

No. \_\_\_\_\_

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In The  
Supreme Court of the United States



JUDY A. BRANNBERG, MSc.  
JOHN DEWEY INSTITUTE AND ALEXANDRIA SCHOOL OF INNOVATION,

*Applicants,*

v.

COLORADO CIVIL RIGHTS DIVISION  
COLORADO DEPARTMENT OF EDUCATION  
CDE COMMISSIONER SUSANA CORDOVA  
COLORADO STATE BOARD OF EDUCATION  
DOUGLAS COUNTY SCHOOL DISTRICT RE-1  
JEFFERSON COUNTY PUBLIC SCHOOLS  
STERLING RANCH DEVELOPMENT CORP.

*Respondents.*



To the Honorable Neil M. Gorsuch  
Associate Justice of the United States Supreme Court  
Circuit Justice for the Tenth Circuit



**APPENDIX**  
**Emergency Application for Writ of Injunction**

Judy A. Brannberg, MSc., *Pro Se*  
8201 South Santa Fe Drive, Lot 52  
Littleton, CO 80120  
Email: [judy.brannberg@gmail.com](mailto:judy.brannberg@gmail.com)  
Telephone: (303) 522-2158

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# Appendix A

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: April 29, 2024 CASE NUMBER: 2024SC181
Certiorari to the Court of Appeals, 2024CA133 District Court, City and County of Denver, 2023CV610	
<b>Petitioner:</b>  Judy A. Brannberg,  v.  <b>Respondents:</b>  Colorado Civil Rights Division and Douglas County School District.	Supreme Court Case No: 2024SC181
ORDER OF COURT	

Upon consideration of the Petition for Writ of Certiorari to the Colorado Court of Appeals and after review of the record, briefs, and the judgment of said Court of Appeals,

IT IS ORDERED that said Petition for Writ of Certiorari shall be, and the same hereby is, DENIED.

BY THE COURT, EN BANC, APRIL 29, 2024.

# Appendix B

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: April 29, 2024 CASE NUMBER: 2024SC181
Certiorari to the Court of Appeals, 2024CA133 District Court, City and County of Denver, 2023CV610	
<b>Petitioner:</b>  Judy A. Brannberg,  v.  <b>Respondents:</b>  Colorado Civil Rights Division and Douglas County School District.	Supreme Court Case No: 2024SC181
ORDER OF COURT	

Upon consideration of the Plaintiffs' Motion and Memorandum for Preliminary Injunction filed in the above cause, and now being sufficiently advised in the premises,

IT IS ORDERED that said Motion shall be, and the same hereby is, DENIED.

BY THE COURT, APRIL 29, 2024.

# Appendix C

<p><b>DISTRICT COURT, DENVER COUNTY, COLORADO</b> 1437 Bannock Street, Rm 256, Courtroom 275, Denver, CO, 80202</p> <p><b>Plaintiffs:</b> Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation (“ASI”) and John Dewey Institute (“JDI”) at Red Rocks Ranch (“RRR”) and Leyden Rock (“LR”) and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch</p> <p><b>Attorney for Plaintiffs:</b> JUDY A. BRANNBERG, Pro Se 8201 South Santa Fe Dr. #52, Littleton, CO 80120 303.522.2158   <a href="mailto:judy.brannberg@gmail.com">judy.brannberg@gmail.com</a></p>	<p>FILED IN DENVER DISTRICT COURT</p> <p>JAN 11 2024</p> <p>DENVER, COLORADO COUNTER CLERK <i>KL</i></p> <p><b>COURT USE ONLY</b></p>
<p><b>Defendant Number One:</b> Jefferson County Public Schools (“Jeffco”) Board President Stephanie Schooley, Directors Susan Miller, Mary Parker, Paula Reed, Danielle Varda 1829 Denver West Dr., Bldg. 27, Golden, CO 80401 MOLLY FERRER, #37857, Counsel for Jeffco 303-982-6544   <a href="mailto:Molly.Ferrer@jeffco.k12.co.us">Molly.Ferrer@jeffco.k12.co.us</a></p> <p><b>Defendant Jeffco Attorneys</b> MOLLY H. FERRER (Jeffco) #37857 R. CRAIG HESS (Jeffco) #26398 THOMAS H. MCMILLEN (Jeffco and DCSD) #14218 JULIE C. TOLLESON (Jeffco and State Board of Education) #24885 1829 Denver West Dr., Bldg. 27, Golden, CO 80401</p> <p><b>Defendant Number Two:</b> Colorado State Board of Education Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela</p> <p><b>Defendant Number Three:</b> Colorado Department of Education (“CDE”) CDE Commissioner Susana Cordova 201 East Colfax Avenue, Denver, CO 80203 MICHELLE M. BERGE, First Assistant Attorney General K-12 BLAKE MCCrackEN, Assistant Attorney General K-12 Education Unit, #39299, 1300 Broadway St. Denver, CO 80203 720-508.6186   <a href="mailto:michelle.berge@coag.gov">michelle.berge@coag.gov</a> 720-508-6172   <a href="mailto:blake.mccracken@coag.gov">blake.mccracken@coag.gov</a></p>	<p><b>Case No:</b> 2023CV610</p> <p><b>Division:</b> 275</p>



<p><b>DISTRICT COURT, DENVER COUNTY, COLORADO</b> 1437 Bannock Street, Rm 256, Courtroom 275, Denver, CO, 80202</p> <p><b>Plaintiffs:</b> Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation (“ASI”) and John Dewey Institute (“JDI”) at Red Rocks Ranch (“RRR”) and Leyden Rock (“LR”) and DCSD ASI and JDI at Ridgegate, Crystal Valley, Sterling Ranch, and Highlands Ranch</p> <p><b>Attorney for Plaintiffs:</b> JUDY A. BRANNBERG, Pro Se 8201 South Santa Fe Dr. #52, Littleton, CO 80120 303.522.2158   <a href="mailto:judy.brannberg@gmail.com">judy.brannberg@gmail.com</a></p>	<p><b>COURT USE ONLY</b></p>
<p><b>Defendant Number One:</b> Jefferson County Public Schools (“Jeffco”) Board President Stephanie Schooley, Directors Susan Miller, Mary Parker, Paula Reed, Danielle Varda 1829 Denver West Dr., Bldg. 27, Golden, CO 80401 MOLLY FERRER, #37857, Counsel for Jeffco 303-982-6544   <a href="mailto:Molly.Ferrer@jeffco.k12.co.us">Molly.Ferrer@jeffco.k12.co.us</a></p> <p><b>Defendant Jeffco Attorneys</b> MOLLY H. FERRER (Jeffco) #37857 R. CRAIG HESS (Jeffco) #26398 THOMAS H. MCMILLEN (Jeffco and DCSD) #14218 JULIE C. TOLLESON (Jeffco and State Board of Education) #24885 1829 Denver West Dr., Bldg. 27, Golden, CO 80401</p> <p><b>Defendant Number Two:</b> Colorado State Board of Education Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela</p> <p><b>Defendant Number Three:</b> Colorado Department of Education (“CDE”) CDE Commissioner Susana Cordova 201 East Colfax Avenue, Denver, CO 80203 MICHELLE M. BERGE, First Assistant Attorney General K-12 BLAKE MCCrackEN, Assistant Attorney General K-12 Education Unit, #39299, 1300 Broadway St., Denver, CO 80203 720-508.6186   <a href="mailto:michelle.berge@coag.gov">michelle.berge@coag.gov</a> 720-508-6172   <a href="mailto:blake.mccracken@coag.gov">blake.mccracken@coag.gov</a></p> <p><b>Defendant State Board of Education Attorneys</b> JULIE C. TOLLESON (State Board of Education and Jeffco) #24885</p>	<p><b>Case No:</b> 2023CV610</p> <p><b>Division:</b> 275</p>

JENNA M. ZERYLNICK (State Board) #42553  
201 East Colfax Avenue, Denver, CO 80203

**Defendant Number Four:** Douglas County School District (“DCSD”)  
Board Directors President Mr. Mike Peterson and Directors Susan Meek,  
Becky Myers, Jason Page, David Ray, Christy Williams, Kaylee Winegar  
620 Wilcox Street, Castle Rock, CO 80104  
DCSD Attorney ANDREW D. RINGEL  
303-628-3453 | [ringela@hallevans.com](mailto:ringela@hallevans.com)  
Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300  
Denver, CO 80202

**Defendant DCSD Attorneys**

STEVE J. COLELLA, (DCSD) #45503  
KRISTIN C. EDGAR (DCSD and Jeffco) #35686  
ELLIOTT V. HOOD (DCSD and Jeffco) #45060  
MARY KAY KLIMESH (DCSD) #48266  
THOMAS H. MCMILLEN (DCSD and Jeffco) #14218  
ROBERT P. MONTGOMERY (DCSD) #49502  
ROBERT SHERMAN ROSS JR. (DCSD) #42249  
WILLIAM E. TRACHMAN (DCSD) # 45684  
620 Wilcox Street, Castle Rock, CO 80104

**Defendant Number Five:** STEM School Highlands Ranch,  
Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy,  
Koson Network of Schools / Koson Schools  
Board Directors President/Chair Kelly Reyna, Vice President Carla  
Gustafson, Secretary Michelle Horne, Board Directors Nicole Smith,  
Rudy Lukez, Ishmeet Kalra, Linda Davison, Ryan Theret, Erin Quigley  
8773 S Ridgeline Blvd., Highlands Ranch, CO 80129  
Attorney DAVID M. JONES, #35677 | [jonesd@hallevans.com](mailto:jonesd@hallevans.com)  
Attorney JOHN F. PETERS, #44563 | [petersj@hallevans.com](mailto:petersj@hallevans.com)  
303-628-3312 | Hall & Evans, LLC  
1001 Seventeenth Street, Suite 300, Denver, CO 80202

**Defendant STEM School Highlands Ranch Attorneys**

BARRY K. ARRINGTON, STEM Attorney, #16486  
WILLIAM P. BETHKE, STEM Attorney, #11802  
MICHAEL A. ZYWICKI, STEM Attorney, #35543  
8773 S Ridgeline Blvd, Highlands Ranch, CO 80129

**Defendant Number Six:** Colorado Civil Rights Division (“CCRD”) Colorado Civil Rights Commissioners (“CCRC”), Sergio Raudel Cordova, Charles Garcia, Geta Asfaw, Mayuko Fieweger, Cherylin Peniston, Jeremy Ross, and Daniel S. Ward

VINCENT MORSCHER #34816

Sr Assistant Attorney General Employment Practices Civil Rights  
1300 Broadway St. 500, Denver, CO 80203

720-508-6588 | [Vincent.Morscher@coag.gov](mailto:Vincent.Morscher@coag.gov)

