

DISTRICT COURT, CITY & COUNTY OF DENVER STATE OF COLORADO 1437 Bannock Street Denver, Colorado 80202	DATE FILED: October 11, 2021 12:31 PM CASE NUMBER: 2020CV34319
Plaintiff: Eric Coomer, v. Defendants: Donald J. Trump For President, Inc., et al.	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case Number: 2020CV34319 Courtroom: 409
CIVILITY ORDER	

In accordance with the *Preamble to the Colorado Rules of Professional Conduct*, this Court reminds all attorneys that:

1. Attorneys are not only representatives of clients but are also officers of the legal system and public citizens having special responsibility for the quality of justice. *Preamble (l)*
2. Attorneys may not use the law's procedures for illegitimate purposes or to harass or intimidate others. *Preamble (5)*
3. Attorneys are expected to demonstrate respect for the legal system and for those who serve it, including judges, other lawyers and public officials. *Preamble (5)*

It is **ORDERED** that civility from all legal counsel is required, including, but not limited to the following:

- (a) Rudeness, aggressive tactics or personal attacks in the course of the case will not be tolerated at any stage.
 - In any pleadings filed with this Court in which one or both sides attack opposing counsel, speculate as to their motivations, and/or accuse the other of deception, whether presented directly, indirectly, or cynically, the Court does not find this helpful or persuasive to resolving the issues presented and finds that it also degrades the level of discourse and professionalism expected of

counsel appearing in this Court. The Court encourages counsel to stick to the law and facts in their advocacy. While the Court would prefer that counsel do so on their own accord, if necessary, any filings that persist in this type of argument will be struck by the Court under C.R.C.P. 12(f) without further notice. Notably, C.R.C.P. Rule 12(f) allows a court on its own motion to strike any “redundant, immaterial, impertinent, or scandalous” matter from any pleading, motion or other paper. Relevant here, “immaterial” has been defined as “of no substantial consequence.”¹ “Impertinent” has been defined as “not restrained within due or proper bounds, especially of propriety or good taste;” and “given to or characterized by insolent rudeness.”²

- Expressions of opinion that tend to denigrate another's integrity are not persuasive, will not be well received and are more likely to reflect badly on the speaker than on the object of the remark. This includes without limitation words and phrases such as the following:

- (i) “In an effort to mislead the court”
- (ii) “Outrageous”
- (iii) “Absurd”
- (iv) “Deceitful”
- (v) “Ridiculous”
- (vi) “Lying” or “Is a liar”
- (vii) “In all my years of practice, this is the most__I have seen.”

- (b) Counsel and parties are expected to treat the court, opposing counsel, other parties, witnesses, jurors and court staff with courtesy and respect at all times. This applies to all conduct and communications, verbal and nonverbal, written and oral, in court and out of court.
- (c) The Courts will address conduct that is contrary to this order and apply enforcement mechanisms and contempt proceedings as necessary.
- (d) Proper professional dress, hygiene, and courtroom decorum regardless of in-person or virtual appearances.
- (e) As relevant to this Civility Order, all Attorneys are further specifically ordered to familiarize themselves and comply with the requirements of:

¹ <https://www.merriam-webster.com/dictionary/immaterial>, last visited September 14, 2021.

² <http://www.merriam-webster.com/dictionary/impertinent>, last visited September 14, 2021.

- Colorado Rules of Professional Conduct Preamble, 2.1, 3.3, 3.4, 3.5, 3.6, 4.1, 4.4, 4.5, and 8.4;
- C.R.C.P. 121, § 1-2 and § 1-15(8); and
- C.R.C.P. 205.3.

SO ORDERED this 11TH day of October, 2021.

BY THE COURT:

A handwritten signature in blue ink that reads "Marie Avery Moses". The signature is written in a cursive, flowing style.

Marie Avery Moses
District Court Judge