

<p>COLORADO COURT OF APPEALS 2 East 14th Avenue Denver, CO 80203</p>	<p>DATE FILED: February 6, 2015 8:51 PM FILING ID: 69C0B01F13D80 CASE NUMBER: 2014CA1991</p> <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>Appeal from Larimer County District Court The Honorable Gregory M. Lammons Case No. 13CV31385</p>	
<p>Appellant: THE CITY OF FORT COLLINS, COLORADO</p> <p>v.</p> <p>Appellee: COLORADO OIL AND GAS ASSOCIATION</p>	
<p>Courtney J. Krause, Attorney Reg. #45520 Attorney for Amicus Curiae Congressman Jared Polis 1212 Elm Street Denver, CO 80220 Telephone: (303) 981-4352 Email: Courtneyjkrause@gmail.com</p>	<p>Case Number: 2014CA001991</p>
<p style="text-align: center;">MOTION TO FILE AMICUS CURIAE BRIEF BY CONGRESSMAN JARED POLIS</p>	

COMES NOW, Congressman Jared Polis, by and through counsel, Courtney J. Krause, respectfully submits this Motion To File Amicus Curiae Brief. As grounds for the motion, Congressman Jared Polis states the following:

1. Congressman Polis is filing this amicus brief in his capacity as Member of the U.S. House of Representatives and Representative of Colorado's Second Congressional District. The Second Congressional District includes the entire City of Fort Collins and consequently Congressman Polis has an interest in the subject matter of this appeal. In addition, the Second Congressional District of Colorado contains several cities that have considered or imposed similar moratoria and will consequently be affected by the outcome of this case. Congressman Polis has particular and valuable expertise regarding several pending congressional requests for scientific studies regarding the impact of hydraulic fracturing on health and safety. In addition, he has expertise concerning legislative intent, federal preemption, and current policy discussions regarding oil and gas development that he believes would be useful to the Court in the adjudication of this matter. The issues to be decided by this Court include whether or not local governments within Congressman Polis' district may address land use aspects of hydraulic fracturing and oil and gas operations using moratoria. This Court is requested to determine the correct legal test concerning the validity of local regulations over hydraulic fracturing and oil and gas development.

2. Congressman Jared Polis is desirous of providing their perspectives to the Court concerning the above-reverenced issues as they are very important to the citizens he represents in Colorado's Second Congressional District.

3. Congressman Jared Polis supports the position of the City of Fort Collins in this matter.

4. A copy of proposed Amicus Curiae brief of Congressman Jared Polis accompanies this motion and is incorporated by reference.

NOW, WHEREFORE, Congressman Jared Polis respectfully requests this honorable Court grant him leave to appear as amicus curiae and accept his brief as timely filed.

Respectfully submitted this 6th day of February, 2015.

/s/ Courtney J. Krause

Courtney J. Krause, Atty. Reg. #45520

*Printed copy with the original signature on file at the offices of
Congressman Jared Polis and Courtney Krause in accordance with C.A.R. 30(f).*

CERTIFICATE OF SERVICE

I hereby certify that, on this 6th day of February, 2015, a true and correct copy of the foregoing was served *via* ICCES on the following:

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