**Defendant CCRD/CCRC Attorney**

AUBREY L. ELENIS (CCRD/CCRC) #42341

1560 Broadway Suite 825, Denver, CO 80202

**Defendant Number Seven:** Colorado Educational and Cultural Facility Authority (“CECFA”)

Board of Directors Chair Margaret Henry, Board Members Indira Duggirala, Cameron Mascoll, Marianne Virgili, Morris W. Price, Keo Frazier, and Jenny Gentry

1800 Glenarm Place, Suite 1201, Denver, CO 80202

Joseph J. Bronesky | Sherman & Howard

675 Fifteenth Street, Suite 2300, Denver, CO 80202

303.299.8450 | [jbronesky@shermanhoward.com](mailto:jbronesky@shermanhoward.com)

**Defendant CECFA Attorneys**

CALVIN C. HANSON, (CECFA) | #13267

HESTER M. PARROT (CECFA) #35816

KENT C. VEIO (CECFA) #21030

1800 Glenarm Place, Suite 1201, Denver, CO 80202

**Defendant Number Eight:** Sterling Ranch Development Corp.

8155 Piney River Avenue, Suite 200, Littleton, CO 80125

Owners Harold Smethills, Diane Smethills, Brock Smethills

JONATHAN G. PRAY, #36576

Brownstein Hyatt Farber Schreck, LLP

675 Fifteenth Street, Suite 2900, Denver, Colorado 80202

303.223.1100 | [jpray@bhfs.com](mailto:jpray@bhfs.com)

**Defendant Sterling Ranch Development Company Attorneys**

JACOB E. SPRATT, Attorney, #42544

BRUCE A. JAMES, Attorney, #15348

8155 Piney River Avenue, Suite 200, Littleton, CO 80125

**Defendant Number Nine:** UMB Financial Corporation

JACOB HOLLARS, #50352

KERSTEN HOLZHUETER #18841

Spencer Fane LLP, 1700 Lincoln Street, Ste 2000, Denver, CO 80203  
303.839.3707 | [JHollars@spencerfane.com](mailto:JHollars@spencerfane.com)

**Defendants**

JOHN WAHL, Vice President and Regional Manager  
TAMARA DIXON, VP of UMB Bank, Dissemination Agent  
1670 Broadway, Denver, CO 80202

**Defendant Number Ten:** Colorado Supreme Court Office of  
Attorney Regulation Counsel (“OARC”)  
LEEANN MORRILL, First Assistant Attorney General & General  
Counsel to the Attorney General Public Officials Unit  
(720) 508-6159 | [leeann.morrill@coag.gov](mailto:leeann.morrill@coag.gov)  
1300 Broadway St., Denver, CO 80203

**Defendant Colorado Supreme Court OARC Attorneys**

JESSICA E. YATES (OARC) #38003  
JUSTIN P. MOORE (OARC) #32173  
APRIL M. MCMURREY (OARC) #34194

**Defendant Number Eleven:** Douglas County Sheriff’s Office  
Douglas County Sheriff Darren Weekly, Economic Crime Unit  
4000 Justice Way, Castle Rock, CO 80109  
Attorneys for Douglas County Sheriff’s Office | 303.660.7414  
Kelly Dunnaway, #31896 | [kdunnawa@douglas.co.us](mailto:kdunnawa@douglas.co.us)  
Andrew C. Steers, #40139 | [asteers@douglas.co.us](mailto:asteers@douglas.co.us)  
100 Third Street, Castle Rock, 80104

**Defendant Number Twelve:**

JOHN A. CIMINO #14032  
1700 Monaco Pkwy, Denver, CO 80220  
720.434.0434 (cell) | [jcimino2014@aol.com](mailto:jcimino2014@aol.com)

**Defendant Number Fourteen:**

Colorado Supreme Court  
CHIEF JUSTICE HONORABLE BRIAN D. BOATRIGHT,  
HONORABLE ASSOCIATE JUSTICES, MARIA E.  
BERKENKOTTER, RICHARD L. GABRIEL, MELISSA HART,  
WILLIAM W. HOOD, III, MONICA M. MÁRQUEZ, CARLOS A.  
SAMOUR, JR., 1300-1376  
Lincoln St, Denver, CO 80203

<p><b>Defendant Number Fifteen:</b> Colorado Attorney General’s Office  Colorado Attorney General Honorable ATTORNEY PHILIP WEISER  Colorado Solicitor General SHANNON WELLS STEVENSON  720.508.6179   <a href="mailto:shannon.stevenson@coag.gov">shannon.stevenson@coag.gov</a>  1300 Broadway Street, 10<sup>th</sup> Floor, Denver, CO 80203  First Asst Attorney General K-12 MICHELLE M. BERGE, #39299  Asst Attorney General K-12 Education Unit BLAKE MCCRACKEN,  1300 Broadway Street, Denver, CO 80203  720-508.6186   <a href="mailto:michelle.berge@coag.gov">michelle.berge@coag.gov</a>  720-508-6172   <a href="mailto:blake.mccracken@coag.gov">blake.mccracken@coag.gov</a></p>	
<p align="center"><b>Plaintiffs’ Amended Complaint For Judicial Review Pursuant To C.R.C.P. Rule 15  To Add New Causes Of Action, C.R.C.P. 121, 1-15(8), and C.R.C.P. 8.</b></p>	

C.R.C.P. 121 § 1-15 ¶ 8 Certification: Plaintiffs conferred in good faith with all Defendants’ Counsel about this Amended Complaint and all object to the Amended Complaint.

**PLAINTIFFS SEEK LEAVE TO AMEND ITS COMPLAINT UNDER C.R.C.P. 15, TO ADD NEW CAUSES OF ACTION/CLAIMS**

1. Plaintiffs Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation (“ASI”) and John Dewey Institute (“JDI”) at Red Rocks Ranch (“RRR”) and Leyden Rock (“LR”) and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, Highlands Ranch, seek leave to amend its complaint under C.R.C.P. 15, to add new causes of action. *See* Polk v. Denver Dis. Court, 849 P.2d 23, 26 (Colo. 1993); Jenkins v. Glen and Helen Aircraft, Inc., 590 P.2d 983, 986 (Colo. App. 1979).

**PLAINTIFFS STATE CLAIMS UNDER C.R.C.P. 12(b)(5)(2) BELOW AND IN NOTICES OF CLAIM PURSUANT TO C.R.S. 24-10-109**

2. The following governmental regulatory agencies botched their investigations, obstructed justice, covered up crimes, failed to due diligence, and derelicted their duties because the evidence clearly exposed, revealed and uncovered the largest, unprecedented, never-seen-

before in our Nation and in our culture, the most crime-infested public education scandal in U.S. History, which caused an extreme safety breach and high risk for more school shootings in Douglas County, Colorado and throughout our Nation:

- A. Colorado State Board of Education (“State Board”)
- B. Colorado Supreme Court Office of Attorney Regulation Counsel (“OARC”),
- C. Colorado Civil Rights Division (“CCRD”),
- D. Douglas County Sheriff’s Office (“DCSO”).

3. Pursuant to C.R.S. 24-10-109, Plaintiffs filed Notices of Claim against governmental entities, stating with particularity, in full detail, all facts, contentions or information which Plaintiffs are aware that can fully answer the interrogatory question propounded to us, in preparation for trial by jury:

- 1. Appendix R - 10.25.19 DCSD\_State Board Amended NOC
- 2. Appendix S - 10.25.19 STEM - AMENDED NOC
- 3. Appendix T - 10.25.19 JEFFCO – AMENDED NOC
- 4. Appendix U - 11.12.19 - CCRD CCRC NOC
- 5. Appendix V - November 15, 2016 Amended Notice of Claim
- 6. Appendix ZZ - ADD ROA – 41 - 13 - 6.20.23 NOTICE OF CLAIM
- 7. Appendix ZZW – 34 – 07.10.23 – Part II - AMENDMENT TO JUNE 20, 2023, NOC
- 8. 2023.11.28 - Douglas County Sheriff’s Office NOC
- 9. 2023.11.28 - State Board CDE DCSD Jeffco NOTICE OF CLAIM
- 10. 2023.12.05 - OARC and Supreme Court Notice of Claim
- 11. 2023CV610 - 2023.12.12 - DCSD\_State Board\_CDE Sterling Ranch NOC
- 12. 2023CV610 - 2023.12.19 - DCSD and STEM NOC
- 13. 2023CV610 - 2024.01.02 - UMB CECFA DCSD STEM CDE State CCRD Jeffco NOC

**FEDERAL COMPLAINT REGISTERED AT THE U.S. DEPARTMENT OF JUSTICE**

4. Plaintiffs have registered a Federal Antitrust complaint at the Complaint Center at the U.S.

Department of Justice: <https://www.justice.gov/atr/complaint-center>

**ALL CLAIMS HEREIN FALL UNDER UMBRELLA OF FEDERAL ANTITRUST**

5. All of the following claims fall under the umbrella of the Federal Antitrust Enforcement

Enacted in 1890, the Sherman Act, because since 2014, DCSD, STEM, Jeffco, State Board of

Education, et al. Attorneys, Boards, Superintendents, Staff, **eliminated competition from District schools**, by using illegal and unlawful crimes to sabotage, to thwart and to **bribe and deny** the creation of Plaintiff Brannberg's schools, employment, property, land, building ownership during 17 applications in 2014, 2017, 2018, 2019, 2023; to **bribe and deny** State Board Appeals in 2018, 2019, 2023; to **bribe** Court Cases 2023CV610; 2019CV550 in Denver District Court; 2020CA0641 in the Colorado Court of Appeals; 21SC885 in the Colorado Supreme Court; and U.S. Supreme Court Petition for CERT No. 22-1106; 15CV30586 Douglas County District Court (3 x's), and to **bribe** the CCRD, Sheriff's, and OARC Investigations, and criminally breached the contract because of Fraud on the Court.

6. DCSD, Jeffco, STEM, State Board, et al. were allowed to get away with murder and other unprecedented and unimaginable crimes because the Colorado State Board of Education decision is final, pursuant to C.R.S. § 22-30.5-108(3)(d), and therefore all parent and community complaints to the State Board and District are gagged, suppressed, and silenced. The State Board of Education decision created a severe safety risk for pupils, and should not be final because it violates Federal Antitrust laws and has caused a severe safety threat at schools in Douglas County, Colorado, and the Nation.
7. The Federal crimes listed herein caused the May 7, 2019, STEM School Shooting, Slaughter, and Event of Mass Destruction, an Event of Domestic Terrorism.<sup>1</sup> The conduct of Defendants constitutes a deceptive trade practice in violation of the Federal Antitrust Enforcement Enacted in 1890, the Sherman Act.

