

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

Civil Action No. 25-cv-03183-RBJ

REFUGIO RAMIREZ OVANDO, et al.,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of Homeland Security, et al.,

Defendants.

**RESPONSE TO PLAINTIFFS' MOTION TO ENFORCE PRELIMINARY
INJUNCTION AND BRIEF IN SUPPORT (ECF No. 82)**

Plaintiffs' Motion to Enforce claims that ICE has continued a "policy and practice of effecting unlawful warrantless arrests in Colorado." ECF No. 82 at 1. This is not the case. On the contrary, Defendants have no such policy and, as they continue to engage in statutorily-mandated immigration enforcement duties, have worked diligently to comply with the Court's preliminary injunction (ECF No. 49, the "PI"). Plaintiffs' own evidence shows that Defendants have continued to improve their documentation of warrantless arrests, and does not show widespread, willful violations of the PI. And Defendants have taken additional steps to comply with the PI. Granting Plaintiffs the sweeping relief they request is therefore unwarranted and premature. The relief they seek would not ensure compliance with the PI, but would impermissibly modify the PI, unduly burden the agency, and permit Plaintiffs to intrude into lawful immigration enforcement functions.

I. In the PI, the Court required Defendants to comply with 8 U.S.C. § 1357(a)(2) when making warrantless arrests, and to document such arrests and make productions.

Based on its ruling that Defendants likely had "a policy, pattern, and/or practice" of

violating 8 U.S.C. § 1357(a)(2), the Court, in Part V of the PI, required ICE to conduct warrantless arrests in compliance with 8 U.S.C. § 1357(a)(2). *See* ECF No. 49 at 61–62. Specifically, it stated, “defendants shall not effect warrantless arrests in this District unless, pre-arrest, the arresting officer has probable cause to believe that the individual is in the United States in violation of United States immigration laws and probable cause that the person being arrested is likely to escape before a warrant can be obtained, as required by 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(2).” *Id.* This “conduct” requirement thus addressed only warrantless arrests—not pre-arrest encounters, or arrests supported by a warrant. And the Court required, for a warrantless arrest, probable cause to believe that the person was likely to do a particular thing (“escape”) during a particular period (“before a warrant can be obtained”).

The PI imposed two other requirements that are not set forth in the statute or regulations. First, it required ICE officers to *document* warrantless arrests a certain way. *Id.* at 62–63. Second, it required ICE to *produce* warrantless arrest documentation (I-213s) to Plaintiffs’ counsel. *See id.*

II. Defendants are implementing the PI.

Plaintiffs claim that this Court should grant relief on the grounds that Defendants “have continued their policy and practice” of effecting unlawful warrantless arrests and because of Defendants’ “widespread noncompliance” with the PI. ECF No. 82 at 1, 8. As Defendants will show at the hearing, ICE has worked diligently to comply with the PI, and Plaintiffs’ evidence does not show an ongoing policy and practice of violating the PI. Plaintiffs thus have not met their burden to justify an order enforcing the PI.

A. There is no policy or practice of unlawful warrantless arrests in Colorado.

Nothing in the PI changed federal law authorizing Defendants to conduct warrantless

arrests. As the PI recognizes, so long as they are supported by probable cause determinations, warrantless arrests are lawful and consistent with the PI. 8 U.S.C. § 1357(a)(2); 8 C.F.R. § 287.8(2); ECF No. 49 at 61. Despite that authority, ICE officers in Colorado have been instructed to obtain an arrest warrant before effectuating an arrest whenever feasible. Davies Decl. ¶ 5.

Compliance with the PI requires collecting, reviewing, and producing the I-213s. Defendants adopted a process for doing so and produced I-213s to Plaintiffs. In their Motion, Plaintiffs rely on 29 of those I-213s to show that ICE has “continued their policy and practice of effecting unlawful warrantless arrests.” ECF No. 82 at 1. But that is not what those I-213s show.

Of the 29 I-213s attached to Plaintiffs’ Motion, 10 (34%) are from the first week after the PI was issued.¹ Another 8 (24%) date from December 3 through 10, the second full week the PI was in place. The remaining 11 (42%) are spread across the following seven weeks. In other words, the bulk of the evidence on which Plaintiffs rely to show noncompliance was from immediately after the PI was entered. That the arrests Plaintiffs allege are noncompliant became far less frequent in January suggests that documentation in I-213s improved, that ICE officers more often obtained warrants in advance of arrests, or both. It does not show that ICE has a policy and practice of effecting unlawful warrantless arrests, let alone one that has “continued” since the PI was issued.

