

2020SC595 (1 HOUR)

**Petitioner:**

Tung Chan Securities Commissioner for the State of Colorado,

v.

**Respondents:**

HEI Resources, Inc. f/k/a Heartland Energy, Inc.; Charles Reed Cagle; Brandon Davis; Heartland Energy Development Corporation; John Schiffner; and James Pollak.

**For the Petitioner:**

Janna K. Fischer  
Jodanna Lissette Haskins  
Robert William Finke  
OFFICE OF THE ATTORNEY GENERAL

**For the Respondents HEI Resources, Inc. f/k/a Heartland Energy, Inc. and Charles Reed Cagle:**

Jeffrey Robert Thomas  
THOMAS LAW LLC

**For the Respondents Heartland Energy Development Corporation and Brandon Davis:**

Marcy Geoffrey Glenn  
HOLLAND HART LLP  
and  
S. Wallace Dunwoody  
Chase A. Cobern  
Shain A. Khoshbin  
MUNCK WILSON MANDALA LLP

**For the Respondents John Schiffner and James Pollak:**

Otto K. Hilbert  
LAW OFFICES OF OTTO K. HILBERT II

**For Amicus Curiae National Federation of Independent Business**

Teresa L. Ashmore  
ROBINSON WATERS ODORISIO PC

**For Amicus Curiae North American Securities Administrators Assoc Inc**

Theodore James Hartl  
BALLARD SPAHR LLP  
and  
Kameron Hillstrom  
NORTH AMERICAN SECURITIES ADMINISTRATORS

Certiorari to the Colorado Court of Appeals, 2018CA1769  
Docketed: July 16, 2020  
At Issue: October 12, 2021

ISSUE(S):

[REFRAMED] Whether the court of appeals erred by holding that Colorado should apply a 'strong presumption' that a general partnership is not a security.

Whether the court of appeals erred in its interpretation of the Williamson tests.

2021SC62 (1 HOUR)

**In re the Marriage of**

**Petitioner:**

Robert J. Mack,

**and**

**Respondent:**

Deborah B. Mack.

**For the Petitioner:**

Robert James Mack  
ROBERT J. MACK  
Pro Se

**For the Respondent:**

Daniel A. West  
BELTZ WEST P.C.

Certiorari to the Colorado Court of Appeals, 2019CA1816  
Docketed: January 27, 2021  
At Issue: October 12, 2021

ISSUE(S):

[REFRAMED] Whether the court of appeals division below erred in concluding that a PERA member waived his argument that he had a right to remove his spouse as a cobeneficiary from his PERA retirement plan and to have the plan revert to a single life benefit option pursuant to section 24-51-802(3.8), C.R.S. (2020).

[REFRAMED] Whether the district court erred in denying a PERA member the right to remove a cobeneficiary spouse from his PERA retirement plan and in thereby preventing the plan's reversion to a single life benefit option pursuant to section 24 51 802(3.8), C.R.S. (2020).

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2021SA181 (1 HOUR)

**Plaintiff-Appellant:**

The People of the State of Colorado,

v.

**Defendant-Appellee:**

Alfred Elias Moreno.

**For the Plaintiff-Appellant:**

Jefferson Jay Cheney  
Donald R. Nottingham  
PITKIN COUNTY DISTRICT ATTORNEY

**For the Defendant-Appellee:**

Casey Mark Klekas  
OFFICE OF THE STATE PUBLIC DEFENDER

Appeal from the District Court, 2019CR161  
Docketed: June 4, 2021  
At Issue: October 12, 2021

ISSUE(S):

Whether the trial court erred in finding that the Defendant proved, beyond a reasonable doubt, that the phrase "intent to harass" was unconstitutionally vague and overbroad, and thus, that section 18-9-111(1)(e), C.R.S. is unconstitutional

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# Colorado Supreme Court

Public Hearing - Tuesday, December 7, 2021

3:30 p.m.

Rules Governing Admission to the Practice of Law in Colorado - Rule 203.4

[https://www.courts.state.co.us/Courts/Supreme\\_Court/Rule\\_Changes.cfm](https://www.courts.state.co.us/Courts/Supreme_Court/Rule_Changes.cfm)

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2020SC852 (1 HOUR)

**Petitioners:**

Lodge Properties, Inc. and Board of Assessment Appeals,

v.

**Respondent:**

Eagle County Board of Equalization.

**For the Petitioner Lodge Properties, Inc.:**

Julian Richard Ellis  
BROWNSTEIN HYATT FARBER SCHRECK LLP  
and  
Michael James Hofmann  
Zachary Wood Fitzgerald  
BRYAN CAVE LEIGHTON PAISNER LLP

**For the Petitioner Board of Assessment Appeals:**

Evan P. Brennan  
OFFICE OF THE ATTORNEY GENERAL

**For the Respondent:**

Bryan Robert Treu  
Christina Crosbie Hooper  
EAGLE COUNTY ATTORNEYS OFFICE  
and  
Richard Frank Rodriguez  
Donald M. Ostrander  
Steven Louis-Prescott  
HAMRE RODRIQUEZ OSTRANDER DINGESS  
and  
Ruthanne Hundley Goff  
M Patrick Wilson  
HOFFMANN PARKER WILSON CARBERRY PC  
and  
Joel M Spector  
SPECTOR LAW LLC

**For Amicus Curiae Colorado Counties Inc**

Andrew David Ringel  
Ethan Elliott Zweig  
HALL & EVANS LLC

Certiorari to the Colorado Court of Appeals, 2019CA266  
Docketed: October 29, 2020  
At Issue: October 12, 2021

**ISSUE(S):**

REFRAMED] Whether the court of appeals erred by holding that a hotel's contractual right to net rental income generated from separately owned, but physically integrated, condominium units is not intangible personal property that must be excluded under section 39-3-118, C.R.S. from the actual value of the hotel under the income approach to valuation in section 39-1-103(5)(a), C.R.S.

Whether the court of appeals erred by holding, for the first time, that the net income generated from rentals of individually and separately owned condominium units to guests of a hotel should be included in the actual value of the hotel under the income approach to valuation.

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2021SC245 (1 HOUR)

**Petitioner:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

My. K.M., Child and Ma. K.M., Child,

v.

**Respondents:**

V. K. L. and T. A. M..

**For the Petitioner:**

Cathleen Marie Giovannini  
DENVER CITY ATTORNEYS OFFICE

**For the Respondent V. K. L.:**

Joel M. Pratt  
THE LAW OFFICE OF DAILEY PRATT

**For the Respondent T. A. M.:**

Patrick R. Henson  
HENSON LAW LLC

**For Amicus Curiae Colorado Office of Respondent  
Parents Counsel**

Zaven Taylor Saroyan  
THE SAROYAN LAW FIRM, L.L.C.

Certiorari to the Colorado Court of Appeals, 2020CA695  
Docketed: April 8, 2021  
At Issue: October 12, 2021

ISSUE(S):

[REFRAMED] Whether the Court of Appeals erred in its analysis of the Indian Child Welfare Act (ICWA) in determining Department of Human Services ('DHS') did not make 'active efforts' to provide services and programs designed to remediate the problems that caused DHS' involvement, rehabilitate parents, and prevent the breakup of the Indian family.

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