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<sup>1</sup> <https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view>

**CLAIMS FILED UNDER FEDERAL LAW ARE NOT REQUIRED TO MEET THE  
CRITERIA SET FORTH IN THE COLORADO GOVERNMENTAL IMMUNITY ACT**

8. Pursuant to § 24-10-119, Claims filed under Federal law are not required to meet the criteria set forth in the Colorado Governmental Immunity Act (CGIA)”<sup>2</sup>

**FIRST CLAIM FOR RELIEF**

9. **FEDERAL LAW:** Federal Antitrust Enforcement Enacted in 1890,<sup>3</sup> the Sherman Act is among our country’s most important and enduring pieces of economic legislation. The Sherman Act prohibits agreement among competitors to engage in anticompetitive activity.
10. Plaintiffs incorporate the allegations made in Paragraphs 1-166 as if stated in their entirety.
11. Defendants' deceptive trade practices significantly impacted the public in that Defendants, through wrongful/criminal conduct, stopped Plaintiffs from providing an alternative education service to the general public in 2014, 2017, 2018, 2019, and 2023. As a result of Defendants' deceptive trade practices, Plaintiffs were injured in the course of their business.

**SECOND CLAIM FOR RELIEF**

12. **FEDERAL LAW:** Crimes Of 18 U.S. Code § 2331(5) Domestic Terrorism'
- Intimidate or coerce a civilian population;
  - Influence the policy of government by intimidation or coercion; or
  - Affect the conduct of a government by mass destruction (STEM School Shooting) as defined here.<sup>4</sup>
13. Plaintiffs incorporate the allegations made in Paragraphs 1-166 as if stated in their entirety.
14. In 2014, 2017, 2018, and 2020, Defendant and Domestic Terrorist Attorney Tom McMillen,

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<sup>2</sup> <https://osc.colorado.gov/sorm/liability-claims/cgia-summary#:~:text=The%20facts%20must%20fall%20within,required%20to%20meet%20these%20criteria>

<sup>3</sup> <https://www.justice.gov/atr>

<sup>4</sup> <https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view>



disseminated, forged and altered the Confidential Separation Agreement to intimidate, influence, coerce, and use crimes explained herein to stop Judy Brannberg's schools from competing with District schools, which is a violation of the Federal Antitrust Enforcement Enacted in 1890, the Sherman Act. The wrongful and criminal conduct of Defendants occurred in the course of Plaintiffs' charter school business and caused the STEM School Shooting on 5/7/ 2019, an event of mass destruction. Defendants' deceptive trade practice stopped Plaintiffs from providing an alternative education service to the general public.

### **THIRD CLAIM FOR RELIEF**

15. **FEDERAL LAW: Federal Whistle Blower Protection.** Third-party employees have the right to file a whistleblower complaint with OSHA<sup>5</sup> if they believe their employer retaliated against them for exercising their rights as a third-party employee under the whistleblower protection laws enforced by OSHA.
16. Plaintiffs incorporate the allegations made in Paragraphs 1-166 as if stated in their entirety.
17. Defendants retaliated against Judy Brannberg because she blew the whistle on crimes, and Defendants stopped her from providing alternative education and competing against District schools in 2014, 2017, 2018, 2019, and 2023, which caused the tragic 5/17/19 shooting.

### **FOURTH CLAIM FOR RELIEF**

18. **FEDERAL LAW: Blackmail and extortion laws under 18 U.S.C. § 873.** Pursuant to FBI<sup>6</sup> official website/guides of the U.S. Government: "If someone communicates any statement

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<sup>5</sup> [https://www.whistleblowers.gov/complaint\\_page](https://www.whistleblowers.gov/complaint_page)

<sup>6</sup> <https://www.fbi.gov/file-repository/threat-intimidation-guide-english-022322.pdf/view#:~:text=If%20someone%20communicates%20any%20statement,legal%20system%2C%20that's%20a%20threat>

or indication of an intention to inflict pain, injury, damage, or other hostile action in an illegal manner, to include in a manner that manipulates the us legal system, that's a threat.”

19. Plaintiffs incorporate the allegations made in Paragraphs 1-166 as if stated in their entirety.
20. Defendants used Blackmail and Extortion Law violations under 18 U.S.C. § 873, to silence, harass, and coerce Plaintiff Brannberg from complaining about the heinous crimes to prevent Plaintiffs from obtaining charter approval in 2014, 2017, 2018, 2019, and 2023. Plaintiff Brannberg unwillingly was forced to comply to the hidden, deceitful, Defendant corruption. Defendants failed to protect and defend the Rule of Law and Plaintiffs. Defendants' deceptive trade practice significantly impacted the public in that Defendants, and each of them, through criminal/wrongful conduct stopped Plaintiffs from providing an alternative education service.

#### **FIFTH CLAIM FOR RELIEF**

21. **FEDERAL LAW: Federal violations of 42 U.S.C. §§ 2000e et seq. Title VII of the Civil Rights Act 2022.**

22. Plaintiff Brannberg is a third-party DCSD Employee,<sup>7</sup> therefore, Employment Practices § 24-34-402. Discriminatory or Unfair Employment Practices for employees are relevant.
23. Plaintiffs incorporate allegations made in Paragraphs 1-166 as if stated in their entirety.
24. Defendants DCSD, STEM, Jeffco, State Board, Sterling Ranch, et al. thwarted the creation of Plaintiffs schools in 2014, 2017, 2018, 2019, and 2023 using Federal violations of 42 U.S.C. §§ 2000e et seq. Title VII of the Civil Rights Act 2022, in order to protect the DCSD, Jeffco, State Board monopoly, and to stop Judy Brannberg’s schools from competing with District

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<sup>7</sup> See Title VII, EPA, ADEA, ADA, GINA, 29 CFR 1601, 29 CFR Part 1620, 29 CFR Part 1625, <https://www.eeoc.gov/laws/guidance/policy-statement-control-third-parties-over-employment-relationship-between>

schools, which is a violation of the Federal Antitrust Enforcement Enacted in 1890.

### **SIXTH CLAIM FOR RELIEF**

25. **FEDERAL LAW: 18 U.S. Code § 201 - Bribery of public officials and witnesses 2022.**

26. Plaintiffs incorporate allegations made in Paragraphs 1-166 as if stated in their entirety.

27. Defendants **disrupted and bribed** the creation of Judy Brannberg's ASI and JDI schools, employment, property, land, building ownership during 17 applications in 2014, 2017, 2018, 2019, 2023; **bribed** State Board Appeals in 2018, 2019, and 2023; **bribed** Court Cases 2023CV610; 2019CV550 in Denver District Court; 2020CA0641 in the Colorado Court of Appeals; 21SC885 in the Colorado Supreme Court; and U.S. Supreme Court Petition for CERT Case No. 22-1106; 15CV30586 Douglas County District Court (3 x's); **bribed** the CCRD, Sheriff's, OARC Investigations, and thereby criminally breached the contract because of Fraud on the Court. Defendants were allowed to get away with murder and other unprecedented and unimaginable crimes because the State Board decision is final, pursuant to C.R.S. § 22-30.5-108(3)(d), and therefore, all parent, community, and Plaintiffs' complaints were gagged, suppressed, and silenced.

### **SEVENTH CLAIM FOR RELIEF**

28. **FEDERAL LAW: 18 U.S.C. § 1349 - Attempt and Conspiracy.** A conspiracy or attempt to commit fraud is a separate statute and applies to wire, bank, securities, and bond fraud as in this case. The penalties for violating this federal law are the same as the underlying offense. Under 18 U.S.C. 1349, it's a federal crime just to attempt or conspire to commit fraud.

29. Plaintiffs incorporate allegations made in Paragraphs 1-166 as if stated in their entirety.

30. Defendants entered into an agreement and/or understanding to secretly, non-transparently, under-the-table, approve a fraudulent CECFA bond, financed by UMB Bank, and tortuously

interfered with Plaintiffs business at Sterling Ranch, DCSD, Jeffco, and fraudulently concealed from the public material facts regarding their collective communications and actions that were introduced to deceive the general public, et al. in 2014, 2017, 2018, 2019, and 2023 concerning Plaintiff Brannberg's past business practices and general character.

### **EIGHTH CLAIM FOR RELIEF**

31. **FEDERAL LAW:** Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA). Harassment is unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, older age (beginning at age 40), disability, or genetic information (including family medical history).
32. Plaintiffs incorporate allegations made in Paragraphs 1-166 as if stated in their entirety.
33. Defendants harassed and silenced Judy Brannberg and disrupted potential economic relationships between Plaintiff Brannberg and the parents of children seeking to enroll their children in ASI and JDI, so that the consumers of educational services cannot (and further would decline) to do business with Plaintiffs in 2014, 2017, 2018, 2019, and 2023.

### **NINTH CLAIM FOR RELIEF**

34. **FEDERAL LAW:** Third-party Employment Contractual and Tortious Interference with Prospective Advantage Against Defendants DCSD, State Board and STEM School, et al. 41 U.S. Code § 6503 - Breach or violation of required contract terms.
35. Plaintiffs incorporate allegations made in Paragraphs 1-166 as if stated in their entirety.
36. Defendants' conduct as described herein disrupted the potential economic relationships between Plaintiffs and the parents of children seeking to enroll at ASI/JDI. Plaintiffs had

established relationships with numerous members of the public who had previously consumed, and who again would consume educational services of a charter school founded by Plaintiff Brannberg to Judy Brannberg's substantial benefit.

#### **TENTH CLAIM FOR RELIEF**

37. **FEDERAL LAW:** The federal crime of 18 U.S.C. § 471 forgery can be defined as the using, making, altering, or possession of a false document or material with the specific intent of committing fraud upon the Court.

38. Plaintiffs incorporate allegations made in Paragraphs 1-166 as if stated in their entirety.

39. Defendant's collectively through the federal crime of 18 U.S.C. § 471 forgery, defined as the making, altering, using, or possession of a false document or material with the specific intent of committing fraud, with organized sophistication, to stop Plaintiffs' multi-billion dollar Charter Management Organization ("CMO") business. The forged agreement was used to disrupt the ASI and JDI charter applications and so damaged the professional reputation of Plaintiffs that 17 charters were denied in 2014, 2017, 2018, 2019 and 2023.

#### **ELEVENTH CLAIM FOR RELIEF**

40. **FEDERAL LAW:** Federal Crimes Of 18 U.S.C. § 1503 Obstruction Of Justice

- Altering Documents,
- Witness Intimidation, Witness Retaliation, Witness Tampering, (§§ 1512, 1503)
- Criminal Harassment and Threats (§ 1512(b)(1) and (2)), Coercion
- Retaliating Against a Witness, Victim, or Informant (18 U.S.C. § 1513(b))

41. Plaintiffs incorporate allegations made in Paragraphs 1-166 as if stated in their entirety.

42. Defendants through the federal crime of 18 U.S.C. § 1503 Obstruction Of Justice, altered documents, used witness/informant intimidation, retaliation, tampering, (§§ 1512, 1503), criminal harassment and threats (§ 1512(b)(1)(2)), coercion, to retaliate against witness, or

Informant Brannberg (18 U.S.C. § 1513(b)), with sophistication to stop the multi-billion dollar Charter Management Organization (“CMO”) business. Defendants through their agents, disrupted the ASI and JDI charter applications, and so damaged the professional reputation of Plaintiff Brannberg, so that 17 charters were thwarted and Plaintiffs were stopped from providing alternative education in 2014, 2017, 2018, 2019, and 2023.

