determine exactly what is being alleged.⁵ After examining Plaintiffs’ FAC, the following is a general summary of what the Court concludes are Plaintiffs’ allegations.

Plaintiff Judy Brannberg was involved in the creation and establishment of STEM School Highlands Ranch in 2009. FAC, p. 20, ¶ 76. In 2013, she and her husband executed a Separation Agreement, terminating their relationship with STEM School Highlands Ranch. *Id.* at ¶ 78. Plaintiffs allege that the Separation Agreement contained a provision providing that “any dissemination of any draft [of the Agreement] would be a violation of this agreement.” *Id.* Plaintiffs further allege that in 2014, 2017, 2018, 2020, and 2023 attorneys for DCSD and JeffCo

⁴ The Court notes at the outset that all named Plaintiffs, except Judy A. Brannberg, are required to have counsel. In Colorado, a nonprofit corporation may appear in court only through a licensed attorney. *Bennie v. Triangle Ranch Co.*, 216 P. 718 (Colo. 1923); *BQP Industries, Inc. v. State Board of Equalization*, 694 P.2d 337 (Colo. App. 1984). A corporation may not proceed *pro se* because it is an artificial entity created by law. Unlike a natural person, it is legally impossible for a corporation to appear or act in a judicial proceeding in person. *BQP Industries, Inc., supra*. Moreover, “[t]o allow a corporation to maintain litigation and appear in court represented by corporate officers or agents only would lay open the gates to the practice of law for entry to those corporate officers or agents who have not been qualified to practice law and who are not amenable to the general discipline of the court.” *Union Savings Ass’n v. Home Owners Aid, Inc.*, 262 N.E.2d 558 (Ohio 1970).

There are two statutorily created exceptions to this rule. The first allows a corporate officer to represent a closely held corporation in actions where the amount in controversy is less than \$15,000.00. See § 13-1-127, C.R.S. The second exception applies only to actions brought in *small* claims court. See § 13-6-407, C.R.S.

Since the amount in controversy exceeds \$15,000.00 and the case was filed in district court, the Court finds that Plaintiffs Alexandria School of Innovation, John Dewey Institute at Red Rocks Ranch, and Leyden Rock were required to be represented by an attorney in this proceeding and could accordingly be dismissed from this action on that basis.

⁵ In its Order dated January 4, 2024, the Court struck Plaintiffs’ Amended Complaint as failing to comply with C.R.C.P. 15, C.R.C.P. 121, 1-15(8), and C.R.C.P. 8.

disseminated a fraudulent version of the Separation Agreement “with no promises and undertakings,” in order to “bribe” DCSD, JeffCo, and the State Board in an effort to defeat her seventeen charter school applications on behalf of ASI and JDI. *Id.* at p. 21, ¶ 80. Plaintiffs further allege that this fraudulent Separation Agreement was used to “bribe” the Denver District Court in case number 2019CV550, the Colorado court of appeals in 2020CA641, and the Colorado supreme court in 21SC885, as well as the United States Supreme Court, as the adverse decision in Denver 2019CV550 was appealed through successive courts of review. *Id.* at pp. 21-22, ¶ 81. Plaintiffs also allege that the Separation Agreement was used to “bribe” the CCRD. *Id.* at pp. 34-35, ¶¶ 152-53.

Plaintiffs also appear to contend that a bond issued by CECFA to STEM School, financed by UMB, was fraudulent. *Id.* at p. 23, ¶ 89; *see also Id.* at pp. 38-39, ¶ 164. Plaintiffs further allege that the parties to this lawsuit, and their attorneys, are engaged in a coordinated conspiracy to defraud the Court and frustrate Plaintiff Judy Brannberg’s applications for new charter schools. *See, e.g., Id.* at pp. 22, 23, ¶¶ 85, 89, 90. Plaintiffs further lay blame on Defendants for the May 7, 2019 STEM school shooting. *Id.* at p. 23, ¶ 89. Plaintiffs alleged that the OARC engaged in a cover-up of the foregoing “crimes of Fraud on the Court, forgery, bribery, breach of contract, et al.” *Id.* at p. 36, ¶ 158. Plaintiffs also allege that the DCSO failed to conduct further investigation into JeffCo and DCSD because the Sheriff conspired with DCSD to cover up their crimes. *Id.* at pp. 36-37, ¶ 160. Lastly, Plaintiffs allege that their former attorney, Defendant Cimino, was “bought out” by DCSD in order to defeat her claims in Denver 2019CV550 and Douglas County District Court Case 2015CV30586. *Id.* at p. 39, ¶ 166.

STANDARD OF REVIEW

Under C.R.C.P. 12(b)(1), a trial court determines subject matter jurisdiction by examining the substance of the claim based on the facts alleged and the relief requested. *City of Aspen v. Kinder Morgan, Inc.*, 143 P.3d 1076, 1078 (Colo. App. 2006). The plaintiff has the burden of proving jurisdiction. *Id.*; *Jim Hutton Educ. Found. v. Rein*, 2018 CO 38M, ¶ 17. A trial court may consider any competent evidence pertaining to a 12(b)(1) motion without converting the motion into a summary judgment motion. *Lee v. Banner Health*, 214 P.3d 589, 593 (Colo. App. 2009) (citing *Trinity Broad. of Denver, Inc. v. City of Westminster*, 848 P.2d 916, 924 (Colo. 1993)). Therefore, unlike with motions to dismiss under C.R.C.P. 12(b)(5), trial courts are not required to accept the allegations of the complaint as true when addressing 12(b)(1) motions. *Medina v. State*, 35 P.3d 443, 452 (Colo. 2001). A hearing is unnecessary if there are no disputes of jurisdictional fact or if the trial court assumes all the facts in the complaint are true and still concludes there is no subject matter jurisdiction. *Id.*

Under C.R.C.P. 12(b)(5), if a plaintiff is entitled to relief under any legal theory, then the complaint is sufficient. *Denver & R. G. W. R. R. v. Wood*, 476 P.2d 299 (Colo. App. 1970). In assessing such a motion, a court must accept all matters of material fact as true and view the allegations in the light most favorable to the plaintiff. *Asphalt Specialties, Co. v. City of Commerce City*, 218 P.3d 741 (Colo. App. 2009). All inferences are to be drawn in favor of the plaintiff. *Medina*, 35 P.3d at 452. The claim for relief must satisfy the plausibility standards under *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009). *Warne v. Hall*, 373 P.3d 588, 589-90 (Colo. 2016). The tenet that a court must accept as true all the allegations

contained in a complaint is, however, inapplicable to legal conclusions. *Id.* at 591. “Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.” *Iqbal*, 556 U.S. at 678. Stated differently, a court need not accept as true legal conclusions couched as factual allegations. *Id.*

ANALYSIS

1. *Claims seeking Criminal Charges*

The Court first addresses Plaintiffs’ pleading of numerous criminal statutes as claims for relief. These claims are: (1) second claim for relief - domestic terrorism; (2) fourth claim for relief - blackmail; (3) sixth claim for relief - bribery; (4) seventh claim for relief - conspiracy; (5) tenth claim for relief - forgery; and (6) eleventh claim for relief - obstruction of justice.

Setting aside other reasons which may prohibit relief as to these claims, the most fundamental issue is that Plaintiffs lack standing to institute federal criminal proceedings. “Private citizens generally have no standing to institute federal criminal proceedings.” *Winslow v. Romer*, 759 F. Supp. 670, 673 (D. Colo. 1991). Indeed,

[c]riminal statutes cannot be enforced by civil actions. Serious constitutional problems are encountered in any attempt to impose criminal sanctions by way of civil procedures. Equally important is the firmly established principle that criminal statutes can only be enforced by the proper authorities of the United States Government and a private party has no right to enforce these sanctions.

Id. at 673-74 (quoting *Bass Angler Sportsman Soc’y v. United States Steel Corp.*, 324 F. Supp. 412, 415 (S.D. Ala. 1971), *aff’d*, 447 F.2d 1304 (5th Cir. 1971)).

Absent some indication of Congressional intent to permit private enforcement, such attempts are foreclosed. “As we recently have emphasized, ‘the fact that a federal statute has been violated and some person harmed does not automatically give rise to a private cause of action in favor of that person.’” *Touche Ross & Co. v. Redington*, 442 U.S. 560, 568 (1979) (quoting *Cannon v. University of Chicago*, 441 U.S. 677, 688 (1979)).

The Court has reviewed the criminal statutes Plaintiffs⁶ cited and none indicate an intent to create a private right of action.⁷ Plaintiffs have provided no support for the proposition that any of these federal crimes imply a private right of action, and the Court has found none. As a matter of law, none of the statutes contain even a hint, let alone a clear legislative indication, of an intent to create a private right of action. *Gerrity Oil & Gas Corp. v. Magness*, 946 P.2d 913, 923 (Colo. 1997); *Macurdy v. Faure*, 176 P.3d 880, 882 (Colo. App. 2007). Consequently, claims two (domestic

⁶ *I.e.*, 18 U.S.C. § 2331(5) (Domestic Terrorism, defined); 18 U.S.C. § 873 (Blackmail); 18 U.S.C. § 201 (Bribery of Public Officials and Witnesses); 18 U.S.C. § 1349 (Attempt and Conspiracy); 18 U.S.C. § 471 (Forgery of an Obligation of Security of the United States); 18 U.S.C. § 1503 (Influencing or Injuring Officer or Juror).

⁷ 18 U.S.C. § 2333 provides for a private right of action for American nationals injured as a result of *international* terrorism, not domestic.

terrorism), four (blackmail), six (bribery), seven (conspiracy), ten (forgery), and eleven (obstruction of justice), are dismissed with prejudice.

2. *Sherman Act Claim*

The Court next addresses Plaintiffs' first FAC claim, the alleged violation of the Sherman Antitrust Act of 1890. *See* FAC, p. 8, ¶¶9-11. The Sherman Antitrust Act of 1890, 15 U.S.C. §§ 1-7, does not provide for a private cause of action for its violations. Rather, it is the duty of the United States attorneys to enforce its provisions. *See* 15 U.S.C. § 4.⁸ This Court, therefore, lacks jurisdiction. Pursuant to C.R.C.P. 12(b)(1), this Claim is dismissed with prejudice.

3. *Remaining Claims*

Plaintiffs' remaining claims are: (1) third claim for relief - anti-retaliation claim under OSHA; (2) fifth claim for relief - Title VII discrimination; (3) eighth claim for relief - harassment, under Title VII, the ADEA, and the ADA; (4) ninth claim for relief - tortious interference with prospective business advantage; and (5) twelfth claim for relief - libel. The Court addresses each claim in turn.

a. *Anti-retaliation Claim under OSHA*

Plaintiffs' third claim for relief alleges that "Defendants retaliated against Judy Brannberg because she blew the whistle on crimes, and Defendants stopped her from providing alternative education and competing against District schools in 2014, 2017, 2018, 2019, and 2023, which caused the tragic 5/17/19 shooting." FAC, p. 9, ¶ 17.

29 U.S.C. §660 (c) prohibits retaliatory discharge or discrimination against an employee who filed a complaint with the Occupational Safety and Health Administration or participated in any proceeding under OSHA. 29 U.S.C. § 660(c)(2) provides that, if such a person believes they have been retaliated against for the foregoing, they may file a complaint with the Secretary of the Occupational Safety and Health Administration, and that the Secretary may thereafter bring an action in federal court. There is, therefore, no private right of action for retaliation under OSHA.⁹ *See, e.g., Johnson v. Interstate Management Company, LLC*, 849 F.3d 1093, 1097 (D.C. Cir. 2017); *George v. Aztec Rental Center Inc.*, 763 F.2d 184, 186 (5th Cir. 1985). Accordingly, Plaintiffs' third claim for relief is dismissed with prejudice.

b. *Title VII Discrimination Claim*

Plaintiffs' fifth claim alleges that "Defendants DCSD, STEM, Jeffco, State Board, Sterling Ranch, et al. thwarted the creation of Plaintiffs['] schools in 2014, 2017, 2018, 2019, and 2023 using Federal violations of 42 U.S.C. §§ 2000e et seq. Title VII of the Civil Rights Act 2022, in order to protect the DCSD, Jeffco, State Board monopoly, and to stop Judy Brannberg's schools from

⁸ Although the Clayton Antitrust Act of 1914, 15 U.S.C. §§ 12-27 provides for a private cause of action, that Act vests the United States district courts with exclusive jurisdiction to hear such claims. *Vendo Co. v. Lektro-Vend Corp.*, 433 U.S. 623, 632 (1977) ("The private action for damages conferred by the Clayton Act is a 'uniquely federal right or remedy,' in that actions based upon it may be brought only in the federal courts.").

⁹ Nor would this Court have jurisdiction over such a claim if there were. *See* 29 U.S.C. § 660(c)(3) ("In any such action the United States district courts shall have jurisdiction, for cause shown to restrain violations of paragraph (1) of this subsection and order all appropriate relief including rehiring or reinstatement of the employee to his former position with back pay.").

competing with District schools, which is a violation of the Federal Antitrust Enforcement Enacted (sic) in 1890.” FAC, pp. 9-10, ¶ 24.

Title VII prohibits discriminatory employment practices predicated based on race, color, religion, sex, or national origin. 42 U.S.C. § 2000e-2(a). Even if denying a charter school application constitutes an adverse employment action under Title VII, Plaintiffs have alleged that the motivation for doing so was not discriminatory animus, but to “protect the DCSD, Jeffco, State Board monopoly.”

Consequently, Plaintiffs have failed to state a claim for relief under Title VII. Plaintiffs’ fifth claim is dismissed without prejudice under C.R.C.P. 12(b)(5).

c. Harassment under Title VII, the ADEA, and the ADA

Plaintiffs’ eighth claim for relief is harassment in violation of Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA) and the Americans with Disabilities Act of 1990 (ADA). Specifically, Plaintiffs claim “Defendants harassed and silenced Judy Brannberg and disrupted potential economic relationships between Plaintiff Brannberg and the parents of children seeking to enroll their children in ASI and JDI, so that the consumers of educational services cannot (and further would decline) to do business with Plaintiffs in 2014, 2017, 2018, 2019, and 2023.” FAC, p.12; ¶ 33.

Title VII prohibits discriminatory employment practices predicated based on race, color, religion, sex, or national origin. 42 U.S.C. § 2000e-2(a). Even if denying a charter school application constitutes an adverse employment action under Title VII, Plaintiffs have alleged that the motivation for doing so was to “disrupt potential economic relationships ... so that the consumers of educational services cannot do business with Plaintiffs.” FAC, p. 12; ¶ 33. Consequently, Plaintiffs have failed to state a claim for relief under Title VII.

Plaintiffs also argue that Defendants violated the ADEA. 29 U.S.C. § 621 provides that the purpose of the ADEA is “to promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.” Plaintiffs have failed to allege any discrimination based on age in the FAC.

Finally, Plaintiffs argue that Defendants violated the ADA. The stated purposes of the ADA are:

- (1) to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities;
- (2) to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities;
- (3) to ensure that the Federal Government plays a central role in enforcing the standards established in this chapter on behalf of individuals with disabilities; and
- (4) to invoke the sweep of congressional authority, including the power to enforce the Fourteenth Amendment and to regulate

commerce, in order to address the major areas of discrimination faced day-to-day by people with disabilities.

42 U.S.C. § 12101.

The FAC lacks any factual allegations to support an ADA violation claim. Consequently, for the above stated reasons, Plaintiffs' eighth claim is dismissed without prejudice under C.R.C.P. 12(b)(5).

d. *Tortious Interference with Prospective Business Advantage*

Plaintiffs' ninth claim for relief alleges that "Defendants' conduct as described herein disrupted the potential economic relationship between Plaintiffs and the parents of children seeking to enroll at ASI/JDI. Plaintiffs had established relationships with numerous members of the public who had previously consumed, and who again would consume educational services of a charter school founded by Plaintiff Brannberg to Judy Brannberg's substantial benefit." FAC, pp. 12-13, ¶ 36.

In an abundance of caution, the Court reviews both tortious interference with contract and tortious interference with prospective business advantage.

To establish a claim for tortious interference with contract, Colorado courts have relied on the definition of the tort of intentional interference with contractual relations contained in § 766 of the Restatement (Second) of Torts (1979); stating:

One who intentionally and improperly interferes with the performance of a contract (except a contract to marry) between another and a third person by inducing or otherwise causing the third person not to perform the contract, is subject to liability to the other for the pecuniary loss resulting to the other from the failure of the third person to perform the contract.

Slater Numismatics, LLC v. Driving Force, LLC, 310 P.3d 185, 188 (Colo. App. 2012).

To be liable for intentional interference with contract, a defendant must: (1) be aware of a contract between two parties, (2) intend that one of the parties breach the contract; (3) and induce the party to breach or make it impossible for the party to perform the contract. *Id.* (citing *Krystkowiak v. W.O. Brisben Cos.*, 90 P.3d 859 (Colo. 2004)). In addition, the defendant must have acted improperly in causing the result. *Id.*

Generally, the factors to be considered when deciding whether interference was improper are listed in section 767, which states:

In determining whether an actor's conduct in intentionally interfering with a contract or a prospective contractual relation of another is improper or not, consideration is given to the following factors:

(a) the nature of the actor's conduct,

- (b) the actor's motive,
- (c) the interests of the other with which the actor's conduct interferes,
- (d) the interests sought to be advanced by the actor,
- (e) the social interests in protecting the freedom of action of the actor and the contractual interests of the other,
- (f) the proximity or remoteness of the actor's conduct to the interference, and
- (g) the relations between the parties.

Harris Group, Inc. v. Robinson, 209 P.3d 1188, 1196 (Colo. App. 2009).

Colorado also recognizes the tort of intentional interference with a prospective business advantage. *See Memorial Gardens, Inc. v. Olympian Sales & Management Consultants, Inc.*, 690 P.2d 207 (Colo. 1984); *Dolton v. Capitol Federal Savings & Loan Ass'n*, 642 P.2d 21 (Colo. App. 1981). Colorado courts have relied upon the definition found in § 766B Restatement (Second) of Torts (1979); stating:

One who intentionally and improperly interferes with another's prospective contractual relation (except a contract to marry) is subject to liability to the other for the pecuniary harm resulting from loss of the benefits of the relation, whether the interference consists of

- (a) inducing or otherwise causing a third person not to enter into or continue the prospective relation or
- (b) preventing the other from acquiring or continuing the prospective relation.

Harris Group, Inc., 209 P.3d at 1195–96.

To prove this form of the tort, it is not necessary to show that an underlying contract exists, but, rather, the plaintiff must show that intentional and improper interference prevented a contract from being formed. *Id. citing, Dolton v. Capitol Fed. Sav. & Loan Ass'n*, 642 P.2d 21, 23 (Colo. App. 1981).

In sum, the goal to be achieved by these forms of the tort is to protect the integrity of contracts. *See Mem'l Gardens, Inc.*, 690 P.2d at 210. However, that interest is not absolute, and must be balanced against the interests of the parties and society. *Id.*

The Court has scoured Plaintiffs' FAC (166 separate paragraphs) and can find no specific facts that support either of these claims. Consequently, Plaintiffs have failed to sufficiently state a claim for relief under both tortious interference with contract and tortious interference with prospective advantage. Plaintiffs' ninth claim is dismissed without prejudice under C.R.C.P. 12(b)(5).

e. *Libel*

Plaintiffs' twelfth claim alleges that "Defendants and Attorneys disseminated a one-way forgery purported as the mutual two-way Agreement, which falsely and illegally gave permission to Defendants to disparage Plaintiff Brannberg's good character and excellent Charter Management history, which cause them to not obtain charter approval in 2014, 2017, 2018, 2109, and 2023 for 17 schools." FAC, p. 14, ¶ 44.

Plaintiffs claim libel *per se* and libel *per quod*. The Court must determine whether the statement (which is not pled in the FAC) constitutes libel *per se*¹⁰ or libel *per quod*¹¹.

At the early common law all libel, of whatever kind, was actionable without the pleading or proof of special damages. Gradually, however, there developed in American jurisprudence a distinction between libel *per se* and libel *per quod* to the effect that any libel which carried its defamatory imputation on its face was actionable without an allegation or proof of damages. But any libel which did not carry such imputation on its face was held to be actionable only where special damages were pleaded and proved. Later, further gloss was added to this area of the law, and today the rule accepted by the majority of courts may be stated as follows:

'Any libel which carrie[s] its defamatory imputation upon its face [is] still held to be actionable without proof of damage. But any libel which [does] not [is] held to be actionable only where slander would be actionable-which is to say, when special damage was pleaded and proved, or the case fell into one of the four exceptional slander categories, of the imputation of crime, loathsome disease, defamation affecting business, or unchastity on the part of a woman.'

Bernstein v. Dun & Bradstreet, Inc., 368 P.2d 780, 783 (Colo. 1962) (internal citations omitted).

In this case, Plaintiff s' FAC does not identify or provide the defamatory statement with which they take issue nor plead any special damages. Consequently, Plaintiffs have failed to sufficiently state a claim for relief under libel *per se* or libel *per quod*, given that the FAC does not identify the defamatory statement nor plead special damages. Plaintiffs' twelfth claim is dismissed without prejudice under C.R.C.P. 12(b)(5).

¹⁰ For a statement to be libelous *per se*, the statement must contain defamatory words specifically directed at the person claiming injury. The words must be unmistakably recognized as injurious to the reputation, without extrinsic proof. When the words are construed according to their natural and ordinary meaning, there is no need for examination of innuendo. § 32:16. Libel *per se*, 7A Colo. Prac., Personal Injury Torts and Insurance § 32:16 (3d ed.).

¹¹ Where inducement, innuendo, or colloquium are necessary to demonstrate the defamation, Colorado requires the pleading and proof of special damages as well as the extrinsic facts required to show the defamation. § 32:17. Libel *per quod*, 7A Colo. Prac., Personal Injury Torts and Insurance § 32:17 (3d ed.).

4. *Notice of Appeal for Judicial Review*

Finally, the Court turns to Plaintiffs' initial filing in this case. Plaintiffs initiated this action by filing a "Notice of Appeal for Judicial Review" on September 27, 2023, where they represented that they were seeking judicial review of two orders from the State Board regarding the denial of charter school applications. Plaintiffs' FAC makes no explicit mention of such claims, and the Court therefore considers the request for judicial review abandoned. See *Prairie Mountain Publ'g Co., LLP v. Regents of Univ. of Colorado*, 2021 COA 26, n.3 citing *Moody v. People*, 159 P.3d 611, 614 (Colo. 2007) ("Arguments not advanced on appeal are generally deemed waived."). While Plaintiffs still seek relief in the form of an order from this Court reversing the State Board determinations, Plaintiffs now seem to weave that requested relief within the twelve FAC claims. See FAC, p. 26, ¶ 100 ("The State Board decision should not be final, pursuant to C.R.S. § 22-30.5-108(3)(d), because the illegal Federal Antitrust crimes, have created a severe safety risk for all pupils, and threats to all public education."). The FAC does not suggest that Plaintiffs intend to maintain any judicial review claim(s) pursuant to C.R.S. § 24-4-106.

To the extent, however, the FAC can be interpreted as still asserting a claim for judicial review pursuant to C.R.S. § 24-4-106, this Court lacks jurisdiction to entertain such claim. *Colorado State Bd. of Ed. v. Brannberg*, 2023 CO 11 (holding that, under C.R.S. § 22-30.5-108(3)(d), no appellate jurisdiction exists to review a State Board denial of a charter school application). Plaintiffs' theory that this Court could overturn the Colorado supreme court's holding on this question because of alleged antitrust violations and alleged fraud upon the court has no legal basis.