Moreover, many of the arrests Plaintiffs have identified as deficient involve situations where officers may have had a warrant, or a reasonable basis to believe that a warrant existed:

Check-ins and custodial transfers. Several arrests in November and December took place

¹ Two occurred early on November 25, 2025, before the PI was issued. P202.006 (J.G.P.N), P202.009 (J.G.P.A.). Two more occurred sometime that day. P202.11 (H.C.D.), P202.63 (J.M.G.).

at check-ins or in transfers at local jails.² Officers typically obtain a warrant before such arrests, and may have simply failed to document that fact in the I-213 for some arrests. Davies Decl. ¶ 10.

Individuals previously removed. For two arrests, officers targeted individuals who had previously been removed,³ and the officers may reasonably have assumed those targets had warrants of removal (I-205s). *Id.* ¶ 11.

Individuals in removal proceedings. Because an I-200 arrest warrant typically is generated when removal proceedings begin, officers may have believed a warrant existed when they arrested individuals already in removal proceedings, and that a new warrant was not needed. *See id.*

Interrogation followed by arrest supported by a field warrant. Some officers interrogated individuals and gathered information used to issue a field warrant to support an arrest. Such conduct is proper. Congress has authorized immigration officers to “interrogate” individuals without arresting them. *See* 8 U.S.C. § 1357(a)(1) (permitting officers “to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States”). In general, interrogation may be followed by a brief investigative detention if the initial interrogation provides a sufficient basis for further inquiry. *See Hiibel v. Sixth Jud. Dist. Ct. of Nevada*, 542 U.S. 177, 185 (2004) (“[A] police officer is free to ask a person for identification without implicating the Fourth Amendment” and then may detain them based on reasonable suspicion so long as the detention is “reasonably related in scope to the circumstances which justified the interference in the first place.” (citation omitted)). Through the interrogation, probable cause to arrest an

² *See* P202.063 (J.M.G.), P202.020 (I.M.P), P202.066 (P.P.T.R.B.), P202.023 (L.S.L.), P202.035 (J.E.S.G.), P202.032 (M.Y.R.), P202.041 (D.R.B.G.), P202.045 (J.P.A.C.), P202.048 (H.P.R.).

³ *See* P202.048 (H.P.R.), P202.059 (D.G.C.).

individual may arise. The officer then may effect a warrantless arrest if authorized by § 1357(a)(2) and permitted by the PI. Alternatively, the officers also often can quickly—within minutes—obtain a warrant from a supervisor on the scene, or by calling a supervisor who signs the warrant. Davies Decl. ¶ 6. The individual’s arrest is then supported by a warrant, as permitted by statute. *See, e.g.*, 8 U.S.C. § 1226(a) (permitting detention based on a warrant).

In such circumstances, it cannot be presumed that the officer effected any “arrest” at all before the warrant was obtained. A brief investigative detention for questioning is often not an “arrest.” *United States v. Brignoni-Ponce*, 422 U.S. 873, 881 (1975) (“[T]he Fourth Amendment allows a properly limited ‘search’ or ‘seizure’ on facts that do not constitute probable cause to arrest.”). No “bright line” rule defines when a detention becomes a “*de facto* arrest.” *United States v. Sharpe*, 470 U.S. 675, 685 (1985). Rather, when it becomes an arrest depends on various factors, such as “whether the police diligently pursued a means of investigation that was likely to confirm or dispel their suspicions quickly,” *id.* at 686–87 (holding that a 20-minute stop was reasonable), and whether the individual acted in ways that prolonged the questioning, *see United States v. Shareef*, 100 F.3d 1491, 1501 (10th Cir. 1996) (when an individual’s “own conduct contributes to a delay, he or she may not complain that the resulting delay is unreasonable”). But “the line is crossed when the police . . . forcibly remove a person from his home or other place . . . and transport him to the police station” because “such seizures . . . invoke the traditional rule that arrests may constitutionally be made only on probable cause.” *Hayes v. Florida*, 470 U.S. 811, 816 (1985). In sum, while a detention *could* become an arrest before a warrant is obtained, the Court may not presume that every investigative detention was an arrest before the warrant was obtained.