**TWELVTH CLAIM FOR RELIEF - Libel Per Se and Libel Per Quod**

43. Plaintiffs incorporate allegations made in Paragraphs 1-166 as if stated in their entirety.
44. Defendants and Attorneys disseminated a one-way forgery purported as the mutual two-way Agreement, which falsely and illegally gave permission to Defendants to disparage Plaintiff Brannberg’s good character and excellent Charter Management history, which caused them to not obtain charter approval in 2014, 2017, 2018, 2019, and 2023 for 17 schools.

**C. THE RELIEF THAT I REQUEST IS AS FOLLOWS: DEMAND FOR JUDGMENT**

45. I request an immediate stay of the State Board of Education Agency action on the grounds that said action has caused irreparable injury as follows:
  46. **RELIEF One:** We demand that the decision of the 2023 State Board from Jeffco and DCSD be remanded back to Jeffco and DCSD with the orders to approve the 4 Jeffco ASI and JDI schools; and 8 DCSD ASI and JDI schools with execution of the Notices of Claim, to build the school buildings, with the donation of the land for the schools.
  47. **RELIEF Two:** We demand DCSD and Jeffco to donate the land for each of the 12 schools, which Plaintiff Judy Brannberg has already selected for at each location.
  48. **RELIEF Three:** We demand that the Notices of Claim be exercised to build school buildings with the donation of the land from Jeffco and DCSD.

49. **RELIEF Four:** We demand that the DCSD, Jeffco, State Board of Education’s CSDSIP Insurance Policy be used to build ASI and JDI school buildings using the monetary totals from the DCSD Master Capital Plan.
50. **RELIEF Five:** We demand STEM School Highlands Ranch returned to Barry and Judy Brannberg’s governance/leadership immediately, because of breach of contract.
51. **RELIEF Six:** We demand that because UMB Bank and CECFA executed a fraudulent bond on or about November 1, 2014 , therefore that UMB Bank and CECFA donate the current STEM School Highlands Ranch Building to Judy Brannberg and the governance/leadership for the STEM School be returned to Barry and Judy Brannberg.
52. **RELIEF Seven:** We demand attorney remedial measures from the attorneys listed herein and named in Case Number 2023CV610, because of the forgery of the Confidential Separation Agreement, and/or the fraudulent STEM School CECFA Bond, and other attorney fraud, which Judy Brannberg repeatedly warned about and which caused the tragic STEM School shooting and slaughter on May 7, 2019.
53. **RELIEF Eight:** We demand reimbursement by the COLORADO SUPREME COURT COLORADO ATTORNEYS’ FUND FOR CLIENT PROTECTION.
54. **RELIEF Nine:** We demand the CCRD be overturned because of Fraud, plus settlement.
55. **RELIEF Ten:** We demand donation of land and finance from the Sterling Ranch Development Co. to build the Sterling Ranch DCSD K-12 ASI and JDI Campus.

### **PARTIES**

56. I presently reside in Douglas County, Colorado, but the Agency Action from the Colorado State Board of Education originated in Denver County. This Complaint has been timely filed

as it is within 35 days after the agency action became effective on 09/25/2023.

57. Plaintiff Judy A. Brannberg is a Board Director for ASI and JDI and a resident of Douglas County, residing at 8201 South Santa Fe Drive, Lot 52, Littleton, CO 80120.
58. Plaintiff Alexandria School of Innovation, (“ASI”) is a Colorado non-profit corporation in good standing with offices at 8201 South Santa Fe Drive, Lot 52, Littleton, CO 80120.
59. Plaintiff John Dewey Institute, hereinafter (“JDI”) is a Colorado non-profit corporation in good standing with offices at 8201 South Santa Fe Drive, Lot 52, Littleton, CO 80120.
60. Defendant Jefferson County Public Schools, hereinafter (“Jeffco”) is a school district with administrative offices at 1829 Denver West Dr., Bldg. 27, Golden, CO 80401, with Board of Directors President Stephanie Schooley, Directors Susan Miller, Mary Parker, Paula Reed, Danielle Varda; and Current and Former Attorneys Molly H. Ferrer, #37857, R. Craig Hess, #26398 Thomas H. McMillen, #14218, and Julie C. Tolleson, #24885.
61. Defendant Colorado State Board of Education, hereinafter (“State Board”), has offices at 201 East Colfax, Suite 506, Denver, Colorado 80203 with Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela; and with Former Attorneys Julie C. Tolleson #24885, and Jenna M. Zerylnick.

### **INDISPENSABLE ADDITIONAL PARTIES**

62. Pursuant to § 24-4-106 (2016) (1)(4), C.R.S. “every party to an agency action in a proceeding under section § 24-4-105 not appearing as plaintiff in such action for judicial review shall be made a defendant.” Additional defendants are party to the pending litigation:
63. Defendant Colorado Department of Education, hereinafter (“CDE”), with offices at 201 East



Colfax Avenue, Denver, CO 80203. As the administrative arm of the State Board of Education, CDE is responsible for implementing state and federal education laws, disbursing state and federal funds, holding schools and districts accountable for performance, licensing all educators and providing public transparency of performance/financial data. CDE is led by Commissioner of Education, Susana Cordova, a position appointed by the State Board of Ed.

64. Defendant Douglas County School District, hereinafter (“DCSD”) is a school district with administrative offices at 620 Wilcox Street, Castle Rock, CO 80104 with Board Directors President Mr. Mike Peterson and Directors Susan Meek, Becky Myers, Jason Page, David Ray, Christy Williams, Kaylee Winegar; and Current and Former Attorneys Steve J. Colella, #45503; Kristin C. Edgar #35686, Elliott V. Hood, #45060, Mary Kay Klimesh #48266, Thomas H. McMillen #14218, Robert P. Montgomery #49502, Robert Sherman Ross Jr. #42249, and William E. Trachman # 45684.
65. Defendant STEM School Highlands Ranch, Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy, Koson Schools, is a charter school Co-Founded by Barry and Judy Brannberg in November 2009, with offices at 8773 S. Ridgeline Blvd., Highlands Ranch, CO 80129, with Board Directors President/Chair Kelly Reyna, Vice President/Vice Chair Carla Gustafson, Secretary Michelle Horne, Board Directors Nicole Smith, Rudy Lukez, Ishmeet Kalra, Linda Davison, Ryan Theret, and Erin Quigley; and Attorneys Barry K. Arrington, #16486, William P. Bethke, #11802 And Michael A. Zywicki, #35543.
66. Defendant Colorado Civil Rights Division is a governmental regulatory agency which promotes and protects civil rights in the State of Colorado with offices at 1560 Broadway Suite 825, Denver, CO 80202, with Colorado Civil Rights Commissioners, Sergio Raudel

Cordova, Charles Garcia, Geta Asfaw, Mayuko Fieweger, Cherylin Peniston, Jeremy Ross, and Daniel S. Ward and Attorneys CCRD Director Aubrey L. Elenis, #42341 and CCRD Deputy Director Jennifer A. McPherson, #36425.

67. Defendant Colorado Educational and Cultural Facilities Authority (“CECFA”) is the official state issuer of tax-exempt bonds for capital projects furthering the missions of educational and cultural organizations with offices at 1800 Glenarm Place, Suite 1201, Denver, CO, 80202, with the Board of Directors Chair Margaret Henry, Board Members Indira Duggirala, Cameron Mascoll, Marianne Virgili, Morris W. Price, Keo Frazier, and Jenny Gentry; and Attorneys Calvin C. Hanson, #13267, Hester M. Parrot #35816, and Kent C. Veio #21030.
68. Defendant Sterling Ranch Development Corp. hereinafter (“Sterling Ranch”), is a master planned community located in Sterling Ranch, Colorado, in Douglas County, with owners/developers/education consultants Harold Smethills, Diane Smethills, Brock Smethills, with offices at 8155 Piney River Avenue, Suite 200, Littleton, CO 80125, with Attorneys Jacob E. Spratt, #42544 and Bruce A. James, #15348.
69. Defendant UMB Financial Corporation, hereinafter (“UMB”) is an American financial services holding company founded in 1913 as City Center Bank and based in Kansas City, Missouri, with a bank location at 1670 Broadway, Denver, CO 80202 with John Wahl, Vice President and Regional Manager and Tamara Dixon, VP of UMB Bank, Dissemination Agent and Trustee for STEM School, DCSD, and Lighthouse Building Corp. Bond.
70. Defendant Colorado Supreme Court Office of Attorney Regulation Counsel, hereinafter (“OARC”) helps the Colorado Supreme Court regulate the practice of law in Colorado through various programs. The office oversees attorney admissions, attorney registration,

mandatory continuing legal and judicial education, attorney diversion and discipline, regulation of the unauthorized practice of law, and inventory counsel with offices at 1300 Broadway St. 500, Denver, Co 80203, with Attorney Jessica E. Yates Attorney Regulation Counsel #38003 and Justin P. Moore #32173, with Asst. Regulation Counsel.

71. Defendant Douglas County Sheriff's Office has offices at 4000 Justice Way, Castle Rock, CO 80109, with Douglas County Sheriff Darren Weekly who was elected in Nov. 2022.

72. Defendant Plaintiff Judy Brannberg's Former Attorney John A. Cimino #14032 with residency at 1700 Monaco Pkwy Denver, CO 80220.

73. Defendant John/Jane Doe's 1-100.

### **INTRODUCTION**

74. This case exposes the largest, unprecedented, never-seen-before in our Nation and in our culture, the most crime-infested public education scandal in U.S. History and uncovers the seventeen Jeffco and DCSD nefarious and bogus, charter application processes in 2014 ASI DCSD, and 2014 ASI Jeffco; 2017 ASI DCSD, 2018 ASI DCSD, 2019 JDI DCSD; and 2023 (eight in DCSD and four in Jeffco); by two publicly-funded 18 U.S. Code § 2331(5) Domestic Terror organizations – the Jeffco and DCSD Attorneys, Boards, Staff, Superintendents, et al.; together with 10+ publicly-funded governmental agencies and private organizations; plus a scandalous/massive attorney crime ring, involving 25+ attorneys.