Finally, the Court looks to the doctrine of *stare decisis*, a judge-made doctrine that requires courts to follow preexisting rules of law. *Love v. Klosky*, 2018 CO 20 ¶¶ 2-4. This is the preferred course for courts, because it promotes the even handed, predictable, and consistent development of legal principles, fosters reliance on judicial decisions, and contributes to the actual and perceived integrity of the judicial process. *Id.* As the Colorado supreme court recently stated, no appellate jurisdiction exists to review a State Board of Education denial of a charter school application. *Colorado State Bd. of Ed. v. Brannberg*, 2023 CO 11. The Colorado supreme court did not leave any question open as to the lack of appellate jurisdiction. This Court is bound by the doctrine of *stare decisis* to follow the standing opinions of our Supreme Court. See *Heafer v. Denver-Boulder Bus Co.*, 489 P.2d 315, 316 (Colo. 1971) ("Although urged to break the constraint of *stare decisis*, the trial court here was eminently correct in recognizing that it was not within its discretion to reject the holdings of this Court on this proposition."). Accordingly, the Notice of Appeal for Judicial Review, is dismissed with prejudice.

CONCLUSION

As to Defendants' Motions to Dismiss the claims in Plaintiffs' First Amended Complaint for Judicial Review Pursuant to C.R.C.P. Rule 15 To Add New Causes of Action, C.R.C.P. 121, 1-15(8), and C.R.C.P. 8, filed January 11, 2024, the Court orders as follows as to all Defendants:

The First Claim for Relief is dismissed with prejudice as this Court is without jurisdiction and Plaintiffs lack the authority to enforce the Sherman Anti-Trust Act.

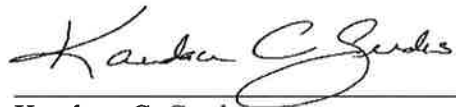
The Second, Third, Fourth, Sixth, Seventh, Tenth, and Eleventh Claims for relief are dismissed with prejudice as there is no private right of action.

The Fifth, Eighth, Ninth, and Twelfth Claims for relief are dismissed without prejudice. In addition to the foregoing reasons for their infirmity, such claims should never have been joined in an action for judicial review under C.R.S. § 24-4-106. The APA provides that a person may commence an action for judicial review. It is a special, limited action. Actions for judicial review do not have periods of discovery, nor do they conclude with a trial. The Court has limited statutory remedies, all of which direct that the lower administrative body take specific action. Consequently, claims for judicial review are not compatible with typical civil claims. Neither the APA nor the Rules of Civil Procedure contemplate such “hybrid” actions. Plaintiff must seek relief in separate actions if she wishes to pursue such civil claims as well as judicial review.

Finally, the initial pleading filed into this case, Notice of Appeal for Judicial Review, is dismissed with prejudice as the Court is bound to follow the doctrine of *stare decisis*.

SO ORDERED this 10th day of July, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kandace C. Gerdes", is written over a horizontal line.

Kandace C. Gerdes
District Court Judge

cc: all parties

Exhibit 2: January 21, 2025 - Motion for Default Judgment. Key evidence showing that Petitioner properly moved for Default Judgment after Defendants failed to respond. Essential for SCOTUS to consider

<p>DISTRICT COURT, DENVER COUNTY, COLORADO 1437 Bannock Street, Rm 256, Courtroom 275, Denver, CO, 80202</p> <p>Plaintiffs: Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation ("ASI") and John Dewey Institute ("JDI") at Red Rocks Ranch ("RRR") and Leyden Rock ("LR") and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch</p> <p>Attorney for Plaintiffs: JUDY A. BRANNBERG, Pro Se 8201 South Santa Fe Dr. #52, Littleton, CO 80120 303.522.2158 judy.brannberg@gmail.com</p>	<p>FILED IN DENVER DISTRICT COURT</p> <p>JAN 21 2025</p> <p>DENVER COLORADO COUNTER CLERK <i>me</i> COPY</p> <p>COURT USE ONLY</p>
<p>Jefferson County Public Schools ("Jeffco"), Board, and Attorneys Colorado State Board of Education, Board, and Attorneys Colorado Department of Education ("CDE"), and Attorneys CDE Commissioner Susana Cordova Douglas County School District ("DCSD"), Board, and Attorneys STEM School Highlands Ranch, Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy, Koson Network of Schools, Koson Schools Board, and Attorneys Colorado Civil Rights Division ("CCRD"), Colorado Civil Rights Commissioners ("CCRC"), and Attorneys Colorado Educational and Cultural Facility Authority ("CECFA") Board and Attorneys Sterling Ranch Development Corp. Owners and Attorneys UMB Financial Corporation - UMB Bank and Staff Tamara Dixon and John Wahl Colorado Supreme Court Office of Attorney Regulation Counsel ("OARC"), Jessica Yates, OARC Counsel and Attorneys Douglas County Sheriff's Office JOHN A. CIMINO, Esq. Colorado Supreme Court Colorado Attorney General's Office</p>	<p>Denver District Court Case No: 2023CV610 Division 275 U.S. Supreme Ct Case No. 23-1292 Linked to 24A61, 23A1007 Colorado Supreme Court Case No: 24SC181 Colorado Court Of Appeals Case No. 2024CA133 Colorado Civil Rights Division Case No. E-20237 Colorado State Board of Education 23-CS1AB DCSD 23-CS2AB Jeffco</p>
<p align="center">PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT FOR 23CV610</p>	

<p>DISTRICT COURT, DENVER COUNTY, COLORADO 1437 Bannock Street, Rm 256, Courtroom 275, Denver, CO, 80202</p> <p>Plaintiffs: Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation (“ASI”) and John Dewey Institute (“JDI”) at Red Rocks Ranch (“RRR”) and Leyden Rock (“LR”) and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch</p> <p>Attorney for Plaintiffs: JUDY A. BRANNBERG, Pro Se 8201 South Santa Fe Dr. #52, Littleton, CO 80120 303.522.2158 judy.brannberg@gmail.com</p>	<p>COURT USE ONLY</p>
<p>Jefferson County Public Schools (“Jeffco”), Board, and Attorneys Colorado State Board of Education, Board, and Attorneys Colorado Department of Education (“CDE”), and Attorneys CDE Commissioner Susana Cordova Douglas County School District (“DCSD”), Board, and Attorneys STEM School Highlands Ranch, Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy, Koson Network of Schools, Koson Schools Board, and Attorneys Colorado Civil Rights Division (“CCRD”), Colorado Civil Rights Commissioners (“CCRC”), and Attorneys Colorado Educational and Cultural Facility Authority (“CECFA”) Board and Attorneys Sterling Ranch Development Corp. Owners and Attorneys UMB Financial Corporation - UMB Bank and Staff Tamara Dixon and John Wahl Colorado Supreme Court Office of Attorney Regulation Counsel (“OARC”), Jessica Yates, OARC Counsel and Attorneys Douglas County Sheriff’s Office JOHN A. CIMINO, Esq. Colorado Supreme Court Colorado Attorney General’s Office</p>	<p>Denver District Court Case No: 2023CV610 Division 275 U.S. Supreme Ct Case No. 23-1292 Linked to 24A61, 23A1007 Colorado Supreme Court Case No: 24SC181 Colorado Court Of Appeals Case No. 2024CA133 Colorado Civil Rights Division Case No. E-20237 Colorado State Board of Education 23-CS1AB DCSD 23-CS2AB Jeffco</p>
<p>PLAINTIFF’S MOTION FOR DEFAULT JUDGMENT FOR 23CV610</p>	

C.R.C.P. 121 § 1-15 ¶ 8: Certification: Plaintiff conferred in good faith with all Defendants' counsel who oppose this Motion. Plaintiff attempted to confer with OARC's counsel before filing the motion, but was unable to ascertain OARC's position before doing so.

On December 26, 2024, the Court issued an Order which stated:

"Should Defendant Cimino be served pursuant to the Colorado Rules of Civil Procedure, Plaintiff Judy Brannberg is granted leave to file a new motion seeking default judgment and the Court will then consider the appropriateness of any new motion." See Exhibit 1.

On December 28, 2024 at 9:24 pm, Defendant Cimino was served by a Process Server.

On December 30, 2024, the Affidavit of Service was filed with the Court. See Exhibit 2.

Plaintiff Judy A. Brannberg, requests that the Court enter default judgment against ALL 2023CV610 Defendants because of their JOINT conspiracy, and in support states:

1. By way of introduction, please read the following summary of the reasons supporting the request for joint default judgment with all 2023CV610 Defendants:

A. All 2023CV Defendants are in a JOINT civil and criminal conspiracy to thwart¹, deny, and stop Plaintiff's 17 innovative charter schools from 2014-present, as evidenced below.

On November 25, 2024, ALL 2023CVC610 Defendants (with the exception of UMB and Attorney John Cimino), filed a JOINT Response To Plaintiff's Motion For Relief From Judgment, (Ex. 3), by an attorney who previously had not been involved in the litigation of 2023CV610, Attorney Elliott Hood. Jeffco, whose case was dismissed on July 10, 2024, willfully and wantonly reopened their litigation case together with ALL 2023CV610 Defendants, when they hired Attorney Elliott Hood to file, write, and reopen litigation JOINTLY on behalf of ALL

¹"It is Commission's ("EEOC") view that a sufficient nexus will exist where the third party (DCSD, State Board, Jeffco, et al.) have the ability to thwart the creation or continuance of a direct employment relationship or where it has the ability to affect terms, conditions, or privileges of employment." EEOC, Policy Statement on control by third parties over the employment relationship between an individual and his/her direct employer (May 5, 1987), <https://www.eeoc.gov/laws/guidance/policy-statement-control-third-parties-over-employment-relationship-between> Employment, property, land, building ownership are Constitutional rights, (US Constitution, Amendment 14 Citizenship Rights. Ratified 7/9/1868), and are terms, conditions or privileges of employment at a charter school."

23CV610 parties, including those Defendants whose cases were dismissed on July 10, 2024.

Their goal was to finish off Plaintiff Brannberg and stop her from exposing their RICO crimes.

When the **JOINT Motion** was filed by Attorney Hood on November 25, 2024, on behalf of Defendants CCRD, CDE, CECFA, State Board of Ed, Colorado Supreme Court Office Of Attorney Regulation (“OARC”), DCSD, Douglas County Sheriff’s Office, Jeffco Public Schools, STEM, et al, and Sterling Ranch Development Corp. finally, now this Court secured the concrete evidence and definitive proof unveiled in plain sight, in living color, in a front row seat before the Court, that this case is **NOT** about 14 separate defendants and their 25+ attorneys defending Plaintiffs’ 16 serious Federal Criminal and Civil Claims listed on page 6 herein.

When Defendant and Attorney Elliott Hood reopened 23CV610 and filed his **JOINT** Response on behalf of all Defendants, this Court finally captured the evidence necessary to prove that this case is about a **JOINT** civil and criminal conspiracy with Federal 18 U.S.C. §§ 1961-68 Racketeer Influenced and Corrupt Organizations (RICO) Organized White Collar Fraud Crimes incriminating **ALL** Defendants in the crime ring/enterprise because all Defendants adopted the alleged crime claims in their **JOINT** Response, reopened on behalf of **ALL** Defendants by Attorney Hood on November 25, 2024, with exception of UMB and Cimino. When Defendants reopened, signed, and filed a **JOINT** Response by Attorney Hood, they **JOINED** together and adopted whatsoever crimes one party committed and **JOINTLY** adopted each defendants’ crimes **and** Attorney Cimino’s Event of Default and Event of Default Judgment explained below.

B. On December 4, 2024, Attorney Cimino filed a JOINDER which joined ALL 2023CV601 Defendants in the Conspiracy to coverup alleged serious RICO Federal crimes

On December 4, 2024, Defendant Sterling Ranch Attorney Jonathan Pray welcomed Defendant Attorney Cimino to be a part of the **JOINT** Response when Attorney Cimino wrote his **JOINDER** In Response In Opposition To Plaintiffs’ C.R.C.P. Rule 60 Motion. (Exhibit 4.)

CONVERSELY now all 2023CV610 Defendants adopted Attorney Cimino's Event of Default.

Now all 2023CV610 Defendants have adopted and are **JOINED** to Attorney Cimino's Event of Default and **Event of Default Judgment** for \$2,635,434,560.41, explained herein.

C. STEM conspired with UMB Bank, construed as a bribe, to cover up RICO crimes.

On "07/18/24 (after the 7/10/24 Judgment) STEM Attorney (Jack Peters) conferred by phone with UMB Attorney (Jacob Hollars) co-defendant, regarding request from UMB for STEM entities to pay UMB's attorney fees, (with insurance funds from Philadelphia Insurance Company, located in Philadelphia, Pennsylvania), which attorney (Jack Peters) said he would discuss with his clients." See Exhibit 5 - 2024-09-04 - STEM's Redacted Invoice, p. 13. The aforementioned is construed as a criminal RICO bribe by UMB from STEM, and is a Federal Racketeering crime involving interstate commerce, illegal fraud misconduct conducted by STEM, UMB, DCSD, CECFA, CCRD, CDE, State Board, Jeffco, DC Sherriff, OARC, and their 25+ Attorneys, et al. Defendants who criminally conspired and colluded to reopen 2023CV610 with a **JOINT** Response on November 25, 2024 by Attorney Hood on behalf of **all** Defendants.

An F.B.I. investigation is underway (Ex. 6) showing that defendants DCSD, STEM, CECFA,² UMB, CCRD, Sheriff, OARC, Sterling Ranch, State Board, CDE, Cimino et al. and their attorneys derived income from racketeering and used some of that income to establish or operate an enterprise that affects interstate commerce, including the movement of goods, money, or services from one state to another. (Ex. 5.) **All Defendants** whose case was previously closed

² CECFA operates in 26 states, <https://www.cecfa.org/>, and has issued \$7.6 billion in Bonds, which is another example of Federal Racketeering, RICO crimes, with an enterprise that affects interstate commerce, with the movement of goods, money, or services from one state to another, because of the fraudulent \$14.6 million CECFA Bond for STEM School, which UMB financed, and Authorizer DCSD co-signed/signed off on without STEM securing a legal 5-year contract and without meeting 4 of 7 contingencies necessary to secure the low-interest BB+ Bond, which resulted in unsafe STEM School, which caused the May 7, 2019 shooting. ROA12579-12817.

on July 10, 2024, reopened the 2023CV610 case, when they criminally conspired to write and file the **JOINT RESPONSE on November 25, 2024**, which is evidence that all parties colluded and conspired to cover up the white collar organized crimes exposed herein, (bribery, forgery, breach of contract, bank/wire fraud, negligent homicide (STEM School shooting on 5/7/19), harassment, conspiracy, embezzlement, et al., which is admission of guilt by all Defendants of very serious RICO, (18 U.S.C. §§ 1961-68) organized white-collar criminal activity including racketeering by all 2023CV610 Defendants, who filed, signed, wrote the **JOINT Response**.

Racketeering is a set of illegal misconduct aimed at commercial profit that is disguised as legitimate business deals. Racketeering is defined by a coordinated effort by multiple people and organizations, i.e. **all 2023CV Defendants**, to earn a profit, by white-collars crimes of fraud, extortion, bribery, threats, breach of contract, harassment, murder, embezzlement, or other illegal means, all exposed herein, (18 U.S.C. §§ 1961-68), committed by all 2023CV610 Defendants, and their 25+ lawyers, because **nearly all conspired and wrote the JOINT Response**, which carries a penalty of a minimum of 20 years in prison, and up to life imprisonment for the most serious offenses and fines up to \$250,000.00 or twice the value of the proceeds of the crime.

On 11/21/24, Plaintiffs filed the AMENDED Motion to Disqualify Counsel Elliott Hood, et al. from Representing Jeffco and/or the 2023CV610 Defendants, which they did not heed.

On November 25, 2024 Attorney Hood defiantly wrote the **JOINT Response** anyway (Ex. 3) on behalf of **ALL** Defendants, (with the exception of UMB and Cimino). Hence, all Defendants conspired to cover up the following alleged RICO crimes exposed in 23CV610, uncovering publicly, and **reopening** the largest education anti-trust monopoly case in history:

1. Federal Antitrust Enforcement Enacted in 1890, the Sherman Act:
2. 18 U.S. Code § 2331(5) Domestic Terrorism (May 7, 2019 STEM School Shooting)
3. Federal Whistle Blower Protection Act
4. 18 U.S.C. § 873 Blackmail and extortion laws

5. 42 U.S.C. §§ 2000e et seq. Title VII of the Civil Rights Act 2022
6. 18 U.S. Code § 201 – Bribery of public officials and witnesses 2022
7. 18 U.S.C. § 1349 – Attempt and Conspiracy
8. Harassment – Title VII of the Civil Rights Act of 1964
9. Third-party Employment Contractual and Tortious Interference
10. 18 U.S.C. § 471 Forgery
11. 18 U.S.C. §§ 1503, 1512, 1513 Obstruction Of Justice
12. Libel Per Se/Libel Per Quod
13. 10 U.S. Code § 919b – Art. 119b. Child Endangerment
14. 18 U.S.C. § 371 – Conspiracy to commit offense or to defraud United States
15. 18 U.S.C. §§1961-68 Racketeer Influenced Corrupt Organizations (RICO) Organized Crimes
16. 18 U.S. Code - § 1344 – Bank fraud U.S. Code
17. 18 U.S.C. § 1112 – Negligent Homicide
18. 18 U.S.C. § 3006A – Legal Malpractice
19. 18 U.S.C. § 1512 - Tampering with witnesses, victims, or informants in federal proceedings

This is further proof that all 2023CV610 Defendants have adopted and are **JOINED** to Attorney Cimino's Event of Default and Event of Default Judgment for \$2,635,434,560.41.

D. On January 13, 2025, Defendants DCSD and STEM filed JOINT Motions to Quash Subpoenas and filed Notices of Withdrawal of Motions For Attorney Fees and Costs

Defendants DCSD and STEM are so panicked that their Federal RICO crimes listed above will be exposed at the Public Hearing on March 6, 2025, that they withdrew their lucrative Motions for Attorney Fees/Costs and filed **JOINT** Motions to Quash subpoenas, (Ex. 7) because they do not want Board Directors/Staff testifying under oath of the RICO crimes they committed of forgery, bribery, breach of contract, bank/bond fraud, racketeering, negligent homicide, et al. This is admission of guilt by Defendants STEM/DCSD et al. of the alleged crimes/claims.

E. On January 14, 2025, Defendant Hood filed a Motion to Quash his Subpoena (Ex. 8)

On January 20, 2020, as explained below, Jeffco/DCSD Attorney Hood, criminally disseminated, with the intent to defraud, a one-way forgery, purported as the mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT to **bribe** the DCSD, Jeffco, and State Boards to deny and thwart the **creation of Plaintiff** Brannberg's schools, employment, property, land, building ownership during 17 applications. (Ex. 14, 15.) Defendant Hood does not want to testify

under oath about his alleged RICO crimes and is attempting to cover up his crimes by quashing his subpoena to testify at the hearing. The coverup by Hood, et al. is worse than the crime.

Attempt to quash subpoenas is admission of guilt by Hood, et al. defendants who are **JOINED**.

F. Defendant Cimino was Bought Out by DCSD to Coverup Attorney Fraud, Breach of Contract, Forgery, Bribery, Bank/Bond Wire Fraud, Racketeering Alleged Crimes

In November 2009 Appellant Judy A. Brannberg and her husband Barry R. Brannberg Co-Founded and wrote the STEM School Highlands Ranch charter which was approved 7-0 by the DCSD Board of Directors. In Fall 2011, they launched and opened the largest first-year charter school in DCSD and Colorado History with 478 students. Barry R. Brannberg was the President/Business Manager of the STEM School and Judy Brannberg was the Executive Director/Grant Writer/Development Director of STEM Academy, the CMO for the organization, who also managed all after-school programming. On March 31, 2013, Barry R. Brannberg and Judy Brannberg signed a mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT (ROA16712-16718), **with mutual promises³ and undertakings described in this Agreement**, (ROA 16713, paragraph 5.b.), which stated that “**any dissemination of any draft would be a violation of this agreement**” (ROA 16715, paragraph 11.) In January 2014 (ROA15089-15198, 18723-18725), November 8, 2017 (ROA16656-16683, 16677-16683 - Forgery), March 27, 2018 (ROA16757-16759) and on January 20, 2020 (ROA16757-16759), DCSD and Jeffco Attorney Thomas McMillen and DCSD and Jeffco Attorney Elliott Hood on January 20, 2023, criminally disseminated, with the intent to defraud, a one-way forgery (with no promises and undertakings), purported as the mutual, two-way Confidential Separation Agreement (ROA16712-16718),

³ ROA9061, fn. 4, “Mutual promises are promises of contracting parties, the promise by one party being the consideration for the promise by the other. A contract involving mutual promises, each party being both promisor and promisee, is a bilateral contract. [*Operations Mgmt. Int'l, Inc. v. Tengasco, Inc.*, 35 F.Supp. 2d 1052 (E.D.Tenn. 1999)].

(with mutual promises (ROA9061) and undertakings⁴ described in this Agreement (ROA 16713, paragraph 5.b.), to bribe the DCSD, Jeffco, and State Boards to deny and thwart the creation of Plaintiff Judy Brannberg's excellent/innovative charter schools, employment, property, land, building ownership during 17 applications in 2014 ASI DCSD, (ROA2297-2656); 2014 ASI Jeffco (ROA2657-3110); 2017 ASI DCSD, (ROA3111-3461); 2018 ASI DCSD, (ROA7520-7607); 2019 JDI DCSD (ROA7608-8867); to bribe the Court Cases listed below,⁵ and to bribe the CCRD Investigations,⁶ and thereby criminally breached the contract.

The dissemination of the forgery by Jeffco/DCSD Attorney Thomas McMillen and Jeffco/DCSD Attorney Elliott Hood on January 20, 2020, (ROA16719-16723, 16677-16683) to bribe 2023CV610, 2024CA133, 2024SC181, SCOTUS 23-1292; 2019CV550 in Denver District Court; 2020CA0641; 21SC885; and SCOTUS 22-1106 are all within the statute of limitations for breach of contract, forgery, and bribery, and why we ask that the STEM School be returned to our governance/leadership immediately. We ask that the aforementioned legal cases are made void and overturned because of attorney Fraud on the Court. Further, there is no statute of limitations for Fraud upon the Court claim and a court may consider such a claim even if no adversarial parties are before the court. See *In re Roussos*, 541 B.R. at 729. Pursuant to C.R.C.P 251. 32: There is No Rule of Limitations for Attorney Theft or Fraud.

"There is no rule of limitations for filing a complaint alleging theft of client funds or fraud." In this case, there was both theft of client funds and fraud."

Breach of Contract is considered a criminal felony offense when it involves fraud, as in this case. Bribery in Colorado is charged as a class 3 Felony. The minimum penalty for a class 3

⁴ 5.a. and 5.b. are missing from the forgery. The forgery only has 5. ROA 16678.

⁵ 15CV30586 in DC District Court; (3 X's), 2019CV550 in Denver DC; 20CA0641; 21SC885 CSD; SCOTUS Petition for CERT 22-1106; 23CV610, 24CA133, 23SC181, 23-1292, 24A61.