Detention of passengers. In some circumstances, officers—pursuant to a warrant—stopped

a car to arrest the driver, then detained and questioned passengers and gathered information. The temporary detention and questioning of such a passenger is not an arrest and need not be supported by reasonable suspicion. *See Maryland v. Wilson*, 519 U.S. 408, 415 (1997) (“[A]n officer making a traffic stop may order passengers to get out of the car pending completion of the stop.”); *cf. Wyoming v. Houghton*, 526 U.S. 295, 304-05 (1999) (recognizing that “a car passenger . . . will often be engaged in a common enterprise with the driver”); *United States v. Rice*, 483 F.3d 1079, 1084 (10th Cir. 2007) (officers may “ask for identification from passengers and run background checks on them as well” during a valid traffic stop). During this period, the passengers are subject to “temporary protective detention,” which is a seizure but is *not* an arrest “even in the absence of probable cause or a reasonable suspicion that the individual poses a threat to officer safety.” *United States v. Kinzalow*, 236 F. App’x 414, 418 (10th Cir. 2007).

In short, the evidence at the hearing will not show that ICE has a policy and practice of disregarding the PI. It will show a positive trend since the PI was issued. It will show that arrests have occurred under circumstances where the conduct may not have violated the PI or, even if it did, may not have been willful under the circumstances of a particular arrest. The evidence on which Plaintiffs rely does not show ongoing, widespread, and willful violations, or a sustained policy and practice of officers committing unlawful warrantless arrests across the state.

B. ICE has sought to comply with the documentation requirement.

As to the PI’s documentation requirements, ICE has identified issues with its officers’ arrest documentation and has taken steps to address those issues. In early February 2026, the intake officers who input arrest narratives into I-213s were instructed to prioritize following up with the arresting officer if the I-213’s narrative does not indicate if the officer had a pre-arrest warrant,

and/or if the narrative for a warrantless arrest does not include the specific, particularized facts supporting the conclusion that the person was likely to escape before a warrant could be obtained, or is missing other information required by the PI. Davies Decl. ¶ 12.

In addition, Defendants are implementing weekly quality assurance reviews of I-213s. Following those reviews, any deficiencies in the I-213s will be addressed through counseling by supervisory-level officers. *Id.* ¶ 13. This review should help address Plaintiffs' alleged documentation deficiencies in the I-213s.

C. ICE has sought to comply with the production requirement.

To comply with the production requirement, the government worked with Plaintiffs and agreed on a sample size, and agreed that it would make monthly I-213 productions on the tenth of the month, with the first production in January. For the monthly productions to date, the I-213s were screened based on whether they indicated on their face that there was a warrant for the arrest.

Since those productions, the government has identified an area for improvement. In particular, the simple screening of I-213s on their face appears to result in an overinclusive set: it can draw in arrests where a warrant *was* obtained, if that fact was not documented. Such I-213s are, in essence, false positives, as the PI does not mandate that I-213s for warranted arrests must document the existence of a warrant. On top of the documentation improvement discussed above, the government plans to reassess the process it has used to date to identify the I-213s for the monthly productions, with the goal of minimizing the production of I-213s for arrests where a warrant was obtained.⁴

⁴ Additional review beyond the face of the I-213 is now already being done when I-213s for specific individual arrests are requested.

III. Plaintiffs have not shown that the sweeping, intrusive relief they seek is warranted.

Plaintiffs ask the Court to find that ICE has not complied with the order and to order a laundry list of relief. *See* ECF No. 82 at 7-8. The Court should not award that relief. As noted above, ICE is seeking to make arrests based on warrants—despite the law permitting warrantless arrests—and even Plaintiffs’ evidence shows a positive trend in ICE’s compliance. Further, Defendants are taking the steps described above: (1) providing additional instruction to intake officers who review and finalize I-213s to ensure compliance with the Court’s PI; (2) implementing internal review of I-213s; and (3) following that review, providing feedback for immigration officers if their warrantless arrests or corresponding I-213s are deficient. Those steps will inform the parties and the Court regarding any need for additional relief. But on this record, the Court should decline to award Plaintiffs the relief they seek. The sweeping relief they seek is not warranted, would not ensure compliance with the PI, would impermissibly modify the PI, and would enmesh the Court and Plaintiffs in immigration enforcement.