75. This is fact because on or about March 1, 2020, when Appellants first hired their former Colorado Court of Appeals attorney, he did research about the publicly-funded Jeffco, DCSD, State Board, Staff, and Attorney, et al. crimes and reported back to us that there are no other public education legal cases like this in the U.S., with crimes of forgery, bribery,

breach of contract, Fraud on the Court, harassment, criminal conspiracy, collusion, witness/informant intimidation, tampering, whistle blower retaliation, civil and criminal statutory procedural non-compliance, employment discrimination, anti-trust violations, a school shooting, murder, slaughter, attorney suicide, CECFA bond fraud, a \$2 million dollar secret illegal STEM School bankruptcy bailout by DCSD Authorizer, Federal Crimes of 18 U.S.C. § 1503 Obstruction of Justice, 18 U.S.C. § 2331(5) Domestic Terrorism, breach of the Whistleblower Protection Act of 1989 U.S.C. 2302, and Federal violations of 42 U.S.C. §§ 2000e et seq. Title VII of the Civil Rights Act of 1964. These crimes caused the May 7, 2019, STEM School Highlands Ranch shooting and current unsafe school environment.

**BACKGROUND SUMMARY OF DEFENDANTS' FRAUD ON THE COURT, BREACH OF CONTRACT, FORGERY, BRIBERY CRIMES**

76. In November 2009 Appellant Judy A. Brannberg and her husband Barry R. Brannberg Co-Founded and wrote the STEM School Highlands Ranch charter which was approved 7-0.
77. In Fall 2011, they launched and opened the largest first-year charter school in DCSD and Colorado History with 478 students. Recently the STEM School Highlands Ranch was ranked as 12th Best High School in the State of Colorado by U.S. News and World Report. Barry R. Brannberg was the President/Business Manager of the STEM School and Judy Brannberg was the Executive Director/Grant Writer/Development Director of STEM Academy, aka LightHouse on a Hill, the Charter Management Organization (“CMO”) for both entities, who also managed all after-school programming.
78. On March 31, 2013, Barry and Judy Brannberg signed a mutual, two-way Confidential Separation Agreement, (with mutual promises and undertakings described in this Agreement) which stated that “any dissemination of any draft would be a violation of this agreement.”

79. The Agreement was drafted by the STEM School Vice-Board Chair Kim Sasko, STEM Attorney/Board Director Michael Reagor, STEM School Board Member Darrell Phippen, and STEM School Consultant Doug Zimmerman. If the Court cannot ascertain the appropriate interpretation, it defaults to the rule that ambiguities must be resolved against the drafter of the language, here, against STEM.

**STEM SCHOOL GOVERNANCE/LEADERSHIP RETURNED TO BARRY R. BRANNBERG AND JUDY BRANNBERG BECAUSE OF JEFFCO, DCSD, CCRD, ET AL. BREACH OF CONTRACT, ATTORNEY FRAUD ON THE COURT**

80. In January 2014, November 8, 2017, March 27, 2018, and on January 20, 2020, DCSD/Jeffco Attorney Thomas McMillen and DCSD/Jeffco Attorney Elliott Hood on January 20, 2023, criminally disseminated, with the intent to defraud, a one-way forgery (with no promises and undertakings), purported as the mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT, (with mutual promises and undertakings described in this Agreement), to bribe the DCSD, Jeffco, and State Boards to deny and thwart the creation of Ms. Brannberg's schools, employment, property, land, building ownership during 17 applications in 2014 ASI DCSD, and 2014 ASI Jeffco; 2017 ASI DCSD, 2018 ASI DCSD, 2019 JDI DCSD; to bribe the Court Case listed herein, and to **bribe** CCRD Investigations, and thereby criminally breached the contract because it was Fraud on the Court.

81. The dissemination of the forgery by Jeffco and DCSD Attorney Thomas McMillen and Jeffco and DCSD Attorney Elliott Hood on January 20, 2020, **to bribe** 2019CV550 in Denver District Court; 2020CA0641 in the Colorado Court of Appeals; 21SC885 in the Colorado Supreme Court; and U.S. Supreme Court Petition for CERT Case No. 22-1106 is within the statute of limitations for breach of contract, forgery, and bribery, and why we ask

that the STEM School be returned to our governance/leadership immediately.

82. Pursuant to C.R.C.P 251. 32: No Rule of Limitations for Attorney Theft or **Fraud:**

“There is no rule of limitations for filing a complaint alleging theft of client funds or fraud.” In this case, there was both theft of client funds and fraud.”

83. Breach of Contract is considered a criminal felony offense **when it involves fraud,** as in this case. Pursuant to Regulations of Lawyers Statutes and Rules of Professional Conduct 3.3:

“(a) A lawyer shall not knowingly:(4) offer evidence that the lawyer knows to be false. If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall take reasonable **remedial measures.**”

### **ATTORNEY FRAUD UPON THE COURT**

84. Fraud upon the Court occurs when the judicial machinery itself has been tainted, such as when an attorney, who is an officer of the court, is involved in the perpetration of a fraud or makes material misrepresentations to the court. **Fraud upon the Court makes void the orders and judgments of that court.**

85. In 2023CV610, there are 25+ attorneys, 10+ publicly-funded governmental agencies and private organizations involved in a sophisticated fraudulent scheme and complex crime ring.

86. Fraud directed at the “judicial machinery” can mean conduct that fraudulently coerces or influences the court itself or a member of the court, such that the impartial nature of the court has been compromised. *Bulloch v. United States*, 721 F.2d 713, 718 (10th Cir.1983).

87. Fraud on the Court is usually found in only the most egregious of circumstance, bribery of a judge or jury, (in this case the District and State Board Directors’ votes were bribed to deny Plaintiffs’ charters), fabricating evidence (in this case the forged Separation Agreement, the fraudulent CECFA Bond, the “nasty gram letter” fraudulently solicited by the DCSD Board to appear as community opposition to Plaintiff Judy Brannberg’s Sterling Ranch schools),

and the CECFA bond fraud, that implicates an attorney, or any action directly attacking the judicial machinery, *see Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. at 245-246.

88. Final judgments are not often overturned based upon a Fraud upon the Court claim and will typically only occur in extraordinary cases such as this one, involving 10+ public and private entities, with an additional 25+ attorneys, who knew about the fraud and repeatedly failed to take remedial measures, which caused the tragic May 7, 2019, STEM School shooting, murder, and slaughter, a Domestic Terrorism event of mass destruction, *see Addington v. Farmers Elevator Mut. Co.*, 650 F.2d 663, 668 (6th Cir. 1981).

#### **REQUEST FOR ATTORNEY REMEDIAL MEASURES**

89. Therefore, we request remedial measures from the attorneys listed herein and named in Case Number 2023CV610 because of the forgery of the Confidential Separation Agreement, and/or the fraudulent STEM School CECFA Bond financed by UMB, and other attorney fraud and misconduct, which Judy Brannberg repeatedly warned/complained about and which caused the tragic STEM School shooting and slaughter on May 7, 2019. The attorneys listed herein covered-up and obstructed justice and stopped the truth from being transparently disseminated to the public, despite Plaintiff Judy Brannberg's many warnings.

#### **JURISDICTION**

90. Pursuant to *Clasby v. Klapper*, 636 P.2d 682, 684 (Colo. 1981), this appeal is the prescribed legal avenue to expose and uncover the third-party employer Jeffco, et al. Board, Staff, Attorney, et al. crimes, which were used to bribe, criminally collude, and thwart the creation of seventeen Judy Brannberg's schools, employment, and property, land, building ownership in 2014 ASI DCSD, and 2014 ASI Jeffco; 2017 ASI; DCSD, 2018; ASI DCSD; 2019 JDI DCSD; and ASI and JDI 2023; including fraud upon the court.

91. Because Appellants’ end goal and relief sought is 12 charter approvals at Jeffco and DCSD, the prescribed avenue of review and the correct avenue/legal pathway to argue criminal and civil statutory non-compliance, Fraud upon the Court, forgery, bribery, et al. crimes, by DCSD and Jeffco, et al. in 2014 ASI DCSD, and 2014 ASI Jeffco; 2017 ASI DCSD, 2018 ASI DCSD, 2019 JDI DCSD; and 2023, is this State Board Appeal process, and at APA Judicial Review in Denver District Court, which is where we are in this appeal.

92. On November 8, 2017, in the DCSD POSITION STATEMENT to the CCRD, DCSD confirmed that the State Board has jurisdiction over Jeffco and DCSD in this appeal:

“Finally, Brannberg’s communications with the School District prior to her (CCRD) charge suggests that the essence of her retaliation claim is really a challenge to the School District’s denial of the ASI application...If that is indeed the relief sought, then Brannberg **should have appealed the Board’s decision to the State Board of Education** pursuant to state statute. C.R.S. §§ 22-30.5-107(3); 22-30.5-108...Moreover, a party cannot circumvent these limitations on his right of review by attempting to obtain declaratory or injunctive relief where the **prescribed avenue of review** is adequate.” *See Clasby v. Klapper*, 636 P.2d 682, 684 (Colo. 1981).

93. Neither a breach of contract lawsuit, a discrimination lawsuit, an attorney Fraud on the Court, nor attorney legal malpractice lawsuit can provide the requested relief. This is the **only correct** legal pathway. This was the prescribed avenue of review for Plaintiffs to exercise the Notices of Claim, all timely filed and valid today.

**FRAUD UPON THE COURT CLAIMS, WILL BE BROUGHT UNDER C.R.C.P 60(B)(2), WITHIN 182 DAYS OF ALLEGED FRAUD ON THE COURT ACTION IN WHICH THE ALLEGED FRAUD OCCURRED TO PROVE JURISDICTION**

94. On October 2, 2023, the U.S. Supreme Court issued ORDERS in above-entitled case Judy A. Brannberg, et al. v Colorado State Board, et al. No. 22-1106 (Brannberg. 21SC885) and stated, “The petition for writ of certiorari is denied.” The deadline for filing a motion pursuant to C.R.C.P. 12(b)(5)(2) is 182 days thereafter from October 2, 2023, when



ORDERS were issued for 2021SC885, which is on April 1, 2024 pursuant to C.R.C.P 60(B)(2) which states: “**not more than 182 days after the judgment, order, or proceeding was entered or taken.**”

95. On October 9, 2023, the State of Colorado, Cheryl L. Stevens, Clerk, issued the final ORDERS for Colorado Supreme Court Case 21SC885. The deadline for filing a motion pursuant to C.R.C.P. 12(b)(5)(2) is 182 days thereafter from October 9, 2023, when ORDERS were issued for 2021SC885, which is on April 8, 2024. The fat lady has not sung, and the final curtains have not come down. There is still time to argue and prove that the State Board decision is NOT FINAL, and that this Court, 2023CV610 has jurisdiction, pursuant to C.R.S. § 22-30.5-108(3)(d) and C.R.S. § 6-4-105, because of DCSD’s Fraud on the Court and Federal violations of the Federal Antitrust Enforcement Enacted in 1890, the Sherman Act, monopolization/attempt to monopolize. <https://www.justice.gov/atr>

96. In February 2024, after we have filed all Responses in Opposition to the Motions to Dismiss for 2023CV610, we will ask 2021SC885, that the following orders/judgments of 2021SC885 **are overturned under C.R.C.P 60(B)(2) because of Fraud upon the Court:**

- U.S. Supreme Court Petition for CERT Case No. 22-1106 Docketed on May 10, 2023;
- Supplemental Brief filed on 07.27.23. (The Notice of Claim); and
- Colorado Supreme Court 2021SC885

97. We will ask that the following question presented be **overturned:**

“Whether the last sentence of section Colorado Revised Statutes C.R.S. § 22-30.5 108(3)(d) —“The decision of the state board shall be final and not subject to appeal”— applies to all state board decisions under section 108(3).”