⁶Brannberg v. DCSD, FE2018320786 in 2017-2018; Brannberg v. DCSD 00020237 in 2023.

felony conviction for bribery is 4 years in prison and a fine of \$3,000. Forgery is a class 5 felony to falsify legal documents. Under C.R.S. 18-5-102, forgery carries 1-3 years in Colorado State Prison, and/or a fine of \$1,000 to \$100,000. Pursuant to Rules of Prof. Conduct (“RPC”) 3.3:

“(a) A lawyer shall not knowingly:(4) offer evidence that the lawyer knows to be false. If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall take reasonable **remedial measures**.”

G. Plaintiff never fired Attorney Cimino and he never withdrew. He abandoned his client.

In January 2020, Attorney Cimino refused to file the amended complaint, with new CORA released evidence of DCSD, et al. crimes, **ABANDONED** Plaintiff Brannberg, **BLOCKED** her email and phone, **sabotaged** Plaintiff’s legal case to coverup the DCSD, et al. RICO enterprise crime ring et al.’s crimes of forgery, bribery, conspiracy, breach of contract, RICO crime ring, third-party employment discrimination, and to thwart Plaintiff’s 17 charter schools, which is cause for criminal jail time and disbarment, because he was **bought out by DCSD**. See below.

Attorney Cimino **ABANDONED** Plaintiff Brannberg without her permission on or about February 10, 2020, before her case 2019CV550 was dismissed on February 26, 2020. Attorney Cimino refused to file the Amended Complaint with overwhelmingly incriminating new CORA-obtained email evidence released on January 17, 2020. (ROA16719-16723, 16677-16683 and 9212-11829). It took Plaintiff thousands of dollars and over 2 years to force DCSD to release the CORA, proving that DCSD forged and disseminated the original CONFIDENTIAL SEPARATION AGREEMENT, which DCSD was prohibited from having possession, much less a forged AGREEMENT, because the Original Agreement stated that, “any dissemination of any draft is a violation of the agreement.” (See below.) The DCSD CORA release on January 17, 2020, provided overwhelming evidence of DCSD, State Board, CCRD, STEM, et al. alleged crimes of forgery, bribery, conspiracy, bank/bond wire fraud, breach of contract, racketeering, et

al. in 2019CV550, which caused the unsafe safe schools and further shooting on 5/7/2019.

Starting in March 2020, the Applicant provided substantial evidence^{7, 8} to Governmental Regulatory Agencies, 1.) Colorado Supreme Court Office of Attorney Regulation Counsel (“OARC”); 2.) Douglas County Sheriff’s Office; and 3.) 18th Judicial District Attorney John Kellner, and 4.) Colorado Civil Rights Division (“CCRD”), proving her former Attorneys D.K. Williams⁹ and John A. Cimino were bought out by DCSD Development and Innovation Officer/Sterling Ranch Education Consultant Pat McGraw and later her former Attorney Steven A. Klenda (ROA20261-20327) was bought out by DCSD Attorney Will Trachman to sabotage her legal cases from 2015 to the present, all who failed to investigate,¹⁰ to thwart creation of Plaintiff’s 17 schools. The OARC, Sheriff, DA, CCRD, covered up the massive web of crimes.

Because the State Board of Education decisions are final and not subject to Judicial Review, C.R.S. § 22-30.5-108(3)(d), (see SCOTUS Petitions for Writ of Certiorari, Cases No. 22-1106 and 23-1292), Applicant Judy Brannberg’s warnings and complaints were gagged, silenced, and suppressed and her charter school appeals were illegally and unlawfully denied, to coverup DCSD, Jeffco, et al.’s Unconstitutional criminal monopoly, third-party employment discrimination, and their Federal RICO crimes, which currently jeopardize the safety of all school pupils. Under current laws, Defendants DCSD, et al. and their 25 attorneys are allowed to execute whatsoever crimes or third-party employment discrimination that they want, whenever they want, without consequence, recourse, or punishment which is an illegal criminal racket.

⁷ ROA20261-20433 Colorado Supreme Court Attorneys’ FUND FOR CLIENT PROTECTION

⁸ ROA 37100-43991

⁹ Attorney D.K. Williams committed suicide on October 23, 2021, after Mrs. Brannberg filed investigations with the OARC, Sheriff, District Attorney, CCRD, all who covered up Attorney Williams’ et al.’s Attorney crimes. <https://www.horancares.com/obituaries/daviddk-williamsjr>

¹⁰ *Ridley v. Costco Wholesale Corp.*, 217 F. App’x130, 135 (3d Cir. 2007) fn. 111: “failure to investigate complaints about these actions is unlawful retaliation.”

H. On February 26, 2020, 2019CV550 was dismissed. Attorney Cimino did not notify Plaintiff in a timely manner that 2019CV550, was dismissed despite payment of \$66,000+

On March 3, 2020, Attorney Cimino notified Plaintiff Brannberg, in an untimely and unprofessional manner, by a letter via USPS, 7 days after dismissal. Attorney Cimino should have made a phone call notifying her immediately within one or two days after dismissal.

In March 2020, Plaintiff Judy Brannberg notified the OARC of this and they refused to press charges against Cimino for 2019CV550 because they too are in cahoots with DCSD, et al. together with the other 14 Defendants and covered up the largest public education RICO crime ring enterprise ever, with attorney misconduct and crimes executed by 25+ of their bar-certified attorneys. Attorney Cimino never withdrew from the case and Plaintiff never officially fired Cimino so technically he is still employed by Plaintiff Brannberg. Plaintiff never exchanged negative words or emails with Cimino, never fired him, and has only been pleasant, kind, and generous to the dishonest, fraudulent, and deceitful attorney who blatantly abandoned her and was bought out by DCSD/Sterling Ranch Pat McGraw to coverup the RICO crime enterprise.

I. Disbarment and criminal arrest are the appropriate sanctions for abandonment and execution of the alleged Federal crimes listed herein by all Defendant Attorneys.

Disbarment is the appropriate remedy where an attorney 1.) neglected a legal matter, 2.) misappropriated funds and property, 3.) abandoned client, 4.) engaged in fraud, 5.) evaded process. *See People v. Wyman*, 782 P.2d 339 (Colo. 1989). *People v. Sanders*, 713 P.2d 837 (Colo. 1985). *People v. Lovett*, 753 P.2d 205 (Colo. 1988). *People v. Greene*, 773 P.2d 528 (Colo. 1989). *People v. Martin*, 223 P.3d 728 (Colo. O.P.D.J. 2009). *People v. Lyons*, 762 P.2d 143 (Colo. 1988). *People v. Steinman*, 930 P.2d 596 (Colo. 1997). *Sobol v. District Court*, 619 P.2d 765 (Colo. 1980); *Anderson, Calder & Lembke v. District Court*, 629 P.2d 603 (Colo. 1981). *See People v. Felker*, 770 P.2d 402 (Colo. 1989). *People v. Hindman*, 958 P.2d 463 (Colo.

1998). Plaintiff would have handily and easily won 2019CV550 in 2019/2020 in Denver District Court and 15CV30586 in Douglas County District Court in 2015-2016, if Attorney Cimino had Amended both Complaints, and exposed DCSD, State Board, STEM, et al. crimes of forgery, bribery, conspiracy, breach of contract, et al. Cimino refused to Amend the Complaints which Plaintiff wrote for him. Attorney Cimino was bought out by DCSD to coverup their alleged crimes, thwart creation of her 17 charter schools, sabotage her legal cases, to physically and emotionally harm Plaintiff, wear her down so she would quit the fight for charter approval.

In March 2020, after 2019CV550 was dismissed, in order to win the case, Plaintiff was forced to retain an expensive appeals attorney, Steven A. Klenda, to file an appeal to the Colorado Court of Appeals 2020CA641, which took nearly two years to complete because of Covid. Applicant paid Attorney Klenda \$29,676.41, which Cimino/OARC should be held responsible for, because he was bought out by DCSD in 2019-2020 and 2015-2016. Both times we could have easily won the case if he had done his job, not abandoned Plaintiff, not missed filings, and not rigged/sabotaged the legal cases. Both in 2015/2016 and in 2019/2020, Attorney Cimino was bought out by DCSD Innovation/Development Director/Sterling Ranch Consultant Pat McGraw to harm his client Plaintiff Brannberg, in order to coverup and not expose alleged DCSD RICO crimes, sabotage her legal cases, and thwart the creation of her 17 charter schools.

In October 2021, because of Covid, after nearly two years, Attorney Klenda finally won the jurisdictional issue at the Court of Appeals, but he too refused to argue and expose at the Colorado Supreme Court, Case No. 2021SC885, DCSD, State Board of Education, et al.'s RICO crimes of forgery, bribery, conspiracy, breach of contract, negligent homicide which were the heart of the issue and why DCSD/Jeffco denied 17 excellent charters, because Attorney Klenda was bought out by DCSD Attorney Will Trachman. Attorney Klenda's "buddy" and

DCSD Attorney Trachman told Klenda that “it would reflect poorly on DCSD and Trachman” if we exposed DCSD crimes of forgery, bribery, et al.^{11, 12} Attorney Klenda threatened to quit if Plaintiff exposed DCSD et al.’s massive and expanding web of alleged racketeering crimes. Plaintiff would not compromise. **So, Klenda quit.** Hence, there was no further option, except for Plaintiff Brannberg to argue the case herself, Pro Se, in order to expose and uncover DCSD, CCRD, et al.’s Unconstitutional habitual pattern/practice of employment discrimination, Federal RICO crimes, which created a unsafe, dangerous, and lawless monopoly executed by 14 Defendants and their 25+ attorneys to thwart the creation of Plaintiff’s 17 charter schools, which resulted in the unfathomable tragic May 7, 2019 STEM School shooting of 8 and murder of one.

J. Plaintiff paid over \$66,000 in Attorney Fees to Attorney Cimino in 2015-2016, 2019-20

Since 2015, Plaintiff has spent over \$200,000.00 on attorney fees, including over \$66,000 paid to Attorney John A. Cimino, (*see* ROA20391-20433), only to discover that her former attorneys were criminally bought out by DCSD Development/Innovation Officer Pat McGraw to sabotage her legal cases and to thwart and deny Plaintiff’s 17 charters.

K. Sterling Ranch and DCSD Conspired to Deny Plaintiff’s School – Anti-Trust Violations

Pat McGraw currently works as an Education Consultant for Sterling Ranch. In 2018, the DCSD Board, Supt. Erin Kane, and Attorney Thom McMillen solicited a secret/non-transparent “nasty gram” cease and desist letter from Sterling Ranch Consultant McGraw and Sterling Ranch owners, which is an antitrust violation to stop Plaintiff from locating her public school in Sterling Ranch. (ROA7559-7560) This is more evidence of the illegal, criminal, racketeering monopoly.

L. Plaintiff is Pro Se because she cannot retain a lawyer to Oppose the OARC

Plaintiff can no longer retain any lawyer because the OARC is a 2023CV610 Defendant.

¹¹ ROA20261-20433 Colorado Supreme Court Attorneys’ FUND FOR CLIENT PROTECTION

¹² ROA 37100-43991

No attorney wants to oppose the Colorado Supreme Court OARC for fear of retaliation of their law license. This is a Constitutional issue now because Plaintiff has been denied her 6th Amendment Right to an Attorney amid **threats** of Contempt of Court in multiple Courts.

M. The fraudulent attorney misconduct created a severe financial hardship for Plaintiff

On March 1, 2023 and June 10, 2023, Plaintiff invoiced the Colorado School Districts Self Insurance Pool, (“CSDSIP”), which is the DCSD, Jeffco, State Board of Education, and CDE, insurance provider for \$1.6 billion and demanded DCSD/Jeffco to donate the land and finance to build the following twelve schools,¹³ which can now be enforced through Court Order.

N. Racketeer Influenced Corrupt Organizations (RICO) Under F.B.I. Investigation (Ex. 6)

The aforementioned Governmental Regulatory Agencies, OARC, Sheriff, DA, CCRD took extreme measures to dishonestly and criminally cover-up **Attorney Cimino’s organized crime ring** centered around ‘Kingpin’ DCSD Innovation and Development Director/Sterling Ranch Consultant/Former Union Rep Pat McGraw with **JOINT** conspiracy/cooperation with DCSD, Jeffco, CDE, State Board of Ed, CCRD, Colorado Supreme Court OARC, Douglas County Sheriff, STEM School et al., CECFA, Sterling Ranch, UMB, plus the additional 25+ Attorneys. This is the largest education anti-trust, RICO crime ring enterprise in U.S. History.

O. Attorney John A. Cimino stole \$6000 from Plaintiff from two car accident settlements which he dishonestly lied about, which the OARC disciplined Attorney Cimino in 2021.¹⁴

P. If Attorney Cimino was innocent he would have used his attorney legal acumen to argue his own innocence. Attorney Cimino abandoned Plaintiff to cover up crimes.

Therefore, Cimino’s only recourse was to evade service, hide, threaten, and harass his kind-hearted, generous client who he ruthlessly abused/took advantage of from 2015 to present.

¹³ See Invoice to CSDSIP for \$1,615,597,044.00 (RO15000-15005), 6.10.23 CSDSIP Invoice (ROA20595-20603) and Certificate of Service of Invoice to CSDSIP (ROA20604-20616)

¹⁴ See People v. John A. Cimino. 21PDJ027, May 13, 2021, public per C.R.C.P. 251.31.

1. *When a plaintiff or any other claimant has properly served a defendant who fails to respond to the complaint, that claimant may seek entry of default, (which Plaintiff/Applicant filed on August 19, 2024), followed by a default judgment. C.R.C.P. 55(d). (See Exhibit 10.)*

A. On December 22, 2023, the Court issued Orders

The Court ordered that the “Clerk of Court shall serve John A. Cimino by certified mail the Complaint for Judicial Review filed with the Court on October 27, 2023.” (See Exhibit 9.)

2. *Defendant Attorney John A. Cimino failed to plead or otherwise respond to the Complaint as required by C.R.C.P. Rule 12., including 12(a) When Presented.*

On August 19, 2024, Plaintiff Judy A. Brannberg filed “PLAINTIFF’S UNOPPOSED MOTION FOR DEFAULT FOR NON-APPEARANCE BY DEFENDANT JOHN A. CIMINO, ESQ.” in Denver District Court 2023CV610. (See Exhibit 10.)

B. On December 26, 2024, the Court issued a New Order which stated:

"Should Defendant Cimino be served pursuant to the Colorado Rules of Civil Procedure, Plaintiff Judy Brannberg is granted leave to file a new motion seeking default judgment and the Court will then consider the appropriateness of any new motion." (See Exhibit 1.)

On December 28, 2024 at 9:24 pm, Defendant Cimino was served by a Process Server.

3. *On December 30, 2024, Affidavit of Service was filed in 23CV610. (See Exhibit 2.)*

4. *Venue in this Court is proper. Pursuant to C.R.C.P 98 – see attached Exhibit B,*

AFFIDAVIT OF PRO SE LITIGANT JUDY A. BRANNBERG, paragraph three. Defendants are not minors, incapacitated, or an officer or agency of the State of Colorado.

5. *The scope of a default judgment is defined by the relief requested in the Complaint, C.R.C.P. 54(c) with the Notices of Claims filed with the Court on October 27, 2024.*¹⁵

¹⁵ On October 27, 2023, the following NOC’s were filed and served with Complaint 23CV610 and sent Certified Mail to all Defendants with the Summons and to **Cimino on 12/30/2024**:
Appendix R - 10.25.19 DCSD - State Board Amended NOC, ROA9058-9076
Appendix S - 10.25.19 STEM - AMENDED NOC, ROA9077-9091
Appendix T - 10.25.19 JEFFCO - AMENDED NOC, ROA9092-9106
Appendix U - 11.12.19 - CCRD CCRC NOC, ROA9107-9121
Appendix V - November 15, 2016 Amended Notice of Claim, ROA9122-9136
6.20.23 NOC (Filed to the SCOTUS on 7/27/2023, 8/21/24), ROA22857-22926
07.10.23 NOC Part II Amendment, (Filed SCOTUS 7/27/2023, 8/21/24) ROA27395-27427

Consistent with the claims made and relief requested in the Complaint, Plaintiff is entitled to judgment and damages in the amount listed below. See total attached in Exhibit C Affidavit of Judy A. Brannberg; Plaintiff's Motion For Default Judgment For 23CV610 [Proposed]; and all Notices of Claim (Ex. 13), calculating damages based on relief requested in the Complaint.

Total Finance to Build 12 Schools from DCSD MCP	\$1,611,450,071.00
Total CSC Attorneys' Fund for Client Protection Reimbursement	\$137,516.41
Employment Losses for Judy Brannberg	\$3,846,973.00
Personal Compensatory Damages for Judy Brannberg	\$10,000,000.00
Additional Damages/Remedial Measures to Build Additional Schools (From 25+ Attorneys and OARC)	\$1,000,000,000.00
John and Maria Castillo	\$10,000,000.00
Grand Total	\$2,635,434,560.41

*WHEREFORE, Plaintiff Judy A. Brannberg requests that the Court enter default judgment for 2023CV610 against Defendant John A. Cimino, and all 2023CV610 Defendants who in conspiracy are **JOINED** together explained herein, and award damages to Plaintiff in the amount of **\$2,635,434,560.41** and grant Plaintiff such further relief as the Court deems just and reasonable. Plaintiff has attached a proposed form of judgment. (See Exhibit C; Plaintiff's Motion For Default Judgment For 23CV610 [Proposed]; and the Notices of Claim (Ex. 13).*

RESPECTFULLY SUBMITTED this 21st day of January 2025

Judy A. Brannberg

Judy A. Brannberg, MSc, Pro Se Litigant
8201 S. Santa Fe Drive #52 | Littleton, CO 80120
303.522.2158 | Judy.brannberg@gmail.com

Additional Notices of Claim were filed during 2023CV610 including the following:

2023.11.28 - Douglas County Sheriff's Office NOC, ROA49382-49416
2023.11.28 - State Board, CDE, DCSD, Jeffco NOC, ROA49417-49457
2023.12.05 - OARC NOC, ROA49458-49930
2023.12.12 - DCSD, State Board, CDE, Sterling Ranch NOC, ROA49931-50486
2023.12.19 - DCSD and STEM NOC, ROA50487-50569
2024.01.02 - UMB, CECFA, DCSD, STEM, CDE, State Bd, CCRD, Jeffco, ROA50570-50750

CERTIFICATE OF SERVICE

Pursuant to the Colorado State Board of Education's November 10, 2021 Revised State Board of Education Administrative Procedures for Charter School Appeals on January 21st, 2025, this document has been filed with the Colorado State Board of Education at the following email address: state.board.efilings@cde.state.co.us, with a carbon copy to soc@cde.state.co.us. In addition, electronic copies were emailed to the following email addresses:

THE HONORABLE COLORADO ATTORNEY GENERAL PHILIP J. WEISER
Colorado Solicitor General SHANNON WELLS STEVENSON (Attorney for State Board of Education for U.S. Supreme Court Petition for CERT Case No. 22-1106)
1300 Broadway Street, 10th Floor, Denver, CO 80203
720-508-6179 | shannon.stevenson@coag.gov

Defendant Number One: Jefferson County Public Schools ("Jeffco")

1829 Denver West Dr., Bldg. 27, Golden, CO 80401

MOLLY FERRER, #37857, Counsel for Jeffco

303-982-6544 | Molly.Ferrer@jeffco.k12.co.us

Defendant Jeffco Attorneys

MOLLY H. FERRER (Jeffco) #37857, R. CRAIG HESS (Jeffco) #26398

THOMAS H. MCMILLEN (Jeffco and DCSD) #14218, JULIE C. TOLLESON (Jeffco and State Board of Education) #24885, 1829 Denver West Dr., Bldg. 27, Golden, CO 80401

Defendant Number Two: Colorado State Board of Education

Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela

Defendant Number Three: Colorado Department of Education ("CDE")

CDE Commissioner Susana Cordova

201 East Colfax Avenue, Denver, CO 80203

MICHELLE M. BERGE, First Assistant Attorney General K-12

BLAKE MCCrackEN, Assistant Attorney General K-12

Education Unit, #39299, 1300 Broadway St.

Denver, CO 80203

720-508.6186 | michelle.berge@coag.gov

720-508-6172 | blake.mccracken@coag.gov

Defendant State Board of Education Attorneys

JULIE C. TOLLESON (State Board of Education and Jeffco) #24885,

JENNA M. ZERYLNICK (State Board) #42553

201 East Colfax Avenue, Denver, CO 80203

Defendant Number Four: Douglas County School District ("DCSD")

620 Wilcox Street, Castle Rock, CO 80104

DCSD Attorney ANDREW D. RINGEL

303-628-3453 | ringela@hallevans.com

Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300, Denver, CO 80202

Defendant DCSD Attorneys

STEVE J. COLELLA, (DCSD) #45503, KRISTIN C. EDGAR (DCSD and Jeffco) #35686
ELLIOTT V. HOOD (DCSD and Jeffco) #45060, MARY KAY KLIMESH (DCSD) #48266
THOMAS H. MCMILLEN (DCSD and Jeffco) #14218, ROBERT P. MONTGOMERY (DCSD)
#49502, ROBERT S. ROSS JR. (DCSD) #42249, WILLIAM E. TRACHMAN (DCSD) # 45684
620 Wilcox Street, Castle Rock, CO 80104

Defendant Number Five: STEM School Highlands Ranch,

Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy,
Koson Network of Schools / Koson Schools

8773 S Ridgeline Blvd., Highlands Ranch, CO 80129

Attorney DAVID M. JONES, #35677

Attorney JOHN F. PETERS, #44563

303-628-3312 | jonesd@hallevans.com

Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300, Denver, CO 80202

Defendant STEM School Highlands Ranch Attorneys

BARRY K. ARRINGTON, STEM Attorney, #16486

WILLIAM P. BETHKE, STEM Attorney, #11802

MICHAEL A. ZYWICKI, STEM Attorney, #35543

8773 S Ridgeline Blvd, Highlands Ranch, CO 80129

Defendant Number Six: Colorado Civil Rights Division

VINCENT MORSCHER #34816

Senior Assistant Attorney General Employment Practices and Civil Rights

1300 Broadway St. 500, Denver, CO 80203

720-508-6588 | Vincent.Morscher@coag.gov

Defendant CCRD/CCRC Attorneys

AUBREY L. ELENIS (CCRD/CCRC) #42341, 1560 Broadway Suite 825, Denver, CO 80202

Defendant Number Seven: Colorado Educational and Cultural Facility Authority (“CECFA”)

1800 Glenarm Place, Suite 1201, Denver, CO 80202

Joseph J. Bronesky, #7973 TAFT STETTINIUS & HOLLISTER LLP

675 Fifteenth Street, Suite 2300 Denver, CO 80202

(303) 297-2900 | jbronesky@taftlaw.com

Defendant CECFA Attorneys

CALVIN C. HANSON, (CECFA) | #13267, HESTER M. PARROT (CECFA) #35816

KENT C. VEIO (CECFA) #21030

1800 Glenarm Place, Suite 1201, Denver, CO 80202

Defendant Number Eight: Sterling Ranch Development Corp.

