

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

Civil Action No. 1:25-cv-02725-WJM-MDB

ISRAEL DEL TORO, LUKE SORENSEN, NATHANAEL SKIVER, JASON REEVES, GARRETT FLICKER, and the COLORADO STATE SHOOTING ASSOCIATION,

Plaintiffs,

v.

JARED SCHUTZ POLIS, in his official capacity as Governor of the State of Colorado; PHILIP JACOB WEISER, in his official capacity as Attorney General of the State of Colorado; MICHAEL J. ALLEN, in his official capacity as the District Attorney for the Fourth Judicial District; and LAURA CLELLAN, in her official capacity as Director of Colorado Parks and Wildlife,

Defendants.

**Joint Motion to Set Briefing Schedule and Page Limits
on Plaintiffs' Motion for Preliminary Injunction**

The parties jointly move to set a briefing schedule and page limits regarding Plaintiffs' motion for preliminary injunction and Defendants' response and state:

1. On April 10, 2025, Governor Polis signed SB25-003 into law. Among other things, the law restricts the manufacture, distribution, transfer, sale, and purchase of specified semiautomatic firearms on or after August 1, 2026. For the general public, the only way to purchase a specified semiautomatic firearm is to complete a permit-to-purchase scheme that went into effect on August 1, 2026.

2. On September 2, 2025, Plaintiffs filed a complaint challenging the constitutionality of the state's permit-to-purchase scheme, among other provisions, on Second and Fourteenth Amendment grounds. The lawsuit is ongoing.

3. Plaintiffs intend to file a motion under Fed. R. Civ. P. 65, challenging the constitutionality and implementation of the state's permit-to-purchase scheme and asking the Court to preliminarily enjoin enforcement of the scheme.

4. Under the Court's practice standards, a motion for preliminary injunction is limited to 15 pages in length. *See* WJM Civ. P.S. III.C.2. To exceed that limitation, parties may file a motion requesting permission to exceed the page limit in "exceptional circumstances" where "the complexity or numerosity of the issues compel a motion ... of greater length." *Id.* at III.C.2.

5. Plaintiffs assert that "exceptional circumstances" exist in this case.

6. In their motion, Plaintiffs seek both facial and as-applied relief in an area of ongoing constitutional concern. Plaintiffs' facial challenge requires the Court to analyze the plain text of the Second Amendment and answer whether Colorado's permit-to-purchase scheme is consistent with the history and tradition of firearms regulation in this country. Such an analysis requires briefing on the new, multi-step permit-to-purchase process required to buy a semiautomatic firearm and detailing how that process burdens Second Amendment rights both facially and as applied. As to the latter showing, Plaintiffs will provide extensive factual details about the implementation, roll-out, and current conditions imposed on law-abiding firearm purchasers in the state who have been impacted by this law.

7. Accordingly, Plaintiffs' motion for preliminary injunction will require 10 additional pages, for a total of 25 pages, to adequately address each of these detailed legal and factual issues.

8. Defendants do not oppose the request to extend Plaintiffs' page limit and request an equal page limit for their response.

9. Plaintiffs will require an additional 5 pages in reply, for a total of 15 pages.

10. Neither party will be unduly prejudiced if the Court grants the parties' joint request.

11. Further, the parties stipulate to the following briefing schedule: Defendants shall have 21 days from the date of filing the motion for preliminary injunction to respond. *See* D.C.COLO.LCivR 7.1(d). Plaintiffs shall have seven (7) days from the date that the Defendants' response is filed to file a reply in support of their motion.

WHEREFORE, the parties respectfully request that the Court:

- a. increase the motion and response page limits by 10 pages, allowing up to 25 pages, for Plaintiffs' motion for preliminary injunction and Defendants' corresponding response;
- b. grant Defendants a full 21 days from the date the motion for preliminary injunction is filed to respond to Plaintiffs' motion; and
- c. set Plaintiffs' deadline to reply in support of the motion for preliminary injunction to seven days after the Defendants file their response, and increase the reply page limit by 5 pages, for a total of 15 pages.

Respectfully submitted this 10th day of August 2026.

s/ Julian R. Ellis, Jr.

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CERTIFICATE OF SERVICE

I certify that on August 10, 2026, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

s/ Thalia Mederos

Thalia Mederos, Paralegal
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