98. Therefore, the decision of the state board shall be final and not subject to appeal” —**does not apply** to all state board decisions under section 108(3).”

99. The above actions are necessary in order to establish that **this Court**, 2023CV610 has jurisdiction, with **this case**.

**Dictatorial, Dangerous, Unsafe Form of School Government**

100. The State Board decision should not be final, pursuant to C.R.S. § 22-30.5-108(3)(d), because the illegal Federal Antitrust crimes, have created a severe safety risk for all pupils, and threats to all public education. If this Court does not have jurisdiction, all State Boards will be allowed to get away with murder in the future and will be allowed to bribe District and State Board decisions with whatever crimes they so choose, including renegade statutory non-compliance, argued in U.S. Supreme Court Petition for CERT Case No. 22-1106, which place all students at extreme safety risks for future school shootings. This illegal and unlawful public education monopoly has created a very dangerous learning environment for all pupils in Douglas County, Colorado, and the U.S. because complaints/crimes are suppressed, gagged, and silenced by the State Board and CDE as evidenced in this case, because all State Board decisions are currently final, and not subject to Judicial Review.

**BECAUSE OF DEFENDANTS' EGREGIOUS ATTORNEY FRAUD UPON THE COURT, PLAINTIFFS' JUDICIAL REVIEW IN DENVER DISTRICT, CASE NUMBER 2023CV2023 HAS NOT BE BARRED**

101. Therefore, the decision of the State Board shall be final and not subject to appeal” –**does not apply** to all state board decisions under section 108(3).”

102. Therefore the decision of the Colorado State Board of Education on 09.25.2023 for Jeffco and on November 9, 2023 for DCSD are **not** final.

**STATE BOARD ORDERS AND JUDGMENTS MADE VOID AND OVERTURNED BECAUSE OF ATTORNEY FRAUD ON THE COURT, WITH INTENT TO DEFRAUD**

103. The State Board of Education uses a quasi-judicial process when it comes to charter

appeals. Quasi-judicial refers to a proceeding conducted by an administrative or executive official or organization that is similar to a court proceeding.

104. Therefore, we ask that the State Board of Education Orders and Judgments from 2023, 2019, and 2018, are made void and overturned because of Attorney Fraud on the Court.

**STANDARD OF REVIEW FROM CHARTER SCHOOLS ACT**

105. Pursuant to C.R.S. § 22-30.5-108. Appeal - standard of review – procedures:

“If the state board finds that the local board's decision was contrary to the best interests of the pupils, school district, or community, the state board shall remand such decision to the local board of education with written instructions for reconsideration thereof. Said instructions shall include specific recommendations concerning the matters requiring reconsideration.”

**DCSD AND JEFFCO ALTERED CHARTER DOCUMENTS**

106. DCSD refused to allow CART evaluators the opportunity to review the DCSD ASI and JDI Highlands Ranch charters, because they explain the return of the governance/leadership of Barry and Judy Brannberg to the STEM School Highlands Ranch, because of DCSD, STEM, CCRD et al. crimes of Breach of Contract, Forgery, Bribery, Fraud, et. al. DCSD removed entirely the Introduction and Section S, which complained about District crimes.

107. DCSD, Jeffco, and the State Board removed all appendices explaining DCSD and Jeffco crimes from the Record which did not give the Charter Application Review Team (“CART”) and State Board the chance to fairly evaluate Plaintiff’s charter applications.

**THE FOLLOWING FACTS SHOW HOW I HAVE BEEN ADVERSELY AFFECTED OR AGGRIEVED:**

108. On March 14, 2023, Plaintiff and Charter School Entrepreneur Judy Brannberg submitted four excellent and innovative Jeffco charter applications: two for ASI at Red Rocks Ranch and Leyden Rock, and two for JDI at Red Rocks Ranch and at Leyden Rock, a K-12 school-

within-a-school, embedded in the Least Restrictive Environment (“LRE”) primarily for students on the Autism Spectrum.

109. All four of Plaintiffs’ Jeffco Schools were denied on June 22, 2023, so plaintiffs appealed to the Colorado State Board of Education.

110. On September 25, 2023, the State Board issued Orders Denying Jeffco ASI/JDI Appeals.

**JEFFCO GROUNDS UPON WHICH THIS COURT HAS JURISDICTION**

111. Plaintiffs’ proposed charter schools, in Jeffco were denied a fair review by the State Board of Education, on the following GROUNDS which correspond with Grounds for Appeal for Plaintiffs’ Jeffco Charter Denials.

112. **GROUND A: Jeffco and DCSD Statutory Procedural Non-Compliance.** Jeffco did not hold a Community Meeting in 2023 as required by C.R.S. § 22-30.5-107(2) which is Statutory Procedural Non-Compliance in order to muzzle and suppress Judy Brannberg’s warnings about Former DCSD Attorney/Current Jeffco Attorney McMillen’s et al. crimes.

113. **GROUND B:** The State Board Of Education voted unanimously to deny Plaintiff Brannberg’s 4 Jeffco charters on September 14, 2023 and 8 DCSD charters on November 9, 2023, to cover-up their crimes and to protect the illegal and dangerous public school monopoly which caused the tragic May 7, 2019, STEM School shooting.

114. **GROUND C:** In 2014 Jeffco, DCSD and STEM criminally colluded and in 2023 Jeffco and DCSD colluded again to thwart creation of Plaintiff Brannberg’s schools, employment, property, ownership with third-party interference and employment discrimination.

115. **GROUND D:** Jeffco Used Federal Crimes – U.S.C. § 1503 Obstruction Of Justice, Witness Intimidation, Tampering, Retaliation, Harassment, Altering Documents, Forgery,

Bribery, Breach Of Contract, and Fraud on the Court to Criminally Coerce and Thwart Creation of Appellants' Charters.

116. **GROUND E:** Jeffco Attorney Tolleson misquoted State Statutes, which is statutory procedural non-compliance and Attorney Fraud on the Court, to obstruct justice and cover-up Jeffco and 25+ Attorneys' crimes which caused the STEM School Shooting on May 7, 2019.
117. **GROUND F:** Appellant Brannberg's Attorneys were bought out by third-party employer DCSD to sabotage her legal cases and to thwart the creation of her schools, employment, and property, land, building ownership in 2014, 2017, 2018, during Jeffco Domestic Terrorist McMillen's tenure and leadership at DCSD and in 2019 and 2023 during tenure at Jeffco.
118. **GROUND G:** These heinous crimes qualify Jeffco Attorney/Charter Superintendent and Former DCSD Attorney/Charter Director Thomas McMillen as a Domestic Terrorist, because of altering documents, witness intimidation, tampering, retaliation, bribery/forgery, breach of contract, Fraud on the Court, attorney buy outs, the fraudulent STEM School CECFA Bond, which caused the unsafe school environments and tragic STEM School murder, on 5/7/19, an event of mass destruction, pursuant to 18 U.S. Code § 2331(5).
119. **GROUND H:** Jeffco Attorney Thomas McMillen negotiated the \$14.6 fraudulent CECFA Bond to cover-up the \$2 million dollar STEM School deficit, which caused the STEM Shooting, because charter contract contingencies were never met and not enforced.
120. **GROUND I:** Jeffco, DCSD, Colorado and U.S. Schools are not safe because of crimes, which Jeffco and DCSD refused to investigate, because it incriminates them and the state board decision was final pursuant to C.R.S. § 22-30.5-108(3)(d).
121. **GROUND J:** Jeffco Litigious Pretext – 2014 ASI DCSD, and 2014 ASI Jeffco; 2017

ASI DCSD, 2018 ASI DCSD, 2019 JDI DCSD; Appellant Judy Brannberg's Charters were denied because former DCSD Charter Director and Current Jeffco Community Supt. and Domestic Terrorist McMillen pretextually labeled Judy Brannberg "litigious" because she enrolled in CCRD Protected Activity on February 15, 2007.

122. **GROUND K:** Attorney McMillen used Fraud On the Court and theft of client funds to cover-up Districts' crimes. Pursuant to C.R.C.P. 251.32, there is no statute of limitation.
123. **GROUND L:** ASI and JDI low enrollment numbers are because of Jeffco and DCSD crimes, employment discrimination, antitrust violations.
124. **GROUND M:** Jeffco retaliated against ASI/JDI because of the \$1.6 billion dollar NOCs.
125. **GROUND N:** The ASI DCSD and Jeffco applications were fully developed in all areas.
126. **GROUND O:** DCSD/Jeffco ASI/JDI presented a viable financing plan and identified a viable funding source to purchase land and construct facilities with the billion dollar NOCs.
127. **GROUND P:** DCSD and Jeffco ASI budgets are viable and include revenue streams that will be realized through the Notices of Claim.
128. **GROUND Q:** After the Jeffco and DCSD community, district, and pupils have been fully exposed to the crimes, there will be overwhelming community support and Letters of Intent because Jeffco, DCSD, and State Boards, Staff, and Attorneys have not been transparent with pupils, district, or the community and have covered up their crimes.

#### **DCSD GROUNDS UPON WHICH THIS COURT HAS JURISDICTION**

129. On March 14, 2023, Plaintiff Brannberg filed eight excellent and innovative DCSD charter applications: ASI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch; and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch.

130. On May 23, 2023, the DCSD Board denied all of Plaintiffs' ASI and JDI Charter Schools, so Plaintiffs appealed to the State Board of Education.
131. On November 9, 2023, Plaintiffs' proposed charter schools, in DCSD were denied a fair review by the State Board of Education, on the following GROUNDS which correspond with Grounds for Appeal for Plaintiffs' DCSD Charter Denials:
132. The State Board of Education did not issue any ORDERS for the DCSD Appeal and gave no written reasons for denial. **The State Board decision for 8 DCSD Charters should be overturned for this reason alone as there are no written grounds for charter denial.**
133. **GROUND A:** DCSD Third-Party Employment Discrimination and Retaliation, Federal Violations of Title VII Civil Rights Act of 1964, by President Mike Peterson.
134. **GROUND B:** DCSD Federal Crimes 18 U.S.C. § 1503 Obstruction of Justice, 18 U.S.C. § 2331(5) Domestic Terrorism Federal Crimes of 18 U.S.C. § 1503 Obstruction of Justice by DCSD who altered charter documents and prevented CART reviewers from reviewing 8 unaltered, excellent, original charter applications with appendices to cover up DCSD crimes.
135. **GROUND C:** Whistle Blower Retaliation because of Colorado Supreme Court and U.S. Supreme Court Appeal.
136. **GROUND D:** Litigious Pretext. On November 8, 2017, five times DCSD pretextually labeled Judy Brannberg "litigious" in the DCSD Position Statement filed to the CCRD, because she exposed and uncovered their serious, secret, non-transparent, wicked and sinister crimes, which caused the May 7, 2019, STEM School shooting, murder, and slaughter.
137. **GROUND E:** DCSD Bought Out Plaintiff Brannberg's Attorneys.
138. **GROUND F:** Attorney Fraud Upon The Court and theft of client funds.

