

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

Civil Action No. 22-cv-01537-NYW-GPG

TALBOTT'S MOUNTAIN GOLD LLLP, a Colorado limited liability limited partnership;
TALBOTT LAND AND PROPERTY LLLP, a Colorado limited liability limited partnership;
BLAINE D PRODUCE COMPANY LLC, a Colorado limited liability company;
BOX ELDER RANCH, LLC, a Colorado limited liability company;
BOX ELDER RANCH, INC., a Colorado corporation;
MARC ARNUSCH FARMS LLC, a Colorado limited liability company; and
MAUCH FARMS, INC., a Colorado corporation,

Plaintiffs,

v.

JOSEPH M. BARELA, in his official capacity as Executive Director of the Colorado
Department of Labor and Employment; and
SCOTT MOSS, in his official capacity as Director of the Division of Labor Standards and
Statistics, Colorado Department of Labor and Employment,

Defendants,

and

COLORADO LEGAL SERVICES; and JANE DOE,

Intervenor-Defendants.

UNOPPOSED MOTION TO DISMISS

Plaintiffs, by and through undersigned counsel, hereby submit their Unopposed Motion to Dismiss, and as grounds therefore, state as follows:

Conferral pursuant to D.C.Colo.LCivR 7.1(a): Undersigned counsel for Plaintiffs has conferred with Senior Assistant Attorney General Krista Maher, counsel to Defendants, who does not oppose this motion. Counsel for Plaintiffs has further conferred with David Muraskin of Public Justice, counsel to Intervenor-Defendant Colorado Legal Services, and Jenifer

Rodriguez of Colorado Legal Services, counsel to Intervenor-Defendant Jane Doe. Counsel for Intervenor-Defendants do not oppose this motion, subject to the reservations stated in the Status Report contemporaneously filed by Plaintiffs.

1. Plaintiffs respectfully request the Court to dismiss Plaintiffs' First Amended Complaint, without prejudice.
2. Plaintiffs further request the Court deny all pending motions in this matter as moot.

Submitted this 24th day of February, 2023.

By: *s/Kevin C. Paul*

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of February, 2023, a true and correct copy of the foregoing **UNOPPOSED MOTION TO DISMISS** was electronically filed and served with the Clerk of Court using the CM/ECF system to:

<p>John Lizza First Assistant Attorney General Krista Maher Senior Assistant Attorney General Christopher K. Boeckx Assistant Attorney General Tanya M. Santillan Assistant Attorney General Colorado Attorney General’s Office State Services Section Public Officials Unit 1300 Broadway, 6th Floor Denver, Colorado 80203 Email: john.lizza@coag.gov; krista.maher@coag.gov; chris.boeckx@coag.gov; tanya.santillan@coag.gov <i>Attorneys for Defendants</i></p>	<p>David S. Muraskin Shelby Leighton Karla Gilbride Public Justice 1620 L. St, NW, Suite 630 Washington, DC 20036 Email: dmuraskin@publicjustice.net; sleighton@publicjustice.net kgilbride@publicjustice.net</p> <p>Trent Taylor Farmworker Justice 1126 16th St. NW, Suite LL101 Washington, DC 20006 Email: ttaylor@farmworkerjustice.org</p> <p>Valerie Collins David Seligman Towards Justice 1410 High Street, Suite 300 Denver, CO 80218 Email: david@towardsjustice.org valerie@towardsjustice.org <i>Attorneys for Intervenor-Defendant Colorado Legal Services</i></p>
<p>Jenifer Rodriguez Colorado Legal Services Migrant Farm Worker Division 1905 Sherman Street, Suite 400 Denver, CO 80203 Email: jrodriguez@colegalserv.org <i>Attorney for Intervenor-Defendant Jane Doe</i></p>	

s/Kevin C. Paul

A duly signed original is kept on file at the offices of Range PC.