8155 Piney River Avenue, Suite 200, Littleton, CO 80125

JONATHAN G. PRAY, #36576

BROWNSTEIN HYATT FARBER SCHRECK, LLP

675 Fifteenth Street, Suite 2900, Denver, Colorado 80202 | 303.223.1100 | jpray@bhfs.com

Defendant Sterling Ranch Development Company Attorneys

JACOB E. SPRATT, Attorney, #42544, BRUCE A. JAMES, Attorney, #15348

8155 Piney River Avenue, Suite 200, Littleton, CO 80125

Defendant Number Nine: UMB Financial Corporation – UMB Bank
JACOB HOLLARS, #50352, KERSTEN HOLZHUETER #18841
Spencer Fane LLP | 1700 Lincoln Street, Suite 2000, Denver, CO 80203
303.839.3707 | JHollars@spencerfane.com

Defendants

JOHN WAHL, Vice President and Regional Manager
TAMARA DIXON, VP of UMB Bank, Dissemination Agent
1670 Broadway, Denver, CO 80202 | 303-764-3603 | john.wahl@umb.com

Defendant Number Ten: Colorado Supreme Court Office of
Attorney Regulation Counsel (“OARC”)
1300 Broadway St. 500, Denver, CO 80203 | 303.457.5800
LEEANN MORRILL, First Assistant Attorney General & General
Counsel to the Attorney General Public Officials Unit
(720) 508-6159 | leeann.morrill@coag.gov

Defendant Colorado Supreme Court OARC Attorneys

JESSICA E. YATES (OARC) #38003 | JUSTIN P. MOORE (OARC) #32173

Defendant Number Eleven: Douglas County Sheriff’s Office
Douglas County Sheriff Darren Weekly, Economic Crime Unit
4000 Justice Way, Castle Rock, CO 80109
Attorneys for Douglas County Sheriff’s Office
KELLY DUNNAWAY, #31896 | kdunnawa@douglas.co.us | 303.660.7414
ANDREW C. STEERS, #40139 | asteers@douglas.co.us | 303.660.7414
100 Third Street, Castle Rock, 80104

Defendant Number Twelve: JOHN A. CIMINO #14032
5500 East Yale Ave, Suite 201A, Denver, CO 80220
720.434.0434 (cell) | jc925ave@yahoo.com

Defendant Number Fourteen: Colorado Supreme Court Justices
Chief Justice Brian D. Boatright, Justice Maria E. Berkenkotter, Justice Richard L. Gabriel,
Justice Melissa Hart, Justice William W. Hood, III, Justice Monica M. Márquez, Justice Carlos
A. Samour, Jr., 1300-1376 Lincoln St, Denver, CO 80203

Defendant Number Fifteen: Colorado Attorney General’s Office
Colorado Attorney General Honorable ATTORNEY PHILIP WEISER
Colorado Solicitor General SHANNON WELLS STEVENSON (Attorney for
720.508.6179 | shannon.stevenson@coag.gov
Colorado Department of Law Ralph L. Carr Judicial Building
1300 Broadway Street, 10th Floor, Denver, CO 80203
MICHELLE M. BERGE, #39299, First Asst Attorney General K-12
BLAKE MCCrackEN, Asst Attorney General K-12 Education Unit
1300 Broadway St., Denver, CO 80203
720-508.6186 | michelle.berge@coag.gov | 720-508-6172 | blake.mccracken@coag.gov

RESPECTFULLY SUBMITTED this 21st day of January, 2025

Judy A. Brannberg

Judy A. Brannberg, MSc, Pro Se Representative
8201 S. Santa Fe Drive #52 | Littleton, CO
80120303.522.2158 | Judy.brannberg@gmail.com

Exhibit 3: February 19, 2025 - Order Denying Motion for Default Judgment. The trial court improperly denied Petitioner's Motion for Default Judgment, despite Defendants' failure to timely respond. Demonstrates obstruction of due process

DISTRICT COURT, DENVER COUNTY, COLORADO 1437 Bannock Street, Rm 256, Courtroom 275, Denver, CO, 80202		DENIED BY COURT 02/19/2025
Plaintiffs: Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation ("ASI") and John Dewey Institute ("JDI") at Red Rocks Ranch ("RRR") and Leyden Rock ("LR") and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch		DATE FILED: February 19, 2025 5:21 PM CASE NUMBER: 2023CV610 KANDACE CECILIA GERDES District Court Judge
Attorney for Plaintiffs: JUDY A. BRANNBERG, Pro Se 8201 South Santa Fe Dr. #52, Littleton, CO 80120 303.522.2158 judy.brannberg@gmail.com		COURT USE ONLY
Jefferson County Public Schools ("Jeffco"), Board, and Attorneys Colorado State Board of Education, Board, and Attorneys Colorado Department of Education ("CDE"), and Attorneys CDE Commissioner Susana Cordova Douglas County School District ("DCSD"), Board, and Attorneys STEM School Highlands Ranch, Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy, Koson Network of Schools, Koson Schools Board, and Attorneys Colorado Civil Rights Division ("CCRD"), Colorado Civil Rights Commissioners ("CCRC"), and Attorneys Colorado Educational and Cultural Facility Authority ("CECFA") Board and Attorneys Sterling Ranch Development Corp. Owners and Attorneys UMB Financial Corporation - UMB Bank and Staff Tamara Dixon and John Wahl Colorado Supreme Court Office of Attorney Regulation Counsel ("OARC"), Jessica Yates, OARC Counsel and Attorneys Douglas County Sheriff's Office JOHN A. CIMINO, Esq. Colorado Supreme Court Colorado Attorney General's Office		Denver District Court Case No: 2023CV610 Division 275 U.S. Supreme Ct Case No. 23-1292 Linked to 24A61, 23A1007 Colorado Supreme Court Case No: 24SC181 Colorado Court Of Appeals Case No. 2024CA133 Colorado Civil Rights Division Case No. E-20237 Colorado State Board of Education 23-CS1AB DCSD 23-CS2AB Jeffco
PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT FOR 23CV610		

C.R.C.P. 121 § 1-15 ¶ 8: Certification: Plaintiff conferred in good faith with all Defendants' counsel who oppose this Motion. Plaintiff attempted to confer with OARC's counsel before filing the motion, but was unable to ascertain OARC's position, because of deadlines.

On December 26, 2024, the Court issued an Order which stated:

"Should Defendant Cimino be served pursuant to the Colorado Rules of Civil Procedure, Plaintiff Judy Brannberg is granted leave to file a new motion seeking default judgment and the Court will then consider the appropriateness of any new motion." See Exhibit 1.

On December 28, 2024 at 9:24 pm, Defendant Cimino was served by a Process Server.

On December 30, 2024, the Affidavit of Service was filed with the Court. See Exhibit 2.

Plaintiff Judy A. Brannberg, requests that the Court enter default judgment against ALL 2023CV610 Defendants because of their JOINT conspiracy, and in support states:

1. By way of introduction, please read the following summary of the reasons supporting the request for joint default judgment with all 2023CV610 Defendants:

A. All 2023CV Defendants are in a JOINT civil and criminal conspiracy to thwart¹, deny, and stop Plaintiff's 17 innovative charter schools from 2014-present, as evidenced below.

On November 25, 2024, ALL 2023CVC610 Defendants (with the exception of UMB and Attorney John Cimino), filed a JOINT Response To Plaintiff's Motion For Relief From Judgment, (Ex. 3), by an attorney who previously had not been involved in the litigation of 2023CV610, Attorney Elliott Hood. Jeffco, whose case was dismissed on July 10, 2024, willfully and wantonly reopened their litigation case together with ALL 2023CV610 Defendants, when they hired Attorney Elliott Hood to file, write, and reopen litigation JOINTLY on behalf of ALL

¹"It is Commission's ("EEOC") view that a sufficient nexus will exist where the third party (DCSD, State Board, Jeffco, et al.) have the ability to thwart the creation or continuance of a direct employment relationship or where it has the ability to affect terms, conditions, or privileges of employment." EEOC, Policy Statement on control by third parties over the employment relationship between an individual and his/her direct employer (May 5, 1987), <https://www.eeoc.gov/laws/guidance/policy-statement-control-third-parties-over-employment-relationship-between> Employment, property, land, building ownership are Constitutional rights, (US Constitution, Amendment 14 Citizenship Rights. Ratified 7/9/1868), and are terms, conditions or privileges of employment at a charter school."

23CV610 parties, including those Defendants whose cases were dismissed on July 10, 2024.

Their goal was to finish off Plaintiff Brannberg and stop her from exposing their RICO crimes.

When the **JOINT Motion** was filed by Attorney Hood on November 25, 2024, on behalf of Defendants CCRD, CDE, CECFA, State Board of Ed, Colorado Supreme Court Office Of Attorney Regulation ("OARC"), DCSD, Douglas County Sheriff's Office, Jeffco Public Schools, STEM, et al, and Sterling Ranch Development Corp. finally, now this Court secured the concrete evidence and definitive proof unveiled in plain sight, in living color, in a front row seat before the Court, that this case is **NOT** about 14 separate defendants and their 25+ attorneys defending Plaintiffs' 16 serious Federal Criminal and Civil Claims listed on page 6 herein.

When Defendant and Attorney Elliott Hood reopened 23CV610 and filed his **JOINT** Response on behalf of all Defendants, this Court finally captured the evidence necessary to prove that this case is about a **JOINT** civil and criminal conspiracy with Federal 18 U.S.C. §§ 1961-68 Racketeer Influenced and Corrupt Organizations (RICO) Organized White Collar Fraud Crimes incriminating **ALL** Defendants in the crime ring/enterprise because all Defendants adopted the alleged crime claims in their **JOINT** Response, reopened on behalf of **ALL** Defendants by Attorney Hood on November 25, 2024, with exception of UMB and Cimino. When Defendants reopened, signed, and filed a **JOINT** Response by Attorney Hood, they **JOINED** together and adopted whatsoever crimes one party committed and **JOINTLY** adopted each defendants' crimes **and** Attorney Cimino's Event of Default and Event of Default Judgment explained below.

B. On December 4, 2024, Attorney Cimino filed a **JOINDER which **joined** ALL 2023CV601 Defendants in the Conspiracy to coverup alleged serious RICO Federal crimes**

On December 4, 2024, Defendant Sterling Ranch Attorney Jonathan Pray welcomed Defendant Attorney Cimino to be a part of the **JOINT** Response when Attorney Cimino wrote his **JOINDER** In Response In Opposition To Plaintiffs' C.R.C.P. Rule 60 Motion. (Exhibit 4.)

CONVERSELY now all 2023CV610 Defendants adopted Attorney Cimino's Event of Default. Now all 2023CV610 Defendants have adopted and are **JOINED** to Attorney Cimino's Event of Default and **Event of Default Judgment** for \$2,635,434,560.41, explained herein.

C. STEM conspired with UMB Bank, construed as a bribe, to cover up RICO crimes.

On "07/18/24 (after the 7/10/24 Judgment) STEM Attorney (Jack Peters) conferred by phone with UMB Attorney (Jacob Hollars) co-defendant, regarding request from UMB for STEM entities to pay UMB's attorney fees, (with insurance funds from Philadelphia Insurance Company, located in Philadelphia, Pennsylvania), which attorney (Jack Peters) said he would discuss with his clients." See Exhibit 5 - 2024-09-04 - STEM's Redacted Invoice, p. 13. The aforementioned is construed as a criminal RICO bribe by UMB from STEM, and is a Federal Racketeering crime involving interstate commerce, illegal fraud misconduct conducted by STEM, UMB, DCSD, CECFA, CCRD, CDE, State Board, Jeffco, DC Sherriff, OARC, and their 25+ Attorneys, et al. Defendants who criminally conspired and colluded to reopen 2023CV610 with a **JOINT** Response on November 25, 2024 by Attorney Hood on behalf of **all** Defendants.

An F.B.I. investigation is underway (Ex. 6) showing that defendants DCSD, STEM, CECFA,² UMB, CCRD, Sheriff, OARC, Sterling Ranch, State Board, CDE, Cimino et al. and their attorneys derived income from racketeering and used some of that income to establish or operate an enterprise that affects interstate commerce, including the movement of goods, money, or services from one state to another. (Ex. 5.) **All Defendants** whose case was previously closed

² CECFA operates in 26 states, <https://www.cccfa.org/>, and has issued \$7.6 billion in Bonds, which is another example of Federal Racketeering, RICO crimes, with an enterprise that affects interstate commerce, with the movement of goods, money, or services from one state to another, because of the fraudulent \$14.6 million CECFA Bond for STEM School, which UMB financed, and Authorizer DCSD co-signed/signed off on without STEM securing a legal 5-year contract and without meeting 4 of 7 contingencies necessary to secure the low-interest BB+ Bond, which resulted in unsafe STEM School, which caused the May 7, 2019 shooting. ROA12579-12817.

on July 10, 2024, reopened the 2023CV610 case, when they criminally conspired to write and file the JOINT RESPONSE on November 25, 2024, which is evidence that all parties colluded and conspired to cover up the white collar organized crimes exposed herein, (bribery, forgery, breach of contract, bank/wire fraud, negligent homicide (STEM School shooting on 5/7/19), harassment, conspiracy, embezzlement, et al., which is admission of guilt by all Defendants of very serious RICO. (18 U.S.C. §§ 1961-68) organized white-collar criminal activity including racketeering by all 2023CV610 Defendants, who filed, signed, wrote the JOINT Response.

Racketeering is a set of illegal misconduct aimed at commercial profit that is disguised as legitimate business deals. Racketeering is defined by a coordinated effort by multiple people and organizations, i.e. all 2023CV Defendants, to earn a profit, by white-collars crimes of fraud, extortion, bribery, threats, breach of contract, harassment, murder, embezzlement, or other illegal means, all exposed herein, (18 U.S.C. §§ 1961-68), committed by all 2023CV610 Defendants, and their 25+ lawyers, because nearly all conspired and wrote the JOINT Response, which carries a penalty of a minimum of 20 years in prison, and up to life imprisonment for the most serious offenses and fines up to \$250,000.00 or twice the value of the proceeds of the crime.

On 11/21/24, Plaintiffs filed the AMENDED Motion to Disqualify Counsel Elliott Hood, et al. from Representing Jeffco and/or the 2023CV610 Defendants, which they did not heed.

On November 25, 2024 Attorney Hood defiantly wrote the JOINT Response anyway (Ex. 3) on behalf of ALL Defendants, (with the exception of UMB and Cimino). Hence, all Defendants conspired to cover up the following alleged RICO crimes exposed in 23CV610, uncovering publicly, and reopening the largest education anti-trust monopoly case in history:

1. Federal Antitrust Enforcement Enacted in 1890, the Sherman Act:
2. 18 U.S. Code § 2331(5) Domestic Terrorism (May 7, 2019 STEM School Shooting)
3. Federal Whistle Blower Protection Act
4. 18 U.S.C. § 873 Blackmail and extortion laws

5. 42 U.S.C. §§ 2000e et seq. Title VII of the Civil Rights Act 2022
6. 18 U.S. Code § 201 – Bribery of public officials and witnesses 2022
7. 18 U.S.C. § 1349 – Attempt and Conspiracy
8. Harassment – Title VII of the Civil Rights Act of 1964
9. Third-party Employment Contractual and Tortious Interference
10. 18 U.S.C. § 471 Forgery
11. 18 U.S.C. §§ 1503, 1512, 1513 Obstruction Of Justice
12. Libel Per Se/Libel Per Quod
13. 10 U.S. Code § 919b – Art. 119b. Child Endangerment
14. 18 U.S.C. § 371 – Conspiracy to commit offense or to defraud United States
15. 18 U.S.C. §§1961-68 Racketeer Influenced Corrupt Organizations (RICO) Organized Crimes
16. 18 U.S. Code - § 1344 – Bank fraud U.S. Code
17. 18 U.S.C. § 1112 – Negligent Homicide
18. 18 U.S.C. § 3006A – Legal Malpractice
19. 18 U.S.C. § 1512 - Tampering with witnesses, victims, or informants in federal proceedings

This is further proof that all 2023CV610 Defendants have adopted and are **JOINED** to Attorney Cimino's Event of Default and Event of Default Judgment for \$2,635,434,560.41.

D. On January 13, 2025, Defendants DCSD and STEM filed JOINT Motions to Quash Subpoenas and filed Notices of Withdrawal of Motions For Attorney Fees and Costs

Defendants DCSD and STEM are so panicked that their Federal RICO crimes listed above will be exposed at the Public Hearing on March 6, 2025, that they withdrew their lucrative Motions for Attorney Fees/Costs and filed **JOINT** Motions to Quash subpoenas, (Ex. 7) because they do not want Board Directors/Staff testifying under oath of the RICO crimes they committed of forgery, bribery, breach of contract, bank/bond fraud, racketeering, negligent homicide, et al. This is admission of guilt by Defendants STEM/DCSD et al. of the alleged crimes/claims.

E. On January 14, 2025, Defendant Hood filed a Motion to Quash his Subpoena (Ex. 8)

On January 20, 2020, as explained below, Jeffco/DCSD Attorney Hood, criminally disseminated, with the intent to defraud, a one-way forgery, purported as the mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT to **bribe** the DCSD, Jeffco, and State Boards to deny and thwart the **creation of Plaintiff** Brannberg's schools, employment, property, land, building ownership during 17 applications. (Ex. 14, 15.) Defendant Hood does not want to testify

under oath about his alleged RICO crimes and is attempting to cover up his crimes by quashing his subpoena to testify at the hearing. The coverup by Hood, et al. is worse than the crime.

Attempt to quash subpoenas is admission of guilt by Hood, et al. defendants who are **JOINED**.

F. Defendant Cimino was Bought Out by DCSD to Coverup Attorney Fraud, Breach of Contract, Forgery, Bribery, Bank/Bond Wire Fraud, Racketeering Alleged Crimes

In November 2009 Appellant Judy A. Brannberg and her husband Barry R. Brannberg Co-Founded and wrote the STEM School Highlands Ranch charter which was approved 7-0 by the DCSD Board of Directors. In Fall 2011, they launched and opened the largest first-year charter school in DCSD and Colorado History with 478 students. Barry R. Brannberg was the President/Business Manager of the STEM School and Judy Brannberg was the Executive Director/Grant Writer/Development Director of STEM Academy, the CMO for the organization, who also managed all after-school programming. On March 31, 2013, Barry R. Brannberg and Judy Brannberg signed a mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT (ROA16712-16718), **with mutual promises³ and undertakings described in this Agreement**, (ROA 16713, paragraph 5.b.), which stated that **"any dissemination of any draft would be a violation of this agreement"** (ROA 16715, paragraph 11.) In January 2014 (ROA15089-15198, 18723-18725), November 8, 2017 (ROA16656-16683, 16677-16683 - Forgery), March 27, 2018 (ROA16757-16759) and on January 20, 2020 (ROA16757-16759), DCSD and Jeffco Attorney Thomas McMillen and DCSD and Jeffco Attorney Elliott Hood on January 20, 2023, criminally disseminated, with the intent to defraud, a one-way forgery (with no promises and undertakings), purported as the mutual, two-way Confidential Separation Agreement (ROA16712-16718),

³ ROA9061, fn. 4, "Mutual promises are promises of contracting parties, the promise by one party being the consideration for the promise by the other. A contract involving mutual promises, each party being both promisor and promisee, is a bilateral contract. [*Operations Mgmt. Int'l, Inc. v. Tengasco, Inc.*, 35 F.Supp. 2d 1052 (E.D.Tenn. 1999)].

(with mutual promises (ROA9061) and undertakings⁴ described in this Agreement (ROA 16713, paragraph 5.b.), to bribe the DCSD, Jeffco, and State Boards to deny and thwart the creation of Plaintiff Judy Brannberg's excellent/innovative charter schools, employment, property, land, building ownership during 17 applications in 2014 ASI DCSD, (ROA2297-2656); 2014 ASI Jeffco (ROA2657-3110); 2017 ASI DCSD, (ROA3111-3461); 2018 ASI DCSD, (ROA7520-7607); 2019 JDI DCSD (ROA7608-8867); to bribe the Court Cases listed below,⁵ and to bribe the CCRD Investigations,⁶ and thereby criminally breached the contract.

The dissemination of the forgery by Jeffco/DCSD Attorney Thomas McMillen and Jeffco/DCSD Attorney Elliott Hood on January 20, 2020, (ROA16719-16723, 16677-16683) to bribe 2023CV610, 2024CA133, 2024SC181, SCOTUS 23-1292; 2019CV550 in Denver District Court; 2020CA0641; 21SC885; and SCOTUS 22-1106 are all within the statute of limitations for breach of contract, forgery, and bribery, and why we ask that the STEM School be returned to our governance/leadership immediately. We ask that the aforementioned legal cases are made void and overturned because of attorney Fraud on the Court. Further, there is no statute of limitations for Fraud upon the Court claim and a court may consider such a claim even if no adversarial parties are before the court. See *In re Roussos*, 541 B.R. at 729. Pursuant to C.R.C.P 251. 32: There is No Rule of Limitations for Attorney Theft or Fraud.

"There is no rule of limitations for filing a complaint alleging theft of client funds or fraud." In this case, there was both theft of client funds and fraud."

Breach of Contract is considered a criminal felony offense when it involves fraud, as in this case. Bribery in Colorado is charged as a class 3 Felony. The minimum penalty for a class 3

⁴ 5.a. and 5.b. are missing from the forgery. The forgery only has 5. ROA 16678.

⁵ 15CV30586 in DC District Court; (3 X's), 2019CV550 in Denver DC; 20CA0641; 21SC885 CSD; SCOTUS Petition for CERT 22-1106; 23CV610, 24CA133, 23SC181, 23-1292, 24A61.

⁶ Brannberg v. DCSD, FE2018320786 in 2017-2018; Brannberg v. DCSD 00020237 in 2023.

felony conviction for bribery is 4 years in prison and a fine of \$3,000. Forgery is a class 5 felony to falsify legal documents. Under C.R.S. 18-5-102, forgery carries 1-3 years in Colorado State Prison, and/or a fine of \$1,000 to \$100,000. Pursuant to Rules of Prof. Conduct (“RPC”) 3.3:

“(a) A lawyer shall not knowingly:(4) offer evidence that the lawyer knows to be false. If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall take reasonable remedial measures.”

G. Plaintiff never fired Attorney Cimino and he never withdrew. He abandoned his client.

In January 2020, Attorney Cimino refused to file the amended complaint, with new CORA released evidence of DCSD, et al. crimes, ABANDONED Plaintiff Brannberg, BLOCKED her email and phone, sabotaged Plaintiff’s legal case to coverup the DCSD, et al. RICO enterprise crime ring et al.’s crimes of forgery, bribery, conspiracy, breach of contract, RICO crime ring, third-party employment discrimination, and to thwart Plaintiff’s 17 charter schools, which is cause for criminal jail time and disbarment, because he was bought out by DCSD. See below.

Attorney Cimino ABANDONED Plaintiff Brannberg without her permission on or about February 10, 2020, before her case 2019CV550 was dismissed on February 26, 2020. Attorney Cimino refused to file the Amended Complaint with overwhelmingly incriminating new CORA-obtained email evidence released on January 17, 2020. (ROA16719-16723, 16677-16683 and 9212-11829). It took Plaintiff thousands of dollars and over 2 years to force DCSD to release the CORA, proving that DCSD forged and disseminated the original CONFIDENTIAL SEPARATION AGREEMENT, which DCSD was prohibited from having possession, much less a forged AGREEMENT, because the Original Agreement stated that, “any dissemination of any draft is a violation of the agreement.” (See below.) The DCSD CORA release on January 17, 2020, provided overwhelming evidence of DCSD, State Board, CCRD, STEM, et al. alleged crimes of forgery, bribery, conspiracy, bank/bond wire fraud, breach of contract, racketeering, et

al. in 2019CV550, which caused the unsafe safe schools and further shooting on 5/7/2019.