Inserting Plaintiffs into Training (Item Nos. 1-6). Plaintiffs’ requested relief regarding training is unnecessary, would impermissibly insert Plaintiffs into immigration enforcement, would not be administrable, and would encroach on attorney-client privilege.

Defendants have already provided instruction and guidance on 8 U.S.C. § 1357 and the PI. The PI’s requirements were emailed to all immigration officers in Colorado, and supervisory officers were instructed to inform all immigration officers of their obligation to comply with the PI’s requirements. Davies Decl. ¶¶ 5, 8. Also, on January 28, 2026, the Acting ICE Director

directed all ICE officers to comply with 8 U.S.C. § 1357(a)(2). *See* ECF No. 82-12.⁵ In addition, ICE provides immigration enforcement training twice per year on the requirements of 8 U.S.C. § 1357 and the Fourth Amendment. *See* ECF No. 35, ¶ 14 (Oct. 27, 2025, Davies Decl.). Those trainings inform immigration officers of the requirements for performing warrantless arrests in compliance with § 1357. *See id.* Defendants will counsel immigration officers if their warrantless arrests or corresponding I-213s are deficient. *See id.* ¶¶ 13–14. Given these additional measures, requiring additional training and instruction to immigration officers is unnecessary.

Plaintiffs also seek to review Defendants’ training materials and internal communications (Item Nos. 5-6) and monthly documentation of and certifications regarding training attendance (Item Nos. 3-4). *See* ECF No. 82 at 7. But this monitoring of training materials and internal communications would not be administrable and would violate Defendants’ attorney-client privilege. Defendants’ training materials and internal communications contain confidential attorney-client privileged communications that should not be disclosed to Plaintiffs. Disclosure here would be particularly harmful in that it would impede Defendants’ ongoing efforts to comply with the Court’s PI by hindering Defendants’ ability to have “full and frank” communications with their attorneys about compliance with the PI. *See Upjohn Co. v. United States*, 449 U.S. 383, 389 (1981) (the “purpose” of attorney-client privilege “is to encourage full and frank communication between attorneys and their clients and thereby promote broader public interests in the observance

⁵ Without explanation, Plaintiffs aver that this memorandum “contradicts the Court’s PI.” ECF No. 82 at 13. It does not. Both adhere to the wording of 8 U.S.C. § 1357(a)(2). The PI requires immigration officers in Colorado to have “probable cause that the person being arrested is likely to escape before a warrant can be obtained.” ECF No. 49 at 61. The memorandum, too, requires officers to have “probable cause” that “the subject is likely to escape before a warrant for his arrest can be obtained.” ECF No. 82-12 at 4 (quotation marks omitted).

of law and administration of justice”).

Plaintiffs further seek to review, *in advance*, Defendants’ training materials (Item Nos. 5-6), and propose that the Court prohibit immigration officers who have not received unspecified additional training from performing warrantless arrests (Item No. 2). Imposing such measures would usurp authority over enforcement of our Nation’s immigration laws, which the Constitution and federal statutes commit to the Executive Branch. *See United States v. Texas*, 599 U.S. 670, 678–79 (2023). Congress has charged immigration officers with enforcing our nation’s immigration laws, including by making warrantless arrests when consistent with § 1357(a)(2). By prohibiting immigration officers from performing lawful warrantless arrests, the Court would interfere with those officers’ responsibility to enforce the immigration laws Congress enacted.

This Court may not reassign from Defendants to Plaintiffs the authority to enforce the immigration laws. *Cf. Perdomo v. Noem*, 146 S. Ct. 1, 6 (2025) (Kavanaugh, J. concurring) (“[W]e now likewise must decline to step outside our constitutionally assigned role to improperly restrict reasonable Executive Branch enforcement of the immigration laws”). Plaintiffs’ requested training relief would allow Plaintiffs to impermissibly insert themselves into immigration enforcement decisions. But even “[w]hen a court concludes that the Executive Branch has acted unlawfully, the answer is not for the court to exceed its power, too.” *Trump v. CASA, Inc.*, 606 U.S. 831, 861 (2025) (staying a district court’s grant of relief that was “broader than necessary”).