139. **GROUND G:** Students Are Not Safe
140. **GROUND H:** Low enrollment numbers are because of DCSD crimes, including Antitrust violations to eliminate competition.
141. **GROUND I:** Billion Dollar Notices Of Claim, which DCSD retaliated against.
142. **GROUND J:** DCSD and STEM School Highlands Ranch breached the mutual Confidential Separation Agreement Contract in June 2014, November 8, 2017, and January 20, 2020. Therefore, we are demanding that the STEM School Highlands Ranch leadership be returned to Barry and Judy Brannberg
143. **GROUND K:** Unprecedented, “Nasty,” Criminal Collusion by DCSD Supt. Erin Kane, Board President David Ray, the entire DCSD 2018 Board, Domestic Terrorist/DCSD Attorney Thomas McMillen with Sterling Ranch Owners, Consultant Pat McGraw, and Sterling Ranch Attorneys to bribe, harass, coerce, thwart creation of JBrannberg’s schools in 2018 and 2023 at Sterling Ranch, her employment, property, land, and building ownership.

**THE REASONS ENTITLING ME TO RELIEF ARE AS FOLLOWS:  
JEFFERSON COUNTY AND DOUGLAS COUNTY SCHOOL DISTRICT**

144. **REASON NUMBER ONE:** On September 14, 2023, (Jeffco), and on November 9, 2023, (DCSD), the Colorado State Board of Education voted to deny Plaintiffs’ appeals to obstruct justice and to coverup DCSD and Jeffco crimes which were used to disrupt the potential economic relationships between Plaintiffs Brannberg and the parents of children seeking to enroll their children in the Alexandria charter school and John Dewey Institute.

**STEM SCHOOL, STEM ACADEMY, LIGHTHOUSE BUILDING CORP., KOSAN  
NETWORK OF SCHOOLS**

145. **REASON NUMBER TWO:** In January 2014 STEM Director Penny Eucker criminally



disseminated, with the intent to defraud, a one-way forgery (with no promises and undertakings), purported as the mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT, (with mutual promises and undertakings described in this Agreement) to DCSD Attorney Thomas McMillen, with the intent to defraud, and thwart the creation of Plaintiffs' schools, which was Attorney Fraud on the Court and Theft of Client Funds.

146. **REASON NUMBER THREE:** It was unknown at the time of the 2014 ASI Charter Application in DCSD and at the time of 15CV30586 in Douglas County District Court, that STEM Director Penny Eucker disseminated a one-way forgery of the Confidential Agreement to DCSD Charter Attorney Thomas McMillen and Assistant Supt. Pat McGraw in January 2014, with the intent to defraud, to thwart the creation of Judy Brannberg's schools in 2014 ASI DCSD, and 2014 ASI Jeffco; 2017 ASI DCSD, 2018 ASI DCSD, 2019 JDI DCSD; 2023, and to sabotage her legal cases including 15CV30586 in 2015 and 2016; and future legal cases explained herein including 15CV30586 in Douglas County District Court (3 Times); 2019CV550 in Denver District Court; 21SC885 in the Colorado Supreme Court; and U.S. Supreme Court Petition for CERT Case No. 22-1106.

#### **JEFFERSON COUNTY PUBLIC SCHOOLS ("JEFFCO")**

147. **REASON NUMBER FOUR:** 2014 and 2023 Jeffco Charter School denial orders made void and overturned (approved and granted) because of Attorney Thomas McMillen, et al. Fraud on the Court, Breach Of Contract, Forgery, Bribery, described herein.
148. **REASON NUMBER FIVE:** On November 6, 2014, STEM School Employee Doug Zimmerman's slanderous and false Public Comment was because in January 2014, STEM Director Eucker disseminated a one-way criminal forgery, purported as the two-way

mutual Agreement to DCSD Attorney and Domestic Terrorist Thomas McMillen in January 2014, which provided no promises and undertakings to Plaintiff Judy Brannberg, and therefore, Jeffco, DCSD, STEM were falsely and criminally allowed to fraudulently and deceitfully lie and slander Barry and Judy Brannberg's excellent charter reputation and history without any accountability or criminal consequence, which was Attorney Fraud upon the Court. The above constitutes a deceptive trade practice in violation of **Federal Antitrust**.

**ATTORNEY DAVID K. WILLIAMS**

149. **REASON NUMBER SIX:** 15CV30586 in Douglas County District Court made void and overturned because of attorney fraud on the court and theft of client funds.
150. **REASON NUMBER SEVEN:** In June 2015, on behalf of Judy Brannberg, Attorney David K. Williams and Disbarred Attorney Clifford G. Cozier filed 15CV30586, a lawsuit in Douglas County District Court against STEM. It was dismissed in August 2015, because Judy Brannberg discovered in August 2015, that Attorney Clifford G. Cozier was in fact a DISBARRED Attorney and conspired and was bought out by DCSD Asst. Superintendent Pat McGraw! Compelling criminal evidence was filed with OARC, Sheriff, DA, and CCRD.
151. **REASON NUMBER EIGHT:** David Williams and his office were bought out by DCSD Asst. Supt. Pat McGraw to sabotage Judy Brannberg's 17 charter school applications in 2014, 2017, 2018, 2019, and 2023, all which should be overturned, made void, with charters granted and damages awarded, because of Fraud on the Court.

**COLORADO CIVIL RIGHTS DIVISION ("CCRD") AND COLORADO CIVIL RIGHTS COMMISSIONERS ("CCRC")**

152. **REASON NUMBER NINE:** On November 8, 2017, DCSD Attorney and Jeffco Attorney and Domestic Terrorist Thomas McMillen criminally disseminated, with the intent

to defraud, a one-way forgery, purported as the mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT, (with mutual promises and undertakings described in this Agreement) to bribe the CCRD Investigation, which was Fraud on the Court.

**153. REASON NUMBER TEN:** CCRD Director Attorney Aubrey L. Elenis, and the Colorado Civil Rights Commissioners were warned profusely about the fraudulent, forged, “fake, phony” CONFIDENTIAL SEPARATION AGREEMENT, filed by DCSD on November 8, 2017, who failed to take any remedial measures.

**154. REASON NUMBER ELEVEN:** The Orders and Judgments of the CCRD Investigation are voided and overturned, and CCRD damages are awarded to Judy Brannberg because of DCSD, CCRD, STEM School Attorney Fraud on the Court, Theft.

**155. REASON NUMBER TWELVE:** On June 15, 2023, Plaintiff Brannberg filed a new charge of discrimination with the CCRD, Case Number 00020237 because of the latest third-party employment discrimination and retaliation by the DCSD Board President Mike Peterson and the entire DCSD Board who retaliated against Judy Brannberg, and voted to deny her eight applications, because she litigiously complained of third party employment discrimination in her Colorado Supreme Court Case Number 2021SC885 and her Petition for CERT before the U.S. Supreme Court Case Number 22-1106. In addition, the DCSD Board, including Former DCSD President/2023 Director David Ray, never publicly or privately corrected 2017 Board President Meghann Silverthorn’s heinous discriminatory epithets.

**COLORADO SUPREME COURT OFFICE OF ATTORNEY REGULATION COUNSEL**

**156. REASON NUMBER THIRTEEN:** On or about October 7, 2022, Judy Brannberg filed three Colorado Supreme Court Colorado Attorneys’ Fund For Client Protection Statement Of

Claims because **her three attorneys were bought out by DCSD** to sabotage her legal cases and thwart her schools, employment, and property in 2014, 2017, 2018, 2019, and 2023.

157. **REASON NUMBER FOURTEEN:** Judy Brannberg provided compelling evidence to the OARC which exposed DCSD crimes that her attorneys were bought out by DCSD and used attorney Fraud on the Court, Breach of Contract, in her U.S. Supreme Court Petition for CERT No. 22-1106, and in the Notice Of Claim filed on June 20, 2023.

158. **REASON NUMBER FIFTEEN:** OARC Counsel Jessica E. Yates derelicted her duties, and covered up 25+ Attorney crimes of Fraud on the Court, forgery, bribery, breach of contract, et al. because of the massive attorney scandalous crime ring comprised of 25+ attorneys. Fraud on the Court will, most often, will be found where the fraudulent scheme defrauds the “judicial machinery” or is perpetrated by an officer of the court such that the court cannot perform its function as a neutral arbiter of justice. In this case, there are 25+ attorneys and 10+ publicly-funded governmental agencies and private organizations involved in the fraudulent sophisticated scheme and complex crime ring explained herein.

#### **DOUGLAS COUNTY SHERIFF, OARC, AND THE CCRD**

159. **REASON NUMBER SIXTEEN:** The governmental regulatory agency investigation orders from the DC Sheriff, OARC, and the CCRD are made void and overturned because of attorney Fraud on the Court, breach of contract, forgery, bribery, and theft of client funds, who covered up and suppressed crimes.

#### **DOUGLAS COUNTY SHERIFF’S OFFICE**

160. **REASON NUMBER SEVENTEEN:** On April 25, 2023, the Douglas County Sheriff Weekly washed his hands of crimes and failed to conduct further investigations of Jeffco,

DCSD crimes with the new evidence because he criminally colluded and conspired with DCSD to coverup Defendants' crimes which has created a safety breach in all schools.