Starting in March 2020, the Applicant provided substantial evidence^{7, 8} to Governmental Regulatory Agencies, 1.) Colorado Supreme Court Office of Attorney Regulation Counsel (“OARC”); 2.) Douglas County Sheriff’s Office; and 3.) 18th Judicial District Attorney John Kellner, and 4.) Colorado Civil Rights Division (“CCRD”), proving her former Attorneys D.K. Williams⁹ and John A. Cimino were bought out by DCSD Development and Innovation Officer/Sterling Ranch Education Consultant Pat McGraw and later her former Attorney Steven A. Klenda (ROA20261-20327) was bought out by DCSD Attorney Will Trachman to sabotage her legal cases from 2015 to the present, all who failed to investigate,¹⁰ to thwart creation of Plaintiff’s 17 schools. The OARC, Sheriff, DA, CCRD, covered up the massive web of crimes.

Because the State Board of Education decisions are final and not subject to Judicial Review, C.R.S. § 22-30.5-108(3)(d), (*see* SCOTUS Petitions for Writ of Certiorari, Cases No. 22-1106 and 23-1292), Applicant Judy Brannberg’s warnings and complaints were gagged, silenced, and suppressed and her charter school appeals were illegally and unlawfully denied, to coverup DCSD, Jeffco, et al.’s Unconstitutional criminal monopoly, third-party employment discrimination, and their Federal RICO crimes, which currently jeopardize the safety of all school pupils. Under current laws, Defendants DCSD, et al. and their 25 attorneys are allowed to execute whatsoever crimes or third-party employment discrimination that they want, whenever they want, without consequence, recourse, or punishment which is an illegal criminal racket.

⁷ ROA20261-20433 Colorado Supreme Court Attorneys’ FUND FOR CLIENT PROTECTION

⁸ ROA 37100-43991

⁹ Attorney D.K. Williams committed suicide on October 23, 2021, after Mrs. Brannberg filed investigations with the OARC, Sheriff, District Attorney, CCRD, all who covered up Attorney Williams’ et al.’s Attorney crimes. <https://www.horancares.com/obituaries/daviddk-williamsjr>

¹⁰ *Ridley v. Costco Wholesale Corp.*, 217 F. App’x130, 135 (3d Cir. 2007) fn. 111: “failure to investigate complaints about these actions is unlawful retaliation.”

H. On February 26, 2020, 2019CV550 was dismissed. Attorney Cimino did not notify Plaintiff in a timely manner that 2019CV550, was dismissed despite payment of \$66,000+

On March 3, 2020, Attorney Cimino notified Plaintiff Brannberg, in an untimely and unprofessional manner, by a letter via USPS, 7 days after dismissal. Attorney Cimino should have made a phone call notifying her immediately within one or two days after dismissal.

In March 2020, Plaintiff Judy Brannberg notified the OARC of this and they refused to press charges against Cimino for 2019CV550 because they too are in cahoots with DCSD, et al. together with the other 14 Defendants and covered up the largest public education RICO crime ring enterprise ever, with attorney misconduct and crimes executed by 25+ of their bar-certified attorneys. Attorney Cimino never withdrew from the case and Plaintiff never officially fired Cimino so technically he is still employed by Plaintiff Brannberg. Plaintiff never exchanged negative words or emails with Cimino, never fired him, and has only been pleasant, kind, and generous to the dishonest, fraudulent, and deceitful attorney who blatantly abandoned her and was bought out by DCSD/Sterling Ranch Pat McGraw to coverup the RICO crime enterprise.

I. Disbarment and criminal arrest are the appropriate sanctions for abandonment and execution of the alleged Federal crimes listed herein by all Defendant Attorneys.

Disbarment is the appropriate remedy where an attorney 1.) neglected a legal matter, 2.) misappropriated funds and property, 3.) abandoned client, 4.) engaged in fraud, 5.) evaded process. *See People v. Wyman*, 782 P.2d 339 (Colo. 1989). *People v. Sanders*, 713 P.2d 837 (Colo. 1985). *People v. Lovett*, 753 P.2d 205 (Colo. 1988). *People v. Greene*, 773 P.2d 528 (Colo. 1989). *People v. Martin*, 223 P.3d 728 (Colo. O.P.D.J. 2009). *People v. Lyons*, 762 P.2d 143 (Colo. 1988). *People v. Steinman*, 930 P.2d 596 (Colo. 1997). *Sobol v. District Court*, 619 P.2d 765 (Colo. 1980); *Anderson, Calder & Lembke v. District Court*, 629 P.2d 603 (Colo. 1981). *See People v. Felker*, 770 P.2d 402 (Colo. 1989). *People v. Hindman*, 958 P.2d 463 (Colo.

1998). Plaintiff would have handily and easily won 2019CV550 in 2019/2020 in Denver District Court and 15CV30586 in Douglas County District Court in 2015-2016, if Attorney Cimino had Amended both Complaints, and exposed DCSD, State Board, STEM, et al. crimes of forgery, bribery, conspiracy, breach of contract, et al. Cimino refused to Amend the Complaints which Plaintiff wrote for him. Attorney Cimino was bought out by DCSD to coverup their alleged crimes, thwart creation of her 17 charter schools, sabotage her legal cases, to physically and emotionally harm Plaintiff, wear her down so she would quit the fight for charter approval.

In March 2020, after 2019CV550 was dismissed, in order to win the case, Plaintiff was forced to retain an expensive appeals attorney, Steven A. Klenda, to file an appeal to the Colorado Court of Appeals 2020CA641, which took nearly two years to complete because of Covid. Applicant paid Attorney Klenda \$29,676.41, which Cimino/OARC should be held responsible for, because he was bought out by DCSD in 2019-2020 and 2015-2016. Both times we could have easily won the case if he had done his job, not abandoned Plaintiff, not missed filings, and not rigged/sabotaged the legal cases. Both in 2015/2016 and in 2019/2020, Attorney Cimino was bought out by DCSD Innovation/Development Director/Sterling Ranch Consultant Pat McGraw to harm his client Plaintiff Brannberg, in order to coverup and not expose alleged DCSD RICO crimes, sabotage her legal cases, and thwart the creation of her 17 charter schools.

In October 2021, because of Covid, after nearly two years, Attorney Klenda finally won the jurisdictional issue at the Court of Appeals, but he too refused to argue and expose at the Colorado Supreme Court. Case No. 2021SC885, DCSD, State Board of Education, et al.'s RICO crimes of forgery, bribery, conspiracy, breach of contract, negligent homicide which were the heart of the issue and why DCSD/Jeffco denied 17 excellent charters, because Attorney Klenda was bought out by DCSD Attorney Will Trachman. Attorney Klenda's "buddy" and

DCSD Attorney Trachman told Klenda that “it would reflect poorly on DCSD and Trachman” if we exposed DCSD crimes of forgery, bribery, et al.^{11, 12} Attorney Klenda threatened to quit if Plaintiff exposed DCSD et al’s massive and expanding web of alleged racketeering crimes. Plaintiff would not compromise. **So, Klenda quit.** Hence, there was no further option, except for Plaintiff Brannberg to argue the case herself, Pro Se, in order to expose and uncover DCSD, CCRD, et al.’s Unconstitutional habitual pattern/practice of employment discrimination, Federal RICO crimes, which created a unsafe, dangerous, and lawless monopoly executed by 14 Defendants and their 25+ attorneys to thwart the creation of Plaintiff’s 17 charter schools, which resulted in the unfathomable tragic May 7, 2019 STEM School shooting of 8 and murder of one.

J. Plaintiff paid over \$66,000 in Attorney Fees to Attorney Cimino in 2015-2016, 2019-20

Since 2015, Plaintiff has spent over \$200,000.00 on attorney fees, including over \$66,000 paid to Attorney John A. Cimino, (*see* ROA20391-20433), only to discover that her former attorneys were criminally bought out by DCSD Development/Innovation Officer Pat McGraw to sabotage her legal cases and to thwart and deny Plaintiff’s 17 charters.

K. Sterling Ranch and DCSD Conspired to Deny Plaintiff’s School – Anti-Trust Violations

Pat McGraw currently works as an Education Consultant for Sterling Ranch. In 2018, the DCSD Board, Supt. Erin Kane, and Attorney Thom McMillen solicited a secret/non-transparent “nasty gram” cease and desist letter from Sterling Ranch Consultant McGraw and Sterling Ranch owners, which is an antitrust violation to stop Plaintiff from locating her public school in Sterling Ranch. (ROA7559-7560) This is more evidence of the illegal, criminal, racketeering monopoly.

L. Plaintiff is Pro Se because she cannot retain a lawyer to Oppose the OARC

Plaintiff can no longer retain any lawyer because the OARC is a 2023CV610 Defendant.

¹¹ ROA20261-20433 Colorado Supreme Court Attorneys’ FUND FOR CLIENT PROTECTION

¹² ROA 37100-43991

No attorney wants to oppose the Colorado Supreme Court OARC for fear of retaliation of their law license. This is a Constitutional issue now because Plaintiff has been denied her 6th Amendment Right to an Attorney amid **threats** of Contempt of Court in multiple Courts.

M. The fraudulent attorney misconduct created a severe financial hardship for Plaintiff

On March 1, 2023 and June 10, 2023, Plaintiff invoiced the Colorado School Districts Self Insurance Pool, ("CSDSIP"), which is the DCSD, Jeffco, State Board of Education, and CDE, insurance provider for \$1.6 billion and demanded DCSD/Jeffco to donate the land and finance to build the following twelve schools,¹³ which can now be enforced through Court Order.

N. Racketeer Influenced Corrupt Organizations (RICO) Under F.B.I. Investigation (Ex. 6)

The aforementioned Governmental Regulatory Agencies, OARC, Sheriff, DA, CCRD took extreme measures to dishonestly and criminally cover-up **Attorney Cimino's organized crime ring** centered around 'Kingpin' DCSD Innovation and Development Director/Sterling Ranch Consultant/Former Union Rep Pat McGraw with **JOINT** conspiracy/cooperation with DCSD, Jeffco, CDE, State Board of Ed, CCRD, Colorado Supreme Court OARC, Douglas County Sheriff, STEM School et al., CECFA, Sterling Ranch, UMB, plus the additional 25+ Attorneys. This is the largest education anti-trust, RICO crime ring enterprise in U.S. History.

O. Attorney John A. Cimino stole \$6000 from Plaintiff from two car accident settlements which he dishonestly lied about, which the OARC disciplined Attorney Cimino in 2021.¹⁴

P. If Attorney Cimino was innocent he would have used his attorney legal acumen to argue his own innocence. Attorney Cimino abandoned Plaintiff to cover up crimes.

Therefore, Cimino's only recourse was to evade service, hide, threaten, and harass his kind-hearted, generous client who he ruthlessly abused/took advantage of from 2015 to present.

¹³ See Invoice to CSDSIP for \$1,615,597,044.00 (RO15000-15005), 6.10.23 CSDSIP Invoice (ROA20595-20603) and Certificate of Service of Invoice to CSDSIP (ROA20604-20616)

¹⁴ See People v. John A. Cimino. 21PDJ027, May 13, 2021, public per C.R.C.P. 251.31.

1. *When a plaintiff or any other claimant has properly served a defendant who fails to respond to the complaint, that claimant may seek entry of default, (which Plaintiff/Applicant filed on August 19, 2024), followed by a default judgment. C.R.C.P. 55(d). (See Exhibit 10.)*

A. On December 22, 2023, the Court issued Orders

The Court ordered that the “Clerk of Court shall serve John A. Cimino by certified mail the Complaint for Judicial Review filed with the Court on October 27, 2023.” (See Exhibit 9.)

2. *Defendant Attorney John A. Cimino failed to plead or otherwise respond to the Complaint as required by C.R.C.P. Rule 12., including 12(a) When Presented.*

On August 19, 2024, Plaintiff Judy A. Brannberg filed “PLAINTIFF’S UNOPPOSED MOTION FOR DEFAULT FOR NON-APPEARANCE BY DEFENDANT JOHN A. CIMINO, ESQ.” in Denver District Court 2023CV610. (See Exhibit 10.)

B. On December 26, 2024, the Court issued a New Order which stated:

“Should Defendant Cimino be served pursuant to the Colorado Rules of Civil Procedure, Plaintiff Judy Brannberg is granted leave to file a new motion seeking default judgment and the Court will then consider the appropriateness of any new motion.” (See Exhibit 1.)

On December 28, 2024 at 9:24 pm, Defendant Cimino was served by a Process Server.

3. *On December 30, 2024, Affidavit of Service was filed in 23CV610. (See Exhibit 2.)*

4. *Venue in this Court is proper. Pursuant to C.R.C.P 98 – see attached Exhibit B,*

AFFIDAVIT OF PRO SE LITIGANT JUDY A. BRANNBERG, paragraph three. Defendants are not minors, incapacitated, or an officer or agency of the State of Colorado.

5. *The scope of a default judgment is defined by the relief requested in the Complaint. C.R.C.P. 54(c) with the Notices of Claims filed with the Court on October 27, 2024.¹⁵*

¹⁵ On October 27, 2023, the following NOC’s were filed and served with Complaint 23CV610 and sent Certified Mail to all Defendants with the Summons and to **Cimino on 12/30/2024:**

Appendix R - 10.25.19 DCSD - State Board Amended NOC, ROA9058-9076

Appendix S - 10.25.19 STEM - AMENDED NOC, ROA9077-9091

Appendix T - 10.25.19 JEFFCO - AMENDED NOC, ROA9092-9106

Appendix U - 11.12.19 - CCRD CCRC NOC, ROA9107-9121

Appendix V - November 15, 2016 Amended Notice of Claim, ROA9122-9136

6.20.23 NOC (Filed to the SCOTUS on 7/27/2023, 8/21/24), ROA22857-22926

07.10.23 NOC Part II Amendment, (Filed SCOTUS 7/27/2023, 8/21/24) ROA27395-27427

Consistent with the claims made and relief requested in the Complaint, Plaintiff is entitled to judgment and damages in the amount listed below. See total attached in Exhibit C Affidavit of Judy A. Brannberg; Plaintiff's Motion For Default Judgment For 23CV610 [Proposed]; and all Notices of Claim (Ex. 13), calculating damages based on relief requested in the Complaint.

Total Finance to Build 12 Schools from DCSD MCP	\$1,611,450,071.00
Total CSC Attorneys' Fund for Client Protection Reimbursement	\$137,516.41
Employment Losses for Judy Brannberg	\$3,846,973.00
Personal Compensatory Damages for Judy Brannberg	\$10,000,000.00
Additional Damages/Remedial Measures to Build Additional Schools (From 25+ Attorneys and OARC)	\$1,000,000,000.00
John and Maria Castillo	\$10,000,000.00
Grand Total	\$2,635,434,560.41

*WHEREFORE, Plaintiff Judy A. Brannberg requests that the Court enter default judgment for 2023CV610 against Defendant John A. Cimino, and all 2023CV610 Defendants who in conspiracy are **JOINED** together explained herein, and award damages to Plaintiff in the amount of **\$2,635,434,560.41** and grant Plaintiff such further relief as the Court deems just and reasonable. Plaintiff has attached a proposed form of judgment. (See Exhibit C; Plaintiff's Motion For Default Judgment For 23CV610 [Proposed]; and the Notices of Claim (Ex. 13).*

RESPECTFULLY SUBMITTED this 21st day of January 2025

Judy A. Brannberg

Judy A. Brannberg, MSc, Pro Se Litigant
8201 S. Santa Fe Drive #52 | Littleton, CO 80120
303.522.2158 | Judy.brannberg@gmail.com

Additional Notices of Claim were filed during 2023CV610 including the following:
2023.11.28 - Douglas County Sheriff's Office NOC, ROA49382-49416
2023.11.28 - State Board, CDE, DCSD, Jeffco NOC, ROA49417-49457
2023.12.05 - OARC NOC, ROA49458-49930
2023.12.12 - DCSD, State Board, CDE, Sterling Ranch NOC, ROA49931-50486
2023.12.19 - DCSD and STEM NOC, ROA50487-50569
2024.01.02 - UMB, CECFA, DCSD, STEM, CDE, State Bd, CCRD, Jeffco, ROA50570-50750

CERTIFICATE OF SERVICE

Pursuant to the Colorado State Board of Education's November 10, 2021 Revised State Board of Education Administrative Procedures for Charter School Appeals on January 21st, 2025, this document has been filed with the Colorado State Board of Education at the following email address: state.board.efilings@cde.state.co.us, with a carbon copy to soc@cde.state.co.us.

In addition, electronic copies were emailed to the following email addresses:

THE HONORABLE COLORADO ATTORNEY GENERAL PHILIP J. WEISER
Colorado Solicitor General SHANNON WELLS STEVENSON (Attorney for State Board of Education for U.S. Supreme Court Petition for CERT Case No. 22-1106)
1300 Broadway Street, 10th Floor, Denver, CO 80203
720-508-6179 | shannon.stevenson@coag.gov

Defendant Number One: Jefferson County Public Schools ("Jeffco")

1829 Denver West Dr., Bldg. 27, Golden, CO 80401

MOLLY FERRER, #37857, Counsel for Jeffco

303-982-6544 | Molly.Ferrer@jeffco.k12.co.us

Defendant Jeffco Attorneys

MOLLY H. FERRER (Jeffco) #37857, R. CRAIG HESS (Jeffco) #26398

THOMAS H. MCMILLEN (Jeffco and DCSD) #14218, JULIE C. TOLLESON (Jeffco and State Board of Education) #24885, 1829 Denver West Dr., Bldg. 27, Golden, CO 80401

Defendant Number Two: Colorado State Board of Education

Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela

Defendant Number Three: Colorado Department of Education ("CDE")

CDE Commissioner Susana Cordova

201 East Colfax Avenue, Denver, CO 80203

MICHELLE M. BERGE, First Assistant Attorney General K-12

BLAKE MCCrackEN, Assistant Attorney General K-12

Education Unit, #39299, 1300 Broadway St.

Denver, CO 80203

720-508.6186 | michelle.berge@coag.gov

720-508-6172 | blake.mccracken@coag.gov

Defendant State Board of Education Attorneys

JULIE C. TOLLESON (State Board of Education and Jeffco) #24885,

JENNA M. ZERYLNICK (State Board) #42553

201 East Colfax Avenue, Denver, CO 80203

Defendant Number Four: Douglas County School District ("DCSD")

620 Wilcox Street, Castle Rock, CO 80104

DCSD Attorney ANDREW D. RINGEL

303-628-3453 | ringela@hallevans.com

Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300, Denver, CO 80202

Defendant DCSD Attorneys

STEVE J. COLELLA, (DCSD) #45503, KRISTIN C. EDGAR (DCSD and Jeffco) #35686
ELLIOTT V. HOOD (DCSD and Jeffco) #45060, MARY KAY KLIMESH (DCSD) #48266
THOMAS H. MCMILLEN (DCSD and Jeffco) #14218, ROBERT P. MONTGOMERY (DCSD)
#49502, ROBERT S. ROSS JR. (DCSD) #42249, WILLIAM E. TRACHMAN (DCSD) # 45684
620 Wilcox Street, Castle Rock, CO 80104

Defendant Number Five: STEM School Highlands Ranch,
Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy,
Koson Network of Schools / Koson Schools
8773 S Ridgeline Blvd., Highlands Ranch, CO 80129
Attorney DAVID M. JONES, #35677
Attorney JOHN F. PETERS, #44563
303-628-3312 | jonesd@hallevans.com

Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300, Denver, CO 80202

Defendant STEM School Highlands Ranch Attorneys

BARRY K. ARRINGTON, STEM Attorney, #16486
WILLIAM P. BETHKE, STEM Attorney, #11802
MICHAEL A. ZYWICKI, STEM Attorney, #35543
8773 S Ridgeline Blvd, Highlands Ranch, CO 80129

Defendant Number Six: Colorado Civil Rights Division

VINCENT MORSCHER #34816
Senior Assistant Attorney General Employment Practices and Civil Rights
1300 Broadway St. 500, Denver, CO 80203
720-508-6588 | Vincent.Morscher@coag.gov

Defendant CCRD/CCRC Attorneys

AUBREY L. ELENIS (CCRD/CCRC) #42341, 1560 Broadway Suite 825, Denver, CO 80202

Defendant Number Seven: Colorado Educational and Cultural Facility Authority ("CECFA")

1800 Glenarm Place, Suite 1201, Denver, CO 80202
Joseph J. Bronesky, #7973 TAFT STETTINIUS & HOLLISTER LLP
675 Fifteenth Street, Suite 2300 Denver, CO 80202
(303) 297-2900 | jbronesky@taftlaw.com

Defendant CECFA Attorneys

CALVIN C. HANSON, (CECFA) | #13267, HESTER M. PARROT (CECFA) #35816
KENT C. VEJO (CECFA) #21030
1800 Glenarm Place, Suite 1201, Denver, CO 80202

Defendant Number Eight: Sterling Ranch Development Corp.