Despite the many cases around the nation challenging the federal government’s immigration enforcement operations, Plaintiffs cite none where a court has ordered such invasive relief to enforce a preliminary injunction. While Plaintiffs assert (ECF No. 82 at 8) that their requested relief “is consistent with the relief ordered in” *Escobar-Molina v. U.S. Dep’t of*

Homeland Sec., --- F. Supp. 3d ----, 2025 WL 3465518, at *39 (D.D.C. Dec. 2, 2025), and *Castanon Nava v. Dep't of Homeland Sec.*, 806 F. Supp. 3d 823, 838 (N.D. Ill. 2025), that is not accurate. The Court in *Escobar-Molina* did not order the additional relief that Plaintiffs seek in their Motion. Nor does the consent decree in *Castanon Nava* contain that relief. This Court should likewise refrain from ordering Plaintiffs' requested relief regarding training.

Expanding the PI's Production Obligation (Item Nos. 7-8). Plaintiffs ask the Court to modify and expand the PI's terms so that they will receive production of all I-213s, arrest warrants, and notices to appear, as well as a list of all individuals involved in warrantless arrests, arrests involving field-issued warrants, or arrests that are not "targeted" in Colorado. *See* ECF No. 82 at 7–8. Those requested modifications are improper. They would not ensure compliance with the existing PI; they would be modifications to the PI. But this Court lacks jurisdiction to modify the PI under *Coinbase Inc. v. Bielski*, 599 U.S. 736 (2023). Moreover, the requested modifications are unwarranted, premature, and burdensome.

Plaintiffs fail to explain how their requests for expanded production will ensure compliance with the existing PI. They have not shown that the right remedy for an alleged deficiency in compliance with the existing PI is to modify the PI to dramatically expand the scope of production. Moreover, most of the expanded production Plaintiffs' request would be *backward-looking*, stretching back to the entry of the Court's PI, and would not improve *forward-looking* compliance with the PI. Also, some of the requested expanded production would impermissibly extend to matters well beyond the basis of the existing PI—by seeking, for example, documentation on all arrests based on a warrant obtained after the encounter began. *Cf. Salazar v. Buono*, 559 U.S. 700, 719 (2010) (holding that it was "improper" where a court "used an injunction granted for one

reason as the basis” for granting relief as to “conduct that was alleged to be objectionable for a different reason”).

Plaintiffs’ request, thus, is essentially to modify the Court’s PI to require a far expanded production. But this Court lacks jurisdiction to modify (rather than enforce) the existing PI. The PI has been appealed, and under *Coinbase*, the district court lacks jurisdiction to modify the order on appeal. And where the issues on appeal are whether the case belongs in court at all, “the entire case is essentially involved in the appeal.” 599 U.S. at 741 (citation and quotation marks omitted). Here, this entire case is “involved in the [preliminary injunction] appeal” because the appeal concerns the scope of this Court’s jurisdiction. “[T]he district court may not alter the injunction once an appeal has been filed except to maintain the status quo of the parties pending the appeal.” *United States v. Power Eng’g Co.*, 10 F. Supp. 2d 1165, 1170 (D. Colo. 1998). Plaintiffs cite Federal Rule of Civil Procedure 62 as a basis to modify the PI, but “courts addressing [Rule 62] have construed the rule more narrowly.” *Id.* Those courts have held that the court is “without power to modify an existing injunction in a manner that alters the status quo.” *Lin v. Chertoff*, No. 07-cv-01957-LTB, 2007 WL 4459200, at *1 (D. Colo. Dec. 14, 2007). Accordingly, this Court lacks jurisdiction to modify its PI to expand the scope of the production it orders.