8155 Piney River Avenue, Suite 200, Littleton, CO 80125
JONATHAN G. PRAY, #36576
BROWNSTEIN HYATT FARBER SCHRECK, LLP
675 Fifteenth Street, Suite 2900, Denver, Colorado 80202 | 303.223.1100 | jpray@bhfs.com

Defendant Sterling Ranch Development Company Attorneys

JACOB E. SPRATT, Attorney, #42544, BRUCE A. JAMES, Attorney, #15348
8155 Piney River Avenue, Suite 200, Littleton, CO 80125

Defendant Number Nine: UMB Financial Corporation – UMB Bank
JACOB HOLLARS, #50352, KERSTEN HOLZHUETER #18841
Spencer Fane LLP | 1700 Lincoln Street, Suite 2000, Denver, CO 80203
303.839.3707 | JHollars@spencerfane.com

Defendants

JOHN WAHL, Vice President and Regional Manager
TAMARA DIXON, VP of UMB Bank, Dissemination Agent
1670 Broadway, Denver, CO 80202 | 303-764-3603 | john.wahl@umb.com

Defendant Number Ten: Colorado Supreme Court Office of
Attorney Regulation Counsel (“OARC”)
1300 Broadway St. 500, Denver, CO 80203 | 303.457.5800
LEEANN MORRILL, First Assistant Attorney General & General
Counsel to the Attorney General Public Officials Unit
(720) 508-6159 | leeann.morrill@coag.gov

Defendant Colorado Supreme Court OARC Attorneys

JESSICA E. YATES (OARC) #38003 | JUSTIN P. MOORE (OARC) #32173

Defendant Number Eleven: Douglas County Sheriff’s Office
Douglas County Sheriff Darren Weekly, Economic Crime Unit
4000 Justice Way, Castle Rock, CO 80109
Attorneys for Douglas County Sheriff’s Office
KELLY DUNNAWAY, #31896 | kdunnawa@douglas.co.us | 303.660.7414
ANDREW C. STEERS, #40139 | asteers@douglas.co.us | 303.660.7414
100 Third Street, Castle Rock, 80104

Defendant Number Twelve: JOHN A. CIMINO #14032
5500 East Yale Ave, Suite 201A, Denver, CO 80220
720.434.0434 (cell) | je925ave@yahoo.com

Defendant Number Fourteen: Colorado Supreme Court Justices
Chief Justice Brian D. Boatright, Justice Maria E. Berkenkotter, Justice Richard L. Gabriel,
Justice Melissa Hart, Justice William W. Hood, III, Justice Monica M. Márquez, Justice Carlos
A. Samour, Jr., 1300-1376 Lincoln St, Denver, CO 80203

Defendant Number Fifteen: Colorado Attorney General’s Office
Colorado Attorney General Honorable ATTORNEY PHILIP WEISER
Colorado Solicitor General SHANNON WELLS STEVENSON (Attorney for
720.508.6179 | shannon.stevenson@coag.gov
Colorado Department of Law Ralph L. Carr Judicial Building
1300 Broadway Street, 10th Floor, Denver, CO 80203
MICHELLE M. BERGE, #39299, First Asst Attorney General K-12
BLAKE MCCrackEN, Asst Attorney General K-12 Education Unit
1300 Broadway St., Denver, CO 80203
720-508.6186 | michelle.berge@coag.gov | 720-508-6172 | blake.mccracken@coag.gov

RESPECTFULLY SUBMITTED this 21st day of January, 2025

Judy A. Brannberg

Judy A. Brannberg, MSc, Pro Se Representative
8201 S. Santa Fe Drive #52 | Littleton, CO
80120303.522.2158 | Judy.brannberg@gmail.com

Exhibit 4: February 26, 2025 - Order Denying Expedited Motion for Certification.
The court refused to certify the case for appeal, blocking Petitioner's ability to seek higher review

DISTRICT COURT, DENVER COUNTY, COLORADO	
Court Address: 1437 BANNOCK STREET, RM 256, DENVER, CO, 80202	
Plaintiff(s) JUDY A BRANNBERG et al. v. Defendant(s) JEFFERSON CNTY PUBLIC SCHOOLS et al.	DATE FILED February 26, 2025 6:28 PM CASE NUMBER: 2023CV610 <div style="text-align: center;">⚠ COURT USE ONLY ⚠</div> Case Number: 2023CV610 Division: 275 Courtroom:
Order: PLAINTIFF'S EXPEDITED MOTION FOR CERTIFICATION OF FEBRUARY 19, 2025 ORDER AS FINAL	

This matter is before the Court on Plaintiff's Expedited Motion for Certification of February 19, 2025 Order as final. The Court has reviewed the filing and finds that additional briefing will not be of assistance. The Court, being familiar with the file, the record, and applicable law, hereby finds and orders as follows:

Rule 54(b) provides:

When more than one claim for relief is presented in an action...or when multiple parties are involved, the court may direct the entry of a final judgment as to one or more but fewer than all of the claims or parties only upon an express determination that there is no just reason for delay and upon an express direction for the entry of judgment. In the absence of such determination and direction, any order...which adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties shall not terminate the action as to any of the claims, or parties and the order or other form of decision is subject to revision at any time before the entry of judgment adjudicating all the claims and the rights and liabilities of all the parties.

Before determining whether to grant a request for Rule 54(b) certification, a trial court must engage in a three-step process to determine whether to do so. *Lytle v. Kite*, 728 P.2d 305, 308 (Colo. 1986) (citing *Harding Glass Co., Inc. v. Jones*, 640 P.2d 1123 (Colo. 1982) which first articulated the test in Colorado). "First, the decision certified must be a ruling upon an entire claim for relief." *Lytle*, 728 P.2d at 308. "Second, the decision certified must be final in the sense of an ultimate disposition of an individual claim." *Id.* "Third, the trial court must determine whether there is no just reason for delay in entry of a final judgment on the claim." The question of whether there is "no just reason for delay" lies within the trial court's discretion. *Id.* The court's determination as to whether a claim for relief as required under the first prong and whether the decision is final as required under the second prong "are not truly discretionary." *Id.* A trial court cannot exercise its discretion to treat a decision as final if it is not final, and "the court's decision regarding finality of its order on a claim for relief is reviewable by the appellate courts." *Corporon v. Safeway Stores, Inc.*, 708 P.2d 1385, 1388 (Colo. App. 1985).

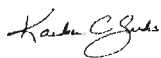
Regarding the first factor, the Court's July 10, 2024 Omnibus Order Re: Motions to Dismiss is a ruling upon the entire claims asserted by Plaintiff against Defendants Douglas County Sheriff's Office, Sterling Ranch Development Company, STEM School Highlands Ranch, Lighthouse Build Corp, Lighthouse on a Hill d/b/a STEM Academy, Koson Network of Schools/Koson Schools, Douglas County School District, UMB Bank, Colorado State Bd of Ed, Colo Dept of Ed., Jeff Co School District, CECFA, Colorado Civil Rights Division, and Colorado Office of Attorney Regulation.

Therefore, final judgment entered with respect to those Defendants set forth above on July 10, 2024. As to Defendant Cimino, the case is still in the procedural posture of CRCP 12 motions practice.

With respect to the second factor, requiring that a decision be a final judgment, Plaintiff seeks to have the Court's February 19, 2025 Order denying default judgment be considered a final judgment. It is not.

As to the third factor, whether there is no just reason for delay in entry of a final judgment on the claim, the Court can only note that entry of final judgment took place on July 10, 2024 and post-judgment motions were filed, briefed, and ruled upon. Consequently, the Court denies the expedited motion for certification of [the] February 19, 2025 Order as final.

Issue Date: 2/26/2025

A handwritten signature in black ink, appearing to read "Kandace Gerdes". The signature is fluid and cursive, with the first name "Kandace" and last name "Gerdes" clearly distinguishable.

KANDACE CECILIA GERDES
District Court Judge

Exhibit 5: March 3, 2025 - Colorado Court of Appeals Order Dismissing Appeal.
Proves that no meaningful appellate review was available, strengthening the
argument that SCOTUS must intervene

Colorado Court of Appeals 2 East 14th Avenue Denver, CO 80203	DATE FILED March 3, 2025 CASE NUMBER: 2025CA322
Denver District Court 2023CV610	
Plaintiff-Appellant: Judy Brannberg, v. Defendants-Appellees: Jefferson County Public Schools ("Jeffco"), Board, and Attorneys; Colorado State Board of Education, Board, and Attorneys; Colorado Department of Education ("CDE"), and Attorneys; CDE Commissioner Susana Cordova; Douglas County School District ("DCSD"), Board, and Attorneys; STEM School Highlands Ranch, Lighthouse Building Corp, Lighthouse on a Hill d/b/a STEM Academy, Koson Network of Schools, Koson Schools Board, and Attorneys; Colorado Civil Rights Division ("CCRD"), Colorado Civil Rights Commissioners ("CCRC"), and Attorneys; Colorado Educational and Cultural Facility Authority ("CECFA") Board and Attorneys; Sterling Ranch Development Corp. Owners and Attorneys; UMB Financial Corporation - UMB Bank and Staff Tamara Dixon and John Wahl; Colorado Supreme Court Office of Attorney Regulation Counsel ("OARC"), Jessica Yates, OARC Counsel and Attorneys; Douglas County Sherriff's Office; John A. Cimino, Esq.; Colorado Supreme Court; and Colorado Attorney General's Office.	Court of Appeals Case Number: 2025CA322
ORDER OF THE COURT	

To: All Parties

After review of the petition for interlocutory review pursuant to C.A.R. 4.2, the Court notes that the petition fails to comply with C.A.R. 4.2. C.A.R. 4.2 requires the trial court to certify the order. Here, appellant did not seek

certification in the trial court under C.A.R. 4.2 and the trial court did not certify the order.

IT IS THEREFORE ORDERED that the appeal is DISMISSED.

BY THE COURT
Tow, J.

Exhibit 6: March 3, 2025 - Notice of Suppressed Evidence of Judicial and Attorney Misconduct. Key evidence of corruption and suppression of filings. Supports Petitioner's claim of systemic misconduct

<p style="text-align: right;">FILED IN THE COURT of APPEALS STATE OF COLORADO</p>	
<p>COLORADO COURT OF APPEALS COLORADO 2 East 14th Avenue, Denver, Colorado, 80203</p> <p>Plaintiffs-Appellant: Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation ("ASI") and John Dewey Institute ("JDI") at Red Rocks Ranch ("RRR") and Leyden Rock ("LR") and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch</p> <p>Attorney for Plaintiffs: JUDY A. BRANNBERG, Pro Se 8201 South Santa Fe Dr. #52, Littleton, CO 80120 303.522.2158 judy.brannberg@gmail.com</p>	<p>CLERK, Court of Appeals</p> <p>FILED IN DENVER DISTRICT COURT</p> <p>MAR 03 2025</p> <p>COURT USE ONLY COUNTY CLERK COPY</p>
<p>Defendants – Appellees: Jefferson County Public Schools ("Jeffco"), Board, and Attorneys; Colorado State Board of Education ("SBE"), Board, and Attorneys; Colorado Department of Education ("CDE"), and Attorneys; CDE Commissioner Susana Cordova; Douglas County School District ("DCSD"), Board, and Attorneys; STEM School Highlands Ranch, Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy, Koson Network of Schools, Koson Schools Board, and Attorneys; Colorado Civil Rights Division ("CCRD"), Colorado Civil Rights Commissioners ("CCRC"), and Attorneys; Colorado Educational and Cultural Facility Authority ("CECFA") Board and Attorneys; Sterling Ranch Development Corp. Owners and Attorneys; UMB Financial Corp. UMB Bank and Staff Tamara Dixon/John Wahl; Colorado Supreme Court Office Attorney Regulation Counsel ("OARC"); Jessica Yates, OARC Counsel and Attorneys; Douglas County Sheriff's Office; John A. Cimino; Colorado Supreme Court Justices; Colorado Attorney General's Office</p>	<p>Denver District Court Case No: 23CV610, Rm. 275 Co Ct of Appeals 2025CA322 U.S. Supreme Ct Case No. 23-1292 24A61, 23A1007 Co Supreme Court Case No: 24SC181 Co Ct of Appeals Case No. 2024CA133 CCRD Case No. E-20237 State Board of Ed. 23-CS1AB DCSD 23-CS2AB Jeffco</p>
<p style="text-align: center;">NOTICE OF SUPPRESSED EVIDENCE OF JUDICIAL AND ATTORNEY MISCONDUCT</p>	

TO THE HONORABLE COURT:

Plaintiff Judy A. Brannberg, appearing pro se, respectfully submits this Judicial Notice of Suppressed Evidence of Judicial and Attorney Misconduct pursuant to Colorado Rule of Evidence 201. This Notice is filed in support of

<p>COLORADO COURT OF APPEALS COLORADO 2 East 14th Avenue, Denver, Colorado, 80203</p> <p>Plaintiffs-Appellant: Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation (“ASI”) and John Dewey Institute (“JDI”) at Red Rocks Ranch (“RRR”) and Leyden Rock (“LR”) and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch</p> <p>Attorney for Plaintiffs: JUDY A. BRANNBERG, Pro Se 8201 South Santa Fe Dr. #52, Littleton, CO 80120 303.522.2158 judy.brannberg@gmail.com</p>	<p>COURT USE ONLY</p>
<p>Defendants – Appellees: Jefferson County Public Schools (“Jeffco”), Board, and Attorneys; Colorado State Board of Education (“SBE”), Board, and Attorneys; Colorado Department of Education (“CDE”), and Attorneys; CDE Commissioner Susana Cordova; Douglas County School District (“DCSD”), Board, and Attorneys; STEM School Highlands Ranch, Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy, Koson Network of Schools, Koson Schools Board, and Attorneys; Colorado Civil Rights Division (“CCRD”), Colorado Civil Rights Commissioners (“CCRC”), and Attorneys; Colorado Educational and Cultural Facility Authority (“CECFA”) Board and Attorneys; Sterling Ranch Development Corp. Owners and Attorneys; UMB Financial Corp. UMB Bank and Staff Tamara Dixon/John Wahl; Colorado Supreme Court Office Attorney Regulation Counsel (“OARC”); Jessica Yates, OARC Counsel and Attorneys; Douglas County Sheriff’s Office; John A. Cimino; Colorado Supreme Court Justices; Colorado Attorney General’s Office</p>	<p>Denver District Court Case No: 23CV610, Rm. 275 Co Ct of Appeals 2025CA322 U.S. Supreme Ct Case No. 23-1292 24A61, 23A1007 Co Supreme Court Case No: 24SC181 Co Ct of Appeals Case No. 2024CA133 CCRD Case No. E-20237 State Board of Ed. 23-CS1AB DCSD 23-CS2AB Jeffco</p>
<p>NOTICE OF SUPPRESSED EVIDENCE OF JUDICIAL AND ATTORNEY MISCONDUCT</p>	

TO THE HONORABLE COURT:

Plaintiff Judy A. Brannberg, appearing pro se, respectfully submits this Judicial Notice of Suppressed Evidence of Judicial and Attorney Misconduct pursuant to Colorado Rule of Evidence 201. This Notice is filed in support of

Plaintiff's Motion to Stay Proceedings to ensure the Colorado Court of Appeals and any reviewing higher court, including the Colorado Supreme Court, Supreme Court of the United States ("SCOTUS"), the U.S. Attorney, and F.B.I. all recognize the pattern of judicial suppression and criminal coverup in this case of the following Federal crimes, allegedly executed by 23CV610 Defendants, to illegally and criminally thwart, deny, block the creation of Plaintiff's seventeen 2014, 2017, 2018, 2019, 2023 charters by Jeffco, DCSD, et al. Defendants:

1. Federal Antitrust Enforcement Enacted in 1890, the Sherman Act:
2. 18 U.S. Code § 2331(5) Domestic Terrorism (5/7/19 STEM School Shooting)
3. Federal Whistle Blower Protection Act
4. 18 U.S.C. § 873 Blackmail and extortion laws
5. 42 U.S.C. §§ 2000e et seq. Title VII of the Civil Rights Act 2022
6. 18 U.S. Code § 201 – Bribery of public officials and witnesses
7. 18 U.S.C. § 1349 – Attempt and Conspiracy
8. Harassment – Title VII of the Civil Rights Act of 1964
9. Third-party Employment Contractual and Tortious Interference
10. 18 U.S.C. § 471 Forgery
11. 18 U.S.C. §§ 1503, 1512, 1513 Obstruction Of Justice
12. Libel Per Se/Libel Per Quod
13. 10 U.S. Code § 919b – Art. 119b. Child Endangerment
14. 18 U.S.C. § 371 – Conspiracy to commit offense or to defraud United States
15. 18 U.S.C. §§1961-68 Racketeer Influenced Corrupt Organizations (RICO)
16. 18 U.S. Code - § 1344 – Bank fraud U.S. Code
17. 18 U.S.C. § 1112 – Negligent Homicide
18. 18 U.S.C. § 3006A – Legal Malpractice
19. 18 U.S.C. § 1512 - Tampering with witnesses, victims, or informants in Federal
20. 18 U.S. Code § 1956 - Laundering of monetary instruments

I. INTRODUCTION

This Notice presents clear and irrefutable evidence that:

1. Defendant John Cimino was pressured and later compromised by Defendants Douglas County School District (“DCSD”), Jefferson County Public Schools (“Jeffco”), the Colorado State Board of Education (“SBE”), Colorado Department of Education (“CDE”) and other Joint Defendants to suppress evidence critical to Plaintiff’s case. (See pp 5-7 herein; Exhibit 3, pp. 80-82.)

2. The December 27, 2024 Joint Injunction ORDER, (Exhibit 1, pp. 1-2), was a retaliatory legal maneuver designed to silence Plaintiff-Appellant’s, obstruct the legal process, and to block exposure of the Antitrust RICO Enterprise preventing Plaintiff-Appellant from establishing seventeen (“17”) charter schools over multiple years.

3. The Judge’s Orders issued on December 27, 2024, (Exhibit 10, pp 224-226), were issued in coordination with Defendants’ legal counsel to suppress key filings, confirming Judicial bias and a coordinated, suppression conspiracy between the Defendants and the Court.

4. The Office of Attorney Regulation Counsel (“OARC”) and Colorado Attorney General Philip J. Weiser have refused to investigate documented attorney misconduct and crimes, including forgery, bribery and obstruction of justice.

II. FACTUAL BACKGROUND

5. March 2020 – Office of Attorney Regulation Counsel (“OARC”)

Complaints: Plaintiff filed a formal complaint regarding Defendant John A. Cimino's legal misconduct. From March 2020 until October 2022, Plaintiff-Appellant filed over 140 Evidentiary Briefs to the OARC, most over 100 pages, and some over 400 pages, (see ROA37100-43991), with over 1000 exhibits, demonstrating attorney misconduct by three attorneys who Plaintiff paid personally over \$137,516.41 (John A. Cimino, David K. Williams¹, and Steven A. Klenda), all who were bought-out by DCSD to sabotage Plaintiff-Appellant's legal cases and to thwart the creation of her 17 charter schools from 2014 to the present. Plaintiff-Appellant filed complaints against an additional 25+ attorneys who were employed by the 2023CV610 Defendants, who were directly engaged in Antitrust RICO enterprise to coverup Defendant crimes and misconduct.

III. EVIDENCE OF ATTORNEY BUY-OUT, OBSTRUCTION OF JUSTICE

6. September 2020 OARC Email Evidence: Defendant John Cimino submitted emails (see screenshot below, pp. 5-7) to the OARC investigation revealing that Attorney Elliott Hood (counsel for DCSD, Jeffco, and Joint Defendants) pressured Attorney Cimino not to amend Plaintiff's complaint based on new evidence released via a Colorado Open Records Act ("CORA") request by

¹ David K. Williams committed suicide on October 23, 2021, during the OARC Investigation. <https://www.horancares.com/obituaries/daviddk-williamsjr>

DCSD Attorney Elliott Hood on January 20-23, 2020. (*See ROA16719-16723, 16760-19377.*) This was a buy-out by Attorney Elliott Hood (counsel for DCSD, Jeffco, and Joint Defendants) to harm and sabotage Plaintiff-Appellant Judy A. Brannberg's legal cases and to thwart the creation of her 17 charter schools.

7. On February 6, 2020, DCSD/Jeffco/all 23CV610 Defendants' Attorney Elliott Hood sent the following email to Plaintiff's Former Attorney John Cimino and cc'd the State Board of Education/Attorney General Attorney Julie Tolleson at and Jenna Zerylnick on the email. (Note from Plaintiff, this heavily redacted email was released by John Cimino on or about September 2020, to the OARC Investigation, and previously Plaintiff Judy Brannberg had not seen this secret, non-transparent email conversation which Attorney Cimino did not inform her about while he was actively representing her.) Attorney Hood stated:

"Hi John, **I have removed your client (Judy Brannberg) from this email** because I want to address you directly as counsel. We (State Board/AG Attorney Julie Tolleson and Jenna Zerylnick) think it would be most productive and appropriate to have this discussion among counsel only. If your client insists on being on the call, we ask that you lead the discussion. Obviously, from the exchange below, your client likely has much to contribute about the perceived factual and legal basis for the claims in the proposed amended complaint. But, we simply ask that, if she is present, you as her counsel be the point person for questions so we aren't, somewhat awkwardly, trying to decipher to whom we should direct our questions. Thank you. Elliott Hood, Attorney, Caplan & Earnest LLC." (See the screenshot below of the email from Elliott Hood to Attorney Cimino and Exhibit 3, pp. 80-82.)

From: Elliott Hood <ehood@celaw.com>
 Sent: Thursday, February 6, 2020 1:21 PM
 To: John Cimino <john@tandemlaw.com>
 cc: Julie Tolleson <julie.tolleson@coag.gov> <Julie.Tolleson@coag.gov>; Jenna Erynich <jenna.erynich@coag.gov>
 Subject: RE: Updated Draft Attached 2.7.20 - Re: W : RE: Amended Complaint Proposed - scheduling conferral conference


John,

I have removed your client from this email because I want to address you directly as counsel.

We think it would be most productive and appropriate to have this discussion among counsel only. If your client insists on being on the call, we ask that you lead the discussion. Obviously, from the e-change below, your client likely has much to contribute about the perceived factual and legal basis for the claims in the proposed amended complaint. But, we simply ask that, if she is present, you as her counsel be the point person for questions so we aren't, somewhat awkwardly, trying to decipher to whom we should direct our questions.

Thank you.

on oo
 Attorney
 n me t
 3107 Iris Avenue, Suite 100 Boulder, CO 80501
 P: 303-303-0110 : 303-303-0367
celaw.com [linkedin](https://www.linkedin.com/company/celaw) [facebook](https://www.facebook.com/celaw)
 *Please note our new address effective March 25, 2019.

 CAPLAN & EARNEST

This electronic transmission including any attached file contains information from the law firm of Caplan and Earnest which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any review, disclosure, copying, distribution or other use of this information is prohibited.

If you have received this electronic transmission in error, please notify us immediately by telephone or by electronic mail Postmaster@celaw.com.

From: Judy Brannberg <judy.brannberg@gmail.com>
 Sent: Thursday, February 6, 2020 11:31 AM
 To: John Cimino <john@tandemlaw.com>
 cc: Julie Tolleson <julie.tolleson@coag.gov> <Julie.Tolleson@coag.gov>; Jenna Erynich <jenna.erynich@coag.gov>; Elliott Hood <ehood@celaw.com>
 Subject: Updated Draft Attached 2.7.20 - Re: W : RE: Amended Complaint Proposed - scheduling conferral conference

This email originated from outside of the organization. Do not open links, attachments unless you recognize the sender and know the content is safe.

John, please see the attached updated draft of the 2.7.20 Amended Complaint. See you tomorrow.
 Judy

on Thu, Feb 6, 2020 at 10:31 AM <john@tandemlaw.com> wrote:

John A. Cimino, Esq. CIMINO_000370

8. The aforementioned email evidence provided by Defendant Attorney John A. Cimino to the OARC Investigation on or about September 2020, (Exhibit 3, pp. 80-82) as ROA CIMINO_000370, demonstrates that Hood and Tolleson pressured Cimino to drop Plaintiff as a client in exchange for financial compensation and professional favors. Despite Plaintiff's substantial investment of over \$66,000 in legal representation, Defendants covertly orchestrated a more lucrative buy-out scheme, bribing Attorney John Cimino to betray his ethical duties, sever communication, and obstruct justice. This deliberate interference ensured the suppression of key evidence and sabotaged Plaintiff's case and thwarted the creation of her 17 charter schools. This blatant interference ensured the suppression of key evidence and the derailment of Plaintiff's case. Following

this buy-out by Hood and Tolleson, Cimino blocked Plaintiff's email, phone calls, and ceased all communication, abandoning Plaintiff without legal recourse to file her Amended Complaint. This obstruction of justice was calculated and deliberate, ensuring that evidence of fraud, forgery, and antitrust RICO crimes with DCSD, Jeffco, Sterling Ranch, SBE, and other Defendants was never introduced into court proceedings. This unlawful interference directly resulted in the suppression of evidence and obstruction of justice, violating 18 U.S.C. § 1503 (Obstruction of Justice) and 18 U.S.C. § 1512 (Tampering with a Witness). (See Exhibits 2-7, pp. 19-198.) Despite overwhelming evidence implicating Defendants in a criminal Antitrust RICO Enterprise, the OARC, Attorney General Philip Weiser, and the Douglas County Sheriff have willfully refused to initiate criminal proceedings. Their deliberate inaction, despite irrefutable evidence of attorney misconduct, obstruction of justice, and financial fraud, demands immediate federal intervention. The U.S. Attorney and the F.B.I. must take urgent action to dismantle this ongoing criminal enterprise and hold all parties accountable under Federal law.

9. This direct and deliberate interference with Plaintiff's legal representation constitutes legal malpractice, conspiracy to obstruct justice, and fraud upon the court, requiring an immediate Federal investigation. Courts have repeatedly held that when an attorney is coerced or financially influenced to

abandon a client, it constitutes an actionable violation of due process and fair trial rights. *See Young v. United States ex rel. Vuitton et Fils S.A.*, 481 U.S. 787 (1987) (holding that conflicts of interest and improper influence in legal representation violate due process). Further, such misconduct invalidates any subsequent judicial rulings that relied on the suppression of evidence. *See Marrese v. American Academy of Orthopaedic Surgeons*, 470 U.S. 373, 379 (1985). This establishes why SBE/Jeffco Attorney Tolleson retained DCSD/Jeffco/Defendants' Attorney Hood in November 2024 to draft the Injunction against Plaintiff Brannberg and why Jeffco sponsored the Special Master—to suppress evidence and avoid exposure of misconduct.

10.November 21, 2024: Plaintiff filed a Motion to Disqualify Attorney Hood due to conflicts of interest and obstruction of justice. (Exhibit 3, pp. 72-88).

11.November 25, 2024: Defendant Hood filed a Joint Response on behalf of all Defendants, confirming that all parties, with the exception of John Cimino and UMB, were conspiring and working together to obstruct Plaintiff's claims. (Exhibit 8, pp. 199-206.) Courts have ruled that when dismissed parties re-enter litigation and engage in strategic legal maneuvers, they may waive their prior dismissal defense. *See Kellogg Co. v. Exxon Corp.*, 209 F.3d 562, 568 (6th Cir. 2000) (*a dismissed party can waive its dismissal defense by re-engaging in litigation*).

12. December 4, 2024: Coordinated Adoption of Misconduct - On

December 4, 2024, Defendant Sterling Ranch Attorney Jonathan Pray welcomed Defendant Attorney Cimino into the JOINT Response, wherein Attorney Cimino filed his Joinder In Response In Opposition To Plaintiffs' C.R.C.P. Rule 60 Motion For Relief From Judgment. CONVERSELY, all 2023CV610 Defendants have now adopted Attorney Cimino's misconduct/crimes. By joining the JOINT Response, Defendants have engaged in a concerted legal strategy that directly incorporates and endorses Attorney Cimino's procedural default, making them co-conspirators under federal RICO statutes. Defendants are now co-labile for Attorney Cimino's Event of Default and Event of Default Judgment for \$2,615,597,044.00 (See Exhibit 11, pp. 232-257).

- *Pinkerton v. United States*, 328 U.S. 640 (1946) holds that all co-conspirators are liable for the foreseeable acts of their associates, making every Defendant jointly liable under RICO statutes.

- This adoption of misconduct establishes that the 23CV610 Defendants re-engaged in litigation post-dismissal, waiving any prior dismissal defenses. *See Gonzalez v. Crosby*, 545 U.S. 524, 531 (2005) (holding that a dismissed party can become liable again if it re-engages in litigation in a substantive manner).

13. December 4-9, 2024: Plaintiff filed additional Motions to Disqualify

Hood, each containing stronger evidence of misconduct with Affidavits. (Ex. 2-7.)

14. December 20, 2024: Joint Injunction Issued Without Hearing

- Jeffco, DCSD, CECFA,² STEM et al., Douglas County Sheriff, and Sterling Ranch filed a Joint Injunction against Plaintiff (Exhibit 9, pp. 207-223), to silence, gag and suppress Plaintiff's exposure of the Antitrust RICO Enterprise, which the Court granted on December 27, 2024, without an evidentiary hearing. By doing so, they waived any prior dismissal protections and subjected themselves to renewed liability. *See Gonzalez v. Crosby*, 545 U.S. 524, 531 (2005) (*a dismissed party can become liable again if it re-engages in litigation in a substantive manner*). Joint legal maneuvers, including injunctions and coordinated filings, are improper when used to manipulate litigation.

- *Grupo Mexicano de Desarrollo S.A. v. Alliance Bond Fund, Inc.*, 527 U.S. 308 (1999) establishes that injunctions cannot be used to suppress evidence of fraud or unlawful conduct, yet that is exactly what has occurred here.

- The Judge's adoption of Defendants' proposed language verbatim (Ex. 1)

² CECFA operates in 26 states, and has issued \$7.6 billion in Bonds, which is another example of Federal Racketeering, RICO crimes, with an enterprise that affects interstate commerce, with the movement of goods, money, or services from one state to another, because of the fraudulent \$14.6 million CECFA Bond for STEM School, which UMB illegally financed, and Authorizer DCSD illegally cosigned/signed off on without STEM securing a legal 5-year contract and without meeting 4 of 7 contingencies necessary to secure the low-interest BB+ Bond, which resulted in unsafe STEM School, which caused the May 7, 2019 shooting. ROA12579-12817

confirms judicial bias in favor of Defendants. *See Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009) (ruling that judicial bias requires recusal when financial or political influence is evident).

- *Tumey v. Ohio*, 273 U.S. 510 (1927) holds that a judge with a financial or political interest in a case must recuse themselves.

15. December 27, 2024 - Motion to Strike: The Judge issued an Order preventing Plaintiff from filing any motions until March 6, 2025, ensuring that critical filings—including Plaintiff’s Motion for Default Judgment—were delayed. (Exhibit 10, pp 224-231.)

16. January 21, 2025: Delayed Default Judgment Due to Suppression

- Plaintiff filed the Motion for Default Judgment, which was significantly delayed due to the “chilling effect” of the Joint Injunction, which was used by the Defendants to threaten her First Amendment rights, suppressing evidence and blocking procedural relief.

- The intentional suppression of critical evidence by the Court and Defendants constitutes a fundamental due process violation, warranting reversal and immediate corrective action. *See Rodriguez v. Colorado*, 463 U.S. 1 (1983) (holding that procedural due process violations require reversal). *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), underscores that judicial bias—such as

courts aiding Defendants in suppressing evidence—necessitates recusal and corrective action. The suppression of evidence constitutes obstruction of justice under 18 U.S.C. §§ 1503, 1512, 1513.

17. Illegal Threats by the Colorado Supreme Court Case No. 2021SC885 to Silence Plaintiff and Suppress Criminal OARC evidence: In September and October 2022, Plaintiff Brannberg presented arguments in *Colorado Supreme Court Case 2021SC885*, exposing alleged misconduct and criminal violations by attorneys with the Office of Attorney Regulation Counsel (“OARC”). In direct response to these disclosures, Plaintiff received unlawful threats from Colorado Supreme Court Justices, warning her to cease raising these issues or risk judicial and legal repercussions. Such judicial threats are a direct violation of Plaintiff’s First Amendment rights, which protect against governmental retaliation for seeking redress of grievances. *See Borough of Duryea v. Guarnieri*, 564 U.S. 379 (2011) (holding that retaliation against an individual for exercising the right to petition the government violates the First Amendment). Moreover, such conduct raises serious concerns regarding obstruction of justice, as judicial threats aimed at suppressing testimony and legal arguments undermine the integrity of the judicial process. *See United States v. Aguilar*, 515 U.S. 593 (1995) (holding that obstruction of justice includes actions intended to impede or influence judicial proceedings). These

threats further exemplify a coordinated effort to suppress evidence of attorney misconduct and shield those engaged in wrongdoing from accountability. (*See* 2023CV610 – 2023.11.28 Plaintiff’s Response in Opposition to the Douglas County Sheriff’s Motion to Dismiss filed with the 2025CCA322 Colorado Court of Appeals on February 24, 2025.)

IV. LEGAL ARGUMENT

18. This evidence is critical to pending matters before the Court of Appeals and must be formally included in appellate record. The failure of the Trial Court to address this evidence constitutes judicial suppression and due process violations.

A. The Court Cannot Ignore Suppressed Evidence: Under *Marrese v. American Academy of Orthopaedic Surgeons*, 470 U.S. 373, 379 (1985), a trial court lacks jurisdiction to issue rulings that interfere with an ongoing appeal. Because this suppressed evidence directly impacts the legitimacy of the pending appeal, it must be preserved for review. Under *Rodriguez v. Colorado*, 463 U.S. 1 (1983), procedural due process violations require reversal when they impact fundamental rights, which applies here where Plaintiff’s access to the courts has been obstructed.

B. Joint Injunction Violated Due Process and 1st Amendment Rights:
The December 27, 2024 Joint Injunction silenced Plaintiff’s legal advocacy by

delaying filings, creating an undue chilling effect, and blocking access to courts.

- The injunction (Exhibits 1, pp. 1-18; Exhibit 9, pp. 207-223) was granted without an evidentiary hearing, violating due process. (*Gideon v. Wainwright*, 372 U.S. 335 (1963)).
- The language of the injunction (Exhibits 1, pp. 1-18; Exhibit 9, pp. 207-223) was copied directly from Defendants' proposed order, proving judicial bias. (*Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009)).
- The injunction strategically blocked Plaintiff's Default Judgment Motion, aiding in the cover-up of an Antitrust RICO Enterprise designed to prevent Plaintiff's charter schools from opening.
- This constitutes a First Amendment violation, as retaliation against legal advocacy is unconstitutional (*Elrod v. Burns*, 427 U.S. 347 (1976)).
- Judicial bias requires recusal under *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009). Courts cannot allow conflicts of interest in attorney conduct, per *Young v. United States ex rel. Vuitton et Fils S.A.*, 481 U.S. 787 (1987)
- *In re Snyder*, 472 U.S. 634 (1985), establishes that attorneys engaging in fraudulent conduct must be sanctioned which applies to Defendant Hood's actions.

V. REQUESTED RELIEF

For the reasons stated above, Plaintiff requests this Court and the Colorado

Court of Appeals take Judicial Notice of the following facts:

1. Defendant John Cimino was financially coerced and pressured to Abandon Plaintiff's case, suppress evidence, and obstruct justice.
2. Attorney Elliott Hood and other Defendants engaged in a buy-out scheme to remove Plaintiff's legal counsel, Cimino, and prevent the filing of an Amended Complaint with exposure of their RICO Antitrust Enterprise. This is why Attorney Hood wrote the Injunction – to silence Brannberg and cover his crimes.
3. This interference constitutes obstruction of justice, legal malpractice, and fraud upon the court, requiring immediate Federal investigation.
4. The suppressed evidence is critical to the pending appeal and must be included in the appellate record.
5. The December 27, 2024, Joint Injunction was a retaliatory litigation tactic to punish Plaintiff for exposing attorney misconduct and alleged crimes. (Exhibits 1, pp. 1-18; Exhibit 9, pp. 207-223; Exhibits 2-11, pp. 19-257.)
6. Judicial bias is evident, as the Court adopted Defendants' language without modification.
7. The injunction prevented Plaintiff from filing a Motion for Default Judgment until January 21, 2025, proving the "chilling effect" of the suppression, which is 18 U.S.C. § 1512 - Tampering with witnesses, victims, or informants in

Federal proceedings.

8. This suppressed evidence is relevant to the pending appeal and must be preserved in the appellate record.

9. This case is part of a broader Antitrust RICO Enterprise blocking Plaintiff's 17 charter school applications spanning multiple years.

10. Plaintiff reserves the right to present this Judicial Notice to Federal authorities, including the U.S. Attorney's Office and the FBI, in relation to ongoing investigations of legal corruption, obstruction, and civil rights violations

RESPECTFULLY SUBMITTED this 3rd day of March 2025

Judy A. Brannberg

Judy A. Brannberg, MSc, Pro Se Litigant
8201 S. Santa Fe Drive #52 Littleton, CO 80120
303.522.2158 | Judy.brannberg@gmail.com

CERTIFICATE OF COMPLIANCE WITH WORD LIMIT

I, Judy A. Brannberg, certify that this motion complies with the applicable word limit set forth in C.A.R. 32(a)(7)(B). The total word count, excluding the title, certificate of service, and signature block, is 3002 words, as calculated by Microsoft Word.

DATED this 3rd day of March 2025.

Judy A. Brannberg

Judy A. Brannberg, MSc, Pro Se Litigant
8201 S. Santa Fe Drive #52 Littleton, CO 80120
303.522.2158 | Judy.brannberg@gmail.com

CERTIFICATE OF SERVICE

Pursuant to the Colorado State Board of Education's November 10, 2021 Revised State Board of Education Administrative Procedures for Charter School Appeals on March 3rd, 2025, this document has been filed with the Colorado State Board of Education at the following email address:

state.board.efilings@cde.state.co.us, with a carbon copy to soc@cde.state.co.us.

In addition, electronic copies were emailed to the following email addresses:

THE HONORABLE COLORADO ATTORNEY GENERAL PHILIP J. WEISER
Colorado Solicitor General SHANNON WELLS STEVENSON | 1300 Broadway
Street, 10th Flr, Denver, CO 80203 | 720-508-6179 | shannon.stevenson@coag.gov

Defendant Number One: Jefferson County Public Schools ("Jeffco")

1829 Denver West Dr., Bldg. 27, Golden, CO 80401 | MOLLY FERRER, #37857,
Counsel for Jeffco | 303-982-6544 | Molly.Ferrer@jeffco.k12.co.us

Defendant Jeffco Attorneys: MOLLY H. FERRER (Jeffco) #37857, R. CRAIG
HESS (Jeffco) #26398, THOMAS H. MCMILLEN (Jeffco/DCSD) #14218, JULIE
C. TOLLESON (Jeffco and State Board of Ed. #24885, 1829 Denver West Dr., Bg.
27, Golden, CO 80401

Defendant Number Two: Colorado State Board of Education Board of Directors
Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser,
Kathy Plomer; Deb Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela

Defendant Number Three: Colorado Department of Education ("CDE")

CDE Commissioner Susana Cordova, 201 East Colfax Avenue, Denver, CO 80203

MICHELLE M. BERGE, First Assistant Attorney General K-12

BLAKE MCCracken, Assistant Attorney General K-12

Education Unit, #39299, 1300 Broadway St., Denver, CO 80203

720-508.6186 | michelle.berge@coag.gov

720-508-6172 | blake.mccracken@coag.gov

Defendant State Board of Education Attorneys

JULIE C. TOLLESON (State Board of Education and Jeffco) #24885,

JENNA M. ZERYLNICK (State Board) #42553

201 East Colfax Avenue, Denver, CO 80203

Defendant Number Four: Douglas County School District ("DCSD")

620 Wilcox Street, Castle Rock, CO 80104

DCSD Attorney ANDREW D. RINGEL | 303-628-3453 | ringela@hallevans.com
Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300, Denver, CO 80202

Defendant DCSD Attorneys

STEVE J. COLELLA, (DCSD) #45503, KRISTIN C. EDGAR (DCSD and Jeffco) #35686, ELLIOTT V. HOOD (DCSD and Jeffco) #45060, MARY KAY KLIMESH (DCSD) #48266, THOMAS H. MCMILLEN (DCSD and Jeffco) #14218, ROBERT P. MONTGOMERY (DCSD) #49502, ROBERT S. ROSS JR. (DCSD) #42249, WILLIAM E. TRACHMAN (DCSD) # 45684, 620 Wilcox Street, Castle Rock, CO 80104

Defendant Number Five: STEM School Highlands Ranch, Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy, Koson Network of Schools, Koson Schools 8773 S Ridgeline Blvd., Highlands Ranch, CO 80129

Attorney JOHN F. PETERS, #44563 | 303-628-3312

Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300, Denver, CO 80202

Defendant STEM School Highlands Ranch Attorneys

BARRY K. ARRINGTON, STEM Attorney, #16486, WILLIAM P. BETHKE, STEM Attorney, #11802, MICHAEL A. ZYWICKI, #35543
8773 S Ridgeline Blvd, Highlands Ranch, CO 80129

Defendant Number Six: Colorado Civil Rights Division

VINCENT MORSCHER #34816 Senior Assistant Attorney General Employment Practices and Civil Rights | 1300 Broadway St. 500, Denver, CO 80203

720-508-6588 | Vincent.Morscher@coag.gov

Defendant CCRD/CCRC Attorneys

AUBREY L. ELENIS (CCRD/CCRC) #42341
1560 Broadway Suite 825, Denver, CO 80202

Defendant Number Seven: Colorado Educational and Cultural Facility Authority (“CECFA”), 1800 Glenarm Place, Suite 1201, Denver, CO 80202

Joseph J. Bronesky, #7973 TAFT STETTINIUS & HOLLISTER LLP

675 Fifteenth Street, Suite 2300 Denver, CO 80202

(303) 297-2900 | jbronesky@taftlaw.com

Defendant CECFA Attorneys

CALVIN C. HANSON, (CECFA) | #13267,

HESTER M. PARROT (CECFA) #35816

KENT C. VEIO (CECFA) #21030

1800 Glenarm Place, Suite 1201, Denver, CO 80202

Defendant Number Eight: Sterling Ranch Development Corp.
8155 Piney River Avenue, Suite 200, Littleton, CO 80125
JONATHAN G. PRAY, #36576, BROWNSTEIN HYATT FARBER SCHRECK,
LLP, 675 Fifteenth Street, Suite 2900,
Denver, Colorado 80202 | 303.223.1100 | jpray@bhfs.com
Defendant Sterling Ranch Development Company Attorneys
JACOB E. SPRATT, Attorney, #42544, BRUCE A. JAMES, Attorney, #15348
8155 Piney River Avenue, Suite 200, Littleton, CO 80125

Defendant Number Nine: UMB Financial Corporation – UMB Bank
JACOB HOLLARS, #50352, Spencer Fane LLP | 1700 Lincoln Street, Suite 2000,
Denver, CO 80203 | 303.839.3707 | JHollars@spencerfane.com
Defendants JOHN WAHL, Vice President and Regional Manager
TAMARA DIXON, VP of UMB Bank, Dissemination Agent
1670 Broadway, Denver, CO 80202 | 303-764-3603 | john.wahl@umb.com

Defendant Number Ten: Colorado Supreme Court Office of Attorney Regulation
Counsel (“OARC”) | 1300 Broadway St. 500, Denver, CO 80203 | 303.457.5800
LEEANN MORRILL, First Assistant AG & General Counsel to AG Public
Officials Unit (720) 508-6159 leeann.morrill@coag.gov
Defendant Colorado Supreme Court OARC Attorneys
JESSICA E. YATES (OARC) #38003 | JUSTIN P. MOORE (OARC) #32173

Defendant Number Eleven: Douglas County Sheriff’s Office
Douglas County Sheriff Darren Weekly, Economic Crime Unit
4000 Justice Way, Castle Rock, CO 80109
Attorneys for Douglas County Sheriff’s Office
ANDREW C. STEERS, #40139 | asteers@douglas.co.us | 303.660.7414
100 Third Street, Castle Rock, 80104

Defendant Number Twelve: JOHN A. CIMINO #14032
5500 East Yale Ave, Suite 201A,
Denver, CO 80220, 720.434.0434 (cell) | jc925ave@yahoo.com

Defendant Number Fourteen: Colorado Supreme Court Justices
Chief Justice Brian D. Boatright, Justice Maria E. Berkenkotter, Justice Richard L.
Gabriel, Justice Melissa Hart, Justice William W. Hood, III, Justice Monica M.
Márquez, Justice Carlos A. Samour, Jr., 1300-1376 Lincoln St, Denver, CO 80203

Defendant Number Fifteen: Colorado Attorney General's Office
Colorado Attorney General Honorable ATTORNEY PHILIP WEISER
Colorado Solicitor General SHANNON WELLS STEVENSON (Attorney for
720.508.6179 | shannon.stevenson@coag.gov
Colorado Department of Law Ralph L. Carr Judicial Building, 1300 Broadway
Street, 10th Floor, Denver, CO 80203
MICHELLE M. BERGE, #39299, First Asst Attorney General K-12
BLAKE MCCRACKEN, Asst Attorney General K-12 Ed Unit
1300 Broadway St., Denver, CO 80203
720-508.6186 | michelle.berge@coag.gov
720-508-6172 | blake.mccracken@coag.gov

RESPECTFULLY SUBMITTED this 3rd day of March, 2025

Judy A. Brannberg

Judy A. Brannberg, MSc, Pro Se Litigant
8201 S. Santa Fe Drive #52 | Littleton, CO
80120303.522.2158 | Judy.brannberg@gmail.com

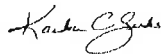
Exhibit 7: December 27, 2024 - Order Granting Injunction Against Petitioner.
The trial court granted an injunction against Petitioner, effectively silencing her.
Demonstrates unconstitutional suppression of speech and legal rights

DISTRICT COURT, DENVER COUNTY, COLORADO		DATE FILED December 27, 2024 2:53 PM CASE NUMBER: 2023CV610 ⚠ COURT USE ONLY ⚠
Court Address: 1437 BANNOCK STREET, RM 256, DENVER, CO, 80202		
Plaintiff(s) JUDY A BRANNBERG et al. v. Defendant(s) JEFFERSON CNTY PUBLIC SCHOOLS et al.	Case Number: 2023CV610 Division: 275 Courtroom:	
Order:DEFENDANTS COLORADO EDUCATIONAL AND CULTURAL FACILITY A, DOUGLAS COUNTY SCHOOL DISTRICT, DOUGLAS COUNTY SHERIFFS OFFICE, JEFFERSON COUNTY PUBLIC SCHOOLS, STEM SCHOOL HIGHLANDS RANCH, LIGHTHOUSE BUILDING CORP., LIGHTHOUSE ON A HILL D/B/A STEM ACADEMY, KOSON NETWORK OF SCHOOLS/KOSON SCHOOLS AND STERLING RANCH DEVELOPMENT CORP.S JOINT MOTION FOR INJUNCTION AGAINST PRO SE LITIGANT JUDY BRANNBERG(w/ a)		

The motion/proposed order attached hereto: SO ORDERED.

See this Court's Order dated December 27, 2024 related to Defendant Jefferson County School District's Motion for enjoin Plaintiff, which is incorporated herein by this reference, and which applies to Plaintiff's conduct in the entirety of this litigation.