In any event, Plaintiffs’ request to expand the scope of required production is unwarranted and premature. Plaintiffs’ Motion does not explain why the existing production obligation is lacking. Nor can the requested productions be justified as discovery. The Court has not set any case or discovery schedule. Nor would discovery be appropriate in this APA case. The APA encompasses “Congress’s judgment that the civil discovery rules are incompatible with the APA, and their application to federal agencies would likely hinder the workings of another branch of

government.” *Univ. of Cali. Student Ass’n v. McMahon*, No. 25-cv-354-RDM, 2025 WL 1906548, at *2 (D.D.C. Mar. 18, 2025). Any discovery in this APA case must be limited to only what is necessary to “effectuate the [c]ourt’s judicial review.” *Manker v. Spencer*, No. 18-cv-372 (CSH), 2019 WL 5846828, at *19 (D. Conn. Nov. 7, 2019) (quotation omitted); *Department of Commerce v. New York*, 588 U.S. 752, 780-81 (2019) (only a “narrow exception” exists to the general rule that discovery is not permitted in an APA case). Plaintiffs cannot use a motion to enforce the PI as an end run to obtain discovery that they are not yet—or perhaps ever will be—entitled to obtain.

Finally, Plaintiffs’ requested relief would be unjustifiably burdensome. They request monthly rolling productions of numerous categories of documents being generated in real time. Those requests would require collection and document-by-document review of hundreds of sensitive law enforcement documents each month. Compounding the burdens of those requests, Plaintiffs seek the right to make unlimited ad hoc requests of Defendants for arrest records that go well beyond records for warrantless arrests and would require that information on a four-day deadline. Their requested relief would also require Defendants to create monthly litigation-specific documents for them, specifically lists of arrested individuals with various identifying information. All told, granting Plaintiffs’ requests would require unmanageable, voluminous productions that could do nothing at all to improve compliance with the PI’s requirement to conduct proper arrests.

Expanding the PI’s Documentation Obligations (Item Nos. 9-10). Plaintiffs also seek to impose additional I-213 documentation obligations. *See* ECF No. 82 at 8. But those requirements—as with the production obligations—would not ensure compliance with the existing PI. Rather, they would impermissibly modify the PI. And given Defendants’ efforts to improve I-213 documentation, imposing new additional documentation obligations is unnecessary here.

The focus should be on Defendants’ existing I-213 documentation obligations for warrantless arrests. Defendants’ ongoing efforts to comply with those existing obligations weigh against ordering them to take on additional obligations. As described above, in February 2026, intake officers who review and finalize I-213s received additional instruction for assessing whether the arrest narratives submitted by arresting officers complied with the Court’s PI. Davies Decl. ¶ 12. Defendants also plan to have high-level ICE supervisors perform weekly reviews of I-213s “to assess compliance with the Court’s Order” and address any I-213 documentation deficiencies. Davies Decl. ¶ 13. In addition, a memorandum issued by the Acting ICE Director to all ICE personnel on January 28, 2026, emphasized that it is “important for officers and agents to clearly, succinctly, and contemporaneously document all factors that led to an immigration officer’s determination that the subject was likely to escape before a warrant could be obtained” and “must include both mitigating and aggravating factors and should only include facts that the officers learned prior to the warrantless arrest.” ECF No. 82-12 at 6. These measures can reasonably be expected to enhance compliance with the PI’s documentation requirements.

Plaintiffs’ additional documentation requirements, in contrast, would improperly modify the existing PI—which, as noted above, this Court lacks jurisdiction to do. Plaintiffs’ requested relief would subject Defendants to additional documentation obligations that will require *new* training, *new* instruction, and *new* processes.

The requested I-213 documentation obligations also would not ensure compliance with the PI. Creating *new* I-213 documentation requirements would not ensure compliance with the existing ones. Rather, imposing additional documentation obligations would *hinder* Defendants’ efforts to comply with the existing obligations in the PI. Plaintiffs’ requests—seeking further I-213

documentation about arrests *with* warrants and vehicle stops—are also disconnected from the basis for the PI. In short, requiring more documentation will not advance compliance with the PI.

CONCLUSION

Plaintiffs have not shown that they are entitled to the relief they seek. ICE has been working to comply with the PI. Plaintiffs have *not* shown widespread noncompliance with the PI reflecting an ongoing policy and practice of conducting warrantless arrests in Colorado in violation of 8 U.S.C. § 1357(a)(2). Moreover, the sweeping relief Plaintiffs seek is unnecessary and would not ensure compliance with the existing PI. Rather, it would impermissibly modify the PI and enmesh Plaintiffs in immigration enforcement. The Court should deny that relief, and the Motion.

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CERTIFICATE OF SERVICE

I certify that on March 7, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will cause notice to be delivered electronically to all counsel of record.

s/ Brad Leneis
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