Issue Date: 12/27/2024



KANDACE CECILIA GERDES
District Court Judge

<p>DISTRICT COURT, CITY & COUNTY OF DENVER, STATE OF COLORADO 1437 Bannock Street Denver, CO 80202 303-606-2300</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>JUDY A. BRANNBERG, MSc; JEFFCO ALEXANDRIA SCHOOL OF INNOVATION (“ASI”); JOHN DEWEY INSTITUTE (“JDI”), et al.</p> <p>Plaintiffs,</p> <p>v.</p> <p>JEFFERSON COUNTY PUBLIC SCHOOLS; COLORADO STATE BOARD OF EDUCATION; COLORADO DEPARTMENT OF EDUCATION; DOUGLAS COUNTY SCHOOL DISTRICT; STEM SCHOOL HIGHLANDS RANCH LIGHTHOUSE BUILDING CORP; COLORADO CIVIL RIGHTS DIVISION; COLORADO EDUCATIONAL AND CULTURAL FACILITY AUTHORITY; STERLING RANCH DEVELOPMENT CORP.; UMB FINANCIAL CORPORATION-UMB BANK; COLORADO SUPREME COURT OFFICE OF ATTORNEY REGULATION; DOUGLAS COUNTY SHERIFF’S OFFICE DOUGLAS COUNTY; JOHN A. CIMINO; and COLORADO SUPREME COURT.</p> <p>Defendants.</p>	
<p>Attorneys for Defendant Jefferson County Public Schools: Elliott V. Hood, #45060 Caplan and Earnest LLC 3107 Iris Avenue, Suite 100 Boulder, CO 80301 Telephone 303-443-8010 Fax 303-440-3967 ehood@celaw.com</p> <p>Julie C. Tolleson, #24885 Molly Ferrer, #37857 Jeffco Public Schools 1829 Denver West Drive, #27 Golden, CO 80401</p>	<p>Case No. 2023 CV 610</p> <p>Division 275</p>

303-982-6544 julie.tolleson@jeffco.k12.co.us molly.ferrer@jeffco.k12.co.us	
<p align="center">DEFENDANTS COLORADO EDUCATIONAL AND CULTURAL FACILITY A, DOUGLAS COUNTY SCHOOL DISTRICT, DOUGLAS COUNTY SHERIFF'S OFFICE, JEFFERSON COUNTY PUBLIC SCHOOLS, STEM SCHOOL HIGHLANDS RANCH, LIGHTHOUSE BUILDING CORP., LIGHTHOUSE ON A HILL D/B/A STEM ACADEMY, KOSON NETWORK OF SCHOOLS/KOSON SCHOOLS AND STERLING RANCH DEVELOPMENT CORP.'S <u>JOINT</u> MOTION FOR INJUNCTION AGAINST PRO SE LITIGANT JUDY BRANNBERG</p>	

For several years, Plaintiff Judy Brannberg has lodged repetitive and unfounded pro se claims in various tribunals against an ever-growing list of defendants. She has sued school districts, public servants, elected officials, banks, a sheriff's office, her own attorneys, and even the Colorado and U.S. Supreme Courts. She has accused some or all of these defendants, without evidence, of forgery, fraud, bribery, antitrust, conspiracy, age discrimination, murder, terrorism, and even attempted assassination, among other things.

And to what end? According to her own filings, she wants a court to order something that it cannot: forcing several school districts to open charter schools that she has no means of paying for, that few if any people have expressed interest in attending, and the applications for which have been rejected several times after a thorough and fair review. This case is just the latest chapter in a long line of frivolous claims seeking this end.

What's more, though the Court has dismissed Ms. Brannberg's claims, she continues to assert meritless arguments and make groundless filings even to this day. Without court intervention, this will likely go on and on, perhaps even for years. Defendants recognize that Ms. Brannberg has a right to seek justice through the court system. But enough is enough. The courts are not designed to be abused in this fashion. In rare circumstances like this one, courts in Colorado

have enjoined pro se litigants like Ms. Brannberg from appearing or filing claims pro se in any Colorado court or administrative agency. *GHP Horwath, P.C. v. Kazazian*, 543 P.3d 1035 (Colo. 2024). This is an extraordinary remedy, but it is fully warranted here.

CERTIFICATE OF CONFERRAL

Undersigned counsel certifies under C.R.C.P. 121, 1-15(8) that he has, on behalf of all Defendants, conferred by email with Ms. Brannberg on December 19, 2024 concerning this motion and the requested injunction, and she opposes the relief requested in this motion.

MOTION FOR INJUNCTION

While every person has a right of access to Colorado's courts, that principle is compromised "when a pro se party pursues myriad claims without regard to relevant rules of procedure and substantive law." *Kazazian*, 543 P.3d at 1037 (quoting *Bd. of Cnty. Comm'rs of Morgan Cnty. v. Winslow*, 862 P.2d 921, 923 (Colo. 1993)). A pro se litigant's right of access to our courts "is not absolute and may be curtailed to cease continued disruption of judicial administration." *Id.* Opposing litigants, like Defendants here, "must bear the expense of defending against meritless claims, and the public pays the price of increased court costs, crowded dockets, and unreasonable delay and confusion resulting from the disruption of proper judicial administration." *Id.* Courts have "the duty and the power to protect courts, citizens and opposing parties from the deleterious impact of repetitive, unfounded pro se litigation." *Id.* (quoting *People v. Dunlap*, 623 P.2d 408, 410 (Colo. 1981)). In such cases, a court can enjoin a pro se litigant from filing claims without court approval. The facts presented here warrant such an injunction.

I. Ms. Brannberg has demonstrated a pattern of pursuing repetitive and unfounded pro se litigation in state, federal, and administrative tribunals.

The crux of Ms. Brannberg's litigation revolves around her efforts to open charter schools. Since 2013, when she separated from the STEM School Highlands Ranch, Ms. Brannberg has tried several times to open new charter schools, but without success. Since 2018, each time Ms. Brannberg's charter applications have been denied, she has pursued administrative appeals and civil litigation to challenge those decisions. In some cases, at least earlier on, she was represented by counsel, and in those cases her claims were not frivolous. But in recent years, including in this case, she has pursued her claims pro se, and in doing so she has repeatedly asserted unfounded and very troubling allegations against an ever-growing list of defendants whom she believes are involved in a vast conspiracy to thwart her charter applications.

A. Ms. Brannberg's Charter Appeals and Litigation with Counsel

In Colorado, charter schools are authorized by local school districts. *See* Colo. Charter Schools Act, C.R.S. § 22-30.5-101 *et seq.* Charter applications are submitted to the local school district where the school intends to open, and that district's board of education determines whether the application is approved or denied. *Id.* § 22-30.5-107. Denials of charter applications can be appealed to the Colorado State Board of Education, which reviews the underlying decision anew, giving no deference to the local board's decision. *Colo. St. Bd. of Educ. v. Brannberg*, 525 P.3d 290, 291, 294-95 (Colo. 2023).

Between 2014 and 2018, Ms. Brannberg applied several times to open a science-and-math-focused charter school called the Alexandria School of Innovation (ASI). She submitted three applications to open ASI in Douglas County School District (DCSD) and one to Jefferson County

School District (JeffCo).¹ These applications were either rejected or withdrawn. Ms. Brannberg appealed the 2018 denial to the State Board of Education, which affirmed the denial. Ms. Brannberg then applied to DCSD to open a different charter school called the John Dewey Institute (JDI), a school focused on students with autism. DCSD denied that application, as well, which the State Board affirmed on appeal. Ms. Brannberg was represented by counsel in these appeals to the State Board of Education.

Ms. Brannberg then filed a judicial-review action in state court challenging the State Board's decision, naming the State Board and DCSD as defendants. (*See* Dkt. 2019CV550, Denver County Dist. Ct.) The defendants moved to dismiss for lack of subject matter jurisdiction based on language in the Charter Schools Act stating that State Board charter-appeal decisions are final and not subject to review. C.R.S. § 22.30.5-108(3)(d). Ms. Brannberg's attorney for that action was Defendant Cimino. The trial court granted that motion. Ms. Brannberg appealed the order, then represented by a new attorney. (*See* Dkt. 2020CA641.) The appellate court reversed the trial court's order. *Brannberg v. Colo. St. Bd. of Educ.*, 503 P.3d 893, 897 (Colo. App. 2021). The defendants then appealed the matter to the Colorado Supreme Court, which reversed the appellate panel's decision and concluded that the Charter Schools Act precludes judicial review of the State Board decisions on charter appeals. *Brannberg*, 525 P.3d at 291.

¹ All records from this proceeding are available on the State Board of Education's Board Docs page, which is available at <https://go.boarddocs.com/co/cde/Board.nsf/Public#>. The relevant materials and order from the ASI application are available on the Aug. 15, 2018 meeting page. The relevant materials for the JDI application are available on the Aug. 15, 2018 page.

B. Ms. Brannberg's Prior Litigation without Counsel

Before the supreme court action, Ms. Brannberg had mostly been represented by counsel, and her arguments were typically not unfounded or frivolous. That changed dramatically when she began representing herself in litigation, including before the Colorado Supreme Court. In her brief to that court, she accused DCSD and its staff and attorneys—without any factual basis—of murder, obstruction of justice, bribery, fraud, and criminal conspiracy, among other outrageous charges. (Ans. Br., filed 11/21/22, Dkt. 2021 SC 885, **Ex. A** hereto.) She alleged a criminal conspiracy among several school districts, the State Board, several state agencies, and their counsel to deny her various charter applications. (*Id.*) In addition to her answer brief, Ms. Brannberg filed, in the Supreme Court's own words, "voluminous, improper, irrelevant, and frivolous documents," for which the Court admonished her. (Dkt. 2021 SC 885, Or. issued 10/28/22, **Ex. B** hereto.) Even after that order, Ms. Brannberg continued to file voluminous and irrelevant documents, and the Court issued an order striking her filings. (*Id.*, Or. issued 11/29/22, **Ex. C** hereto.)

When Ms. Brannberg lost the case at the state supreme court, she filed a writ of certiorari to the U.S. Supreme Court, which denied her petition. In her petition, she repeated her unfounded allegations of misconduct. (Pet. for Writ of Cert., **Ex. D** hereto.)

Undeterred, in early 2023 Ms. Brannberg pursued her most ambitious charter project yet: proposing ASI and JDI campuses—12 in all—in DCSD and JeffCo. (Ans. Br., filed 10/25/23, **Ex. E** hereto; *see also, e.g.*, JDI App., Intro. Ltr., **Ex. F** hereto.)² As with her prior ASI and JDI

² All materials that Ms. Brannberg submitted for these applications are available on her Google Drive at https://drive.google.com/drive/folders/1h1YgbwvZ4RGP61TacBRKe8QRPO-_bKJl. Defendants can provide any materials from the record on appeal from these matters upon request.

applications, the schools she proposed were innovative, but they would cost hundreds of millions of dollars to construct and maintain, and Ms. Brannberg admitted that virtually no one had expressed interest in attending the schools. (*Id.*) Ms. Brannberg further admitted that the only way she would cover the massive cost of these schools would be (1) the school districts donating land to her and (2) paying her \$1.6 billion in damages based on her preposterous theory that DCSD and JeffCo and its staff conspired for years—even with her own attorneys—to thwart her applications. (*Id.*) What’s more, despite clear page-limitation guidelines from both districts, Ms. Brannberg submitted application materials and appendices totaling over 30,000 pages. (*Id.*) Her application materials largely focused on Ms. Brannberg’s unfounded allegations of a multi-year criminal conspiracy to deny her applications, accusing district staff and others of murder, terrorism, and fraud, among other things. (*Id.*)

The districts reviewed but ultimately denied these applications. Ms. Brannberg appealed those denials to the State Board of Education, where she continued to echo her unfounded claims. (Brannberg Op. Br., filed 10/11/23, **Ex. G** hereto.) In her opening brief, she described the so-called conspiracy against her as “the largest, most crime-infested public education scandal in U.S. History,” attacked personally and by name the public servants who had reviewed her applications, alleged that her own attorneys had been “bought out” by the school districts, and even attempted to connect the denial of her prior charter applications with the tragic shooting at STEM School

Ms. Brannberg submitted these applications through her charter management organization, Lighthouse on a Hill, which purports to have its own board of directors, though none of those alleged members ever participated in the charter application process.

Highlands Ranch in 2019, where a student was killed. (*Id.*) The State Board affirmed the denials.³ Ms. Brannberg then filed an emergency writ of certiorari to the U.S. Supreme Court, repeating her unfounded claims (Writ of Cert., filed June 7, 2024, **Ex. H** hereto), which was denied.

C. Ms. Brannberg’s Current Litigation without Counsel

Despite a Colorado Supreme Court order stating that she cannot seek judicial review of State Board orders on charter appeals, in September 2023 Ms. Brannberg filed this action seeking “judicial review” of her charter appeal denials. (*See* Notice of Appeal, Complaint, and First Amended Complaint.) In this case, Ms. Brannberg echoes the same unfounded claims she has repeatedly asserted—murder, fraud, terrorism, etc.—but added several Defendants whom she believes participated in that conspiracy, including the Douglas County Sheriff’s Office, several financial institutions, the Colorado Civil Rights Division (CCRD), and even the U.S. Supreme Court. (*Id.*) As a remedy, Ms. Brannberg asked this Court to grant her prior charter applications and to overturn the Colorado Supreme Court decision concerning her charter appeal rights—neither of which this Court can do. (*Id.* at 4.)

All Defendants moved to dismiss Ms. Brannberg’s claims, and this Court granted those motions in an omnibus order. (Or. of Dism., issued 7/10/24.) In its order, the Court noted that she is not entitled to assert claims on behalf of her proposed charter schools. (*Id.* at 4 n.4.) Several Defendants have moved for attorney fees and costs based in part on the fact that Ms. Brannberg asserted frivolous claims—including criminal claims that this civil Court cannot even address—

³ All materials submitted to the Board of Education for these appeals are available on the State Board’s website at <https://go.boarddocs.com/co/cde/Board.nsf/Public>. The JeffCo appeal was heard on September 14, 2023 and the DCSD appeal was heard on November 9, 2023.

based on a fantastical conspiracy theory, untethered to reality, that she should know, at this point, are groundless and vexatious. (*E.g.*, Def. DCSD Mot. for Fees, filed 9/4/24.)

In addition, Ms. Brannberg also filed a complaint with the CCRD against DCSD alleging a criminal conspiracy to discriminate against her. (Dkt. 2024CA133, Notice of Appeal.) The CCRD denied her complaint for lack of jurisdiction, which Ms. Brannberg appealed. (*Id.*) The appellate court denied her appeal for lack of a final, appealable order. (Dkt. 2024CA133, Or. issued 2/1/24.) Ms. Brannberg filed a motion to reconsider that ruling, in which she admitted (and seemingly argued) that there was no final, appealable order. (Dkt. 2024CA133, Mot. filed 3/6/24.) Ms. Brannberg then appealed that ruling to both the Colorado and U.S. Supreme Court and asked for a stay. (Dkt. 2024CA133, Mot. filed 7/9/24; Dkt. 2024SC181.) Ms. Brannberg even sought an emergency stay of this matter directly to several members of the U.S. Supreme Court, including Justice Gorsuch and Justice Thomas. (*E.g.*, Emergency App. for Stay to U.S. Supreme Court, filed in 2023CV610 on 7/15/24.) In her writ petition, Ms. Brannberg repeated her unfounded criminal-conspiracy claims. (*Id.*) She filed no fewer than seven supplemental briefs in support of her petition, all of which continue to repeat her unfounded claims of conspiracy. (*E.g.*, Seventh Suppl. Br., filed 9/23/24.) The Supreme Court denied Ms. Brannberg's writ petition and motion for stay. (*See* Dkt. 2024SC181.)

Despite this Court's dismissal order, Ms. Brannberg has continued to assert and threaten to file frivolous and groundless arguments.

For instance, Ms. Brannberg filed a motion to reconsider the Court's dismissal order, in which she continues her repeated conspiracy claims, adding "attempted assassination" to the mix, but also providing no plausible basis for the Court to reverse its order. She moved to conduct

“discovery” on the attorney-fee motions, which the Court denied. (Mot. for Disc., filed 11/15/24.)

In that motion, she repeated her unfounded allegations of bribes, conspiracy, and murder against various parties. (*Id.*)

This past week, Ms. Brannberg set the hearing for March 6, 2025, and told all Defense counsel that they needed to attend, even though only a handful of defendants have sought fees and costs warranting the hearing. (12/13/24 Email Chain, Ex. I.) When counsel for one defendant responded that it planned to move to clarify the Court’s order setting the hearing and to be excused from the hearing (as it has not sought fees), Ms. Brannberg stated that she opposed the motion, adding, “LOL, I am looking forward to meeting you all face to face in the same Courtroom.” (*Id.*) She has also subpoenaed several dozen people, including representatives of parties in this case, and in some cases their counsel (including undersigned counsel), to appear at the March 6 hearing, even though few if any of these people have any knowledge of the discrete fee dispute that will be addressed at that hearing. Not only that, she has demanded in subpoenas that each of these witnesses produce documents, but none of the documents she requests are relevant to the March 6 hearing; instead, the subpoenas appear to be designed as a fishing expedition for documents substantiating Ms. Brannberg’s outlandish—and dismissed—claims. (*See* Subpoenas, filed 12/16/24.)

Ms. Brannberg has also filed four iterations of a groundless motion to disqualify undersigned counsel, and JeffCo’s general counsel Julie Tolleson, from representing JeffCo related to this motion. (4th Mot. to Disq., filed 12/9/24.) In her briefing on this motion, she asserts that plaintiffs have “hit the jackpot” and proven a years-long criminal conspiracy against her solely

because they signed onto a joint response to her motion to reconsider the Court's dismissal order. (Pls.' Reply Br., filed 12/16/24.)

This past week, she filed a meritless preliminary injunction motion to stop various defendants from opening any other charter schools in areas in certain communities until the attorney-fee hearing on March 6 is resolved. (Prelim. Inj. Mot., filed 12/17/24.) This groundless motion, which is not proper under the rules of civil procedure—not the least of which because there is no operative complaint tethered to this motion—forced at least one party to move to strike that motion. (Mot. to Strike and for Injunction, filed 12/19/24.) To state the obvious, the hearing on March 6 has no bearing on whether a school district can open a charter school within its geographic boundaries. And it certainly will not address Ms. Brannberg's stated concerns in her motion that opening another charter school "will cause irreparable harm and severe safety breach because of the illegal school monopoly to Colorado consumers . . . and put students DCSD/Colorado at risk for additional school shootings." (Mot., filed 12/17/24, at 6.)

The register of actions in this matter currently contains 455 separate filings, not including the voluminous and redundant exhibits that are attached to every filing from Ms. Brannberg. (Reg. of Actions, **Ex. K** hereto.) While the Court has dismissed Ms. Brannberg's claims, the pace of her filings does not appear to be waning; to the contrary, they appear to be continuing at the same pace as in earlier stages of the case. Indeed, seldom does a day go by without Ms. Brannberg attempting to confer with Defense counsel on yet another groundless motion.

Indeed, speaking of conferrals, when undersigned counsel conferred with Ms. Brannberg on this motion, her response echoed her unfounded conspiracy theory forming the basis of her claims in this case and those asserted the past few years:

“Wonderful, Elliott! Please file the JOINT Motion today, as once against this JOINT Motion provides to this Court and to the F.B.I. additional evidence that this is criminal conspiracy by a JOINT Racketeering, RICO, crime-ring enterprise. As the Author of the JOINT Motion, this provides that you are the 2023CV610 crime coverup Ringleader.”

(Email 12/21/24, **Ex. L**) (emphasis in original)

This response not only parrots her repeated, unfounded claims, but it forecasts yet more frivolous filings in this case and potentially others.

II. The Court should enjoin Ms. Brannberg from filing any pro se litigation without court approval.

As detailed above, Ms. Brannberg has repeatedly asserted unfounded pro se claims and arguments in administrative, state, and federal tribunals. She is clogging up not only this Court’s docket but also those of courts and agencies across Colorado and in federal courts. In a few short years, her claims have metastasized from merely groundless to shocking, lodging baseless accusations of murder, terrorism, and even attempted assassination.

When Ms. Brannberg exhausts her remedies, she pushes further, pursuing frivolous civil actions, appeals, and even petitions of writ of certiorari, where the law has carved no such path. Even though her claims have been dismissed in this case, she has continued to file groundless motions, and she will likely keep doing so. Based on her pattern of behavior, she will appeal this case to the Court of Appeals, then to the Colorado Supreme Court, and then to the U.S. Supreme Court. Once she has exhausted those avenues, she will file a new claim in district court, and the process will restart. Without court intervention, Ms. Brannberg’s vexatious quest for a court order to open her charter schools—which no court has the authority to issue—will likely go on for years.

While Ms. Brannberg has a presumptive right to access the court system, given her pattern of behavior, there should be some guardrails to that access. Colorado courts have enjoined pro se

litigants like Ms. Brannberg, who file repetitive, unfounded claims, from filing claims in court or with administrative agencies without counsel. *See Bd. of Cnty. Comm'rs of Weld Cnty. v. Howard*, 640 P.2d 1128, 1130 (Colo. 1982) (enjoining party who continuously filed meritless claims from filing any claims in court or administrative agencies without an attorney); *Kazazian*, 543 P.3d at 1057 (enjoining party who engaged in years-long frivolous litigation from filing claims in Colorado courts without an attorney). Under the circumstances, such an injunction is warranted here. The injunction would ensure that Ms. Brannberg retains her right to access the courts while also protecting the courts and our state's administrative agencies (like the Colorado State Board of Education) from further abuse. *See Kazazian*, 543 P.3d at 1053 (stating that injunction would "protect the courts and the public from further abuse" but not "infringe on Kazazian's constitutional rights").

Thus, Defendants Colorado Educational and Cultural Facility A, Douglas County School District, Douglas County Sheriff's Office, Jefferson County Public Schools, STEM School Highlands Ranch, Lighthouse Building Corp., Lighthouse on a Hill d/b/a STEM Academy, Koson Network of Schools/Koson Schools and Sterling Ranch Development Corp. jointly move to enjoin Ms. Brannberg from appearing or filing claims or documents pro se in any state or administrative court or tribunal in Colorado.

Respectfully submitted this 20th day of December 2024.

CAPLAN AND EARNEST LLC

s/Elliott V. Hood

Elliott V. Hood, #45060
3107 Iris Avenue, Suite 100
Boulder, CO 80301
Telephone 303-443-8010
ehood@celaw.com
*Attorney for Defendant Jefferson County
Public Schools*

JEFFERSON COUNTY PUBLIC
SCHOOLS

s/Julie C. Tolleson

Julie C. Tolleson, #24885
Molly Ferrer, #37857
1829 Denver West Drive, #27
Golden, CO 80401
303-982-6544
julie.tolleson@jeffco.k12.co.us
molly.ferrer@jeffco.k12.co.us
*Attorneys for Defendant Jefferson County
Public Schools*

SHERMAN & HOWARD L.L.C.

s/ Joseph J. Bronesky

Joseph J. Bronesky, #7973
675 15th Street, Suite 2300
Denver, CO 80202
Telephone: (303) 297-2900
Facsimile: (303) 298-0940
Email: jbronesky@shermanhoward.com
*Attorneys for Defendant Colorado
Educational and Cultural Facilities
Authority*

/s/ Andrew D. Ringel

Andrew D. Ringel, #24762
Hall & Evans, L.L.C.
1001 17th Street, Suite 300
Denver, Colorado 80202
(303) 628-3300
ringela@hallevans.com
*Attorneys for Douglas County School
District*

OFFICE OF THE COUNTY ATTORNEY
DOUGLAS COUNTY, COLORADO

/s/ Andrew C. Steers

Andrew C. Steers, #40139
S. Kelly Dunnaway, #31896
100 Third Street
Castle Rock, CO 80104
Telephone: (303) 660-7414
Email: asteers@douglas.co.us
kdunnawa@douglas.co.us
*Attorneys for Douglas County Sheriff's
Office*

/s/ John F. Peters

John F. Peters, #44563
of HALL & EVANS, L.L.C.
*Attorneys for Defendants STEM SCHOOL
HIGHLANDS RANCH, LIGHTHOUSE
BUILDING CORP, LIGHTHOUSE ON A
HILL D/B/A STEM ACADEMY, KOSON
NETWORK OF SCHOOLS/KOSON
SCHOOLS*

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

By: s/Jonathan G. Pray
Jonathan G. Pray, #36576
Attorney for Sterling Ranch Development
Company

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2024 a true and accurate copy of the foregoing was served via Colorado Courts E-Filing to all counsel of record and served by email to the following:

Judy A. Brannberg
judy.brannberg@gmail.com

s/ Shelley McKinstry
Shelley McKinstry, Paralegal

**Additional material
from this filing is
available in the
Clerk's Office.**