### **25+ ATTORNEYS**

161. **REASON NUMBER EIGHTEEN:** The following attorneys covered up many crimes, fraud, and theft of client funds. They muzzled, harassed, silenced, coerced, and improperly influenced the impartial nature of the Court, therefore Fraud on the Court has been established, and the judgment may be attacked, and **subsequently overturned.**

- #1 – Judy Brannberg v. Robert Montgomery (DCSD) OARC Charge no.: 20 – 932
- #2 - Judy Brannberg v. William Trachman (DCSD) OARC Charge no.: 20-933
- #3 - Judy Brannberg v. Thomas McMillen (DCSD) OARC Charge no.: 20-934
- #4 - Judy Brannberg v. Elliott Hood (DCSD) OARC Charge no: 20-935
- #5 - Judy Brannberg v. Kristin C. Edgar (DCSD) OARC Charge no: 20-936
- #6 - Judy Brannberg v. Mary Kay Klimesh (DCSD) OARC Charge no: 20-937
- #7 - Judy Brannberg v. Steve Colella (DCSD) OARC Charge no: 20-938
- #8 - Judy Brannberg v. Julie Tolleson (State Board/Jeffco) OARC Charge no.: 20-939
- #9 - Judy Brannberg v. Jenna Zerylnick (State Board) OARC Charge no: 20-940
- #10 - Judy Brannberg v. William Bethke (STEM School HR) OARC Charge no.: 20-941
- #11 - Judy Brannberg v. Aubrey L. Elenis (CCRD/CCRC) OARC Charge no.: 20-942
- #12 - Judy Brannberg v. Attorney Bruce A. James (Sterling) OARC Charge no.: 20-943
- #13 - Judy Brannberg v. Barry Arrington (STEM School) OARC Charge no.: 20-1046
- #14 - Judy Brannberg v. R. Craig Hess (Jeffco) OARC Charge no.: 20-1047
- #15 - Judy Brannberg v. Calvin C. Hanson (CECFA) OARC Charge no.: 21-2454
- #16 - Judy Brannberg v. Kent C. Veio (CECFA) OARC Charge no.: 21-2455
- #17 - Judy Brannberg v. Hester Parrot (CECFA) OARC Charge no.: 21-2453
- #18 - Judy Brannberg v. John A. Cimino OARC Charge Number: 21-2118
- #19 - Judy Brannberg v. D.K. Williams OARC Charge Number: 21-2114
- #20 - Judy Brannberg v. Clifford G. Cozier OARC Charge Number: 21-2097
- #22 - Judy Brannberg v. Robert S. Ross Jr. (DCSD) OARC Charge Number: 21-2637
- #23 - Judy Brannberg v. Michael A. Zywicki (STEM) OARC Charge Number: 21-2647
- #24 - Judy Brannberg v. Jake Spratt (Sterling Ranch) OARC Charge Number: 21-2648
- #25 - Judy Brannberg v. Steven Klenda OARC Charge No: 22-1810
- #26 - Judy Brannberg v. OARC Jessica E. Yates (OARC) Attorney Regulation Counsel
- #27 - Judy Brannberg v. CCRD Jennifer McPherson (CCRD) Deputy Director
- #28 - Judy Brannberg v. Molly Ferrer (Jeffco) Attorney/Legal Counsel
- #29 – Judy Brannberg v. Justin P. Moore (OARC) Attorney
- #30 – Judy Brannberg v. April M. McMurrey (OARC)

**COLORADO DEPARTMENT OF EDUCATION**

162. **REASON NUMBER NINETEEN:** CDE removed the original charter Appendices filed on March 14, 2023, to both DCSD and Jeffco, including evidentiary briefs from Plaintiff's State Board Appeal Record, which were filed to the Douglas County Sheriff's Office, OARC, and CCRD, explaining the many warnings which Judy Brannberg made to DCSD, et al. before the tragic STEM School shooting on May 7, 2019, which would have prevented the event of mass destruction, an event of 18 U.S.C. § 2331(5) Domestic Terrorism, which is obstruction of justice to cover up DCSD, Jeffco, et al. crimes.

**COLORADO STATE BOARD OF EDUCATION**

163. **REASON NUMBER TWENTY:** On September 14, 2023, at the Jeffco State Board Hearing, and on November 9, 2023, at the DCSD State Board Hearing, the State Board voted to deny Plaintiffs' Appeals because they retaliated against her to coverup the litigious warnings from the 2018, 2019, and 2023 State Board Record on Appeal that Judy Brannberg made to DCSD and State Board before the shooting, which were not heeded.

**UMB BANK AND CECFA**<sup>8</sup>

164. **REASON NUMBER TWENTY-ONE:** On October 24, 2017, January 3, 2018, and on September 10, 2021, Plaintiff Brannberg filed Material Event Disclosures to UMB Bank, who financed the fraudulent STEM School Bond on or about November 1, 2014, disclosing the catastrophic financial failure of STEM School at the time of their fraudulent, DCSD bail-out, and the fraudulent illegal/unlawful \$14.6 million bond execution on November 1, 2014

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<sup>8</sup> UMB Bank, CECFA, and Sterling Ranch are private, non-governmental businesses and do not have governmental immunity.

by Attorneys CECFA Bond Counsel Hester Parrot, CECFA Attorney Calvin Hanson, Underwriter Attorney Kent Veio, STEM School Lighthouse Building Corp. Bond Counsel Barry Arrington, DCSD General Counsel Robert Sherman Ross, Jr., DCSD Charter School Director/Attorney/Domestic Terrorist Thomas McMillen, STEM School Attorney William Bethke. This was Fraud on the Court, which caused the May 7, 2019 STEM School shooting.

### **STERLING RANCH DEVELOPMENT COMPANY**

165. **REASON NUMBER TWENTY-TWO:** Plaintiffs did not discover until **after** the DCSD voted to deny her charter in 2018, that DCSD Attorneys, the entire DCSD Board of Directors, and Superintendent Erin Kane, criminally conspired with Sterling Ranch Attorneys, Owners, and Consultant McGraw to secretly and fraudulently solicit the manufactured “nasty gram letter/cease and desist” to make it appear as community opposition to Plaintiff’s charter schools locations at Sterling Ranch in 2018 and 2023, to eliminate all competition from District schools, which is Federal Antitrust, until a CORA was executed AFTER the Board of Education voted to deny.

### **ATTORNEY JOHN A. CIMINO**

166. **REASON NUMBER TWENTY-THREE:** Denver District Court Case Number 2019CV550 and 15CV30586 Douglas County District Court (3 x’s) were dismissed because Plaintiff’s Former Attorney John A. Cimino was bought out by DCSD, in order to sabotage her legal cases, to thwart the creation of her schools in 2014, 2017, 2018, 2019, and 2023, and to sabotage the CCRD investigations in 2017-2018 and in 2023-2024.

### **CONCLUSION**

**I designate the following documents as relevant parts of such record, pursuant to C.R.S. § 24-4-106(6):**

**1. The original or certified copies of all pleadings; all 2014, 2017, 2018, 2019 and 2023 Charter Applications; evidence; exhibits; Notices of Claim; and other papers presented to or considered by the agency.**

Plaintiff will provide a copy of Record on Appeal via flash drive once the Motion is approved.

**2. A complete transcript and video recordings of the State Board of Education Hearing for the 4 Jeffco Charters held on September 14, 2023 at 1 p.m. and State Board of Education Hearing for the 8 DCSD Charters held on November 9, 2023 at 1 p.m. for the agency identified in this action.**

State Board will provide this. We also request a video copy from the State Board Hearing.

**3. The written order issued by the agency identified in this action.**

On September 25, 2023, the State Board of Education issued the following written order denying the Jeffco appeal. These documents were filed to the Record on 9.25.23 and are again included in this Complaint in the Motion to File Designation of Record, which was filed simultaneously with this Complaint:

Appendix ZZW – 101 - 2023.09.25 Board Order Denying ASI Appeal

Appendix ZZW – 102 - 2023.09.25 Board Order Denying JDI Appeal

On November 9, 2023, the State Board did not issue any written ORDERS for the DCSD Appeal and gave no written reasons for denial. **The State Board decision for 8 DCSD Charters should be overturned for this reason alone as there are no written grounds for charter denial.**

I, hereby request that this Court find that the hearing officer's decision be reversed.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs seek judgment against all Defendants for:

- A. Compensatory damages in an amount to be proven at trial;
- B. Costs and attorneys' fees as allowed by law;
- C. Pre and post-judgment interest as allowed by law;
- D. Such other relief as the court deems just and warranted.

### **JURY DEMAND FOR JUDGEMENT**

Plaintiffs hereby demand for judgment a trial by jury of their claims against all Defendants.

RESPECTFULLY SUBMITTED this 11th day of January 2024



*Judy A. Brannberg*

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Judy A. Brannberg, MSc, Pro Se Representative  
8201 S. Santa Fe Drive #52 | Littleton, CO 80120  
303.522.2158 | [Judy.brannberg@gmail.com](mailto:Judy.brannberg@gmail.com)

**CERTIFICATE OF SERVICE**

Pursuant to the Colorado State Board of Education’s November 10, 2021 Revised State Board of Education Administrative Procedures for Charter School Appeals on January 11th, 2024, this document has been filed with the Colorado State Board of Education at the following email address: [state.board.efilings@cde.state.co.us](mailto:state.board.efilings@cde.state.co.us), with a carbon copy to [soc@cde.state.co.us](mailto:soc@cde.state.co.us). In addition, electronic copies were emailed to the following email addresses:

THE HONORABLE COLORADO ATTORNEY GENERAL PHILIP J. WEISER  
Colorado Solicitor General SHANNON WELLS STEVENSON (Attorney for State Board of Education for U.S. Supreme Court Petition for CERT Case No. 22-1106)  
1300 Broadway Street, 10<sup>th</sup> Floor, Denver, CO 80203  
720-508-6179 | [shannon.stevenson@coag.gov](mailto:shannon.stevenson@coag.gov)

**Defendant Number One:** Jefferson County Public Schools (“Jeffco”)  
1829 Denver West Dr., Bldg. 27, Golden, CO 80401  
MOLLY FERRER, #37857, Counsel for Jeffco  
303-982-6544 | [Molly.Ferrer@jeffco.k12.co.us](mailto:Molly.Ferrer@jeffco.k12.co.us)

**Defendant Jeffco Attorneys**  
MOLLY H. FERRER (Jeffco) #37857, R. CRAIG HESS (Jeffco) #26398  
THOMAS H. MCMILLEN (Jeffco and DCSD) #14218, JULIE C. TOLLESON (Jeffco and State Board of Education) #24885  
1829 Denver West Dr., Bldg. 27, Golden, CO 80401

**Defendant Number Two:** Colorado State Board of Education  
Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela

**Defendant Number Three:** Colorado Department of Education (“CDE”)  
CDE Commissioner Susana Cordova  
201 East Colfax Avenue, Denver, CO 80203  
MICHELLE M. BERGE, First Assistant Attorney General K-12  
BLAKE MCCRACKEN, Assistant Attorney General K-12  
Education Unit, #39299, 1300 Broadway St. Denver, CO 80203  
720-508.6186 | [michelle.berge@coag.gov](mailto:michelle.berge@coag.gov) | 720-508-6172 | [blake.mccracken@coag.gov](mailto:blake.mccracken@coag.gov)

**Defendant State Board of Education Attorneys**  
JULIE C. TOLLESON (State Board of Education and Jeffco) #24885,  
JENNA M. ZERYLNICK (State Board) #42553  
201 East Colfax Avenue, Denver, CO 80203

**Defendant Number Four:** Douglas County School District (“DCSD”)

620 Wilcox Street, Castle Rock, CO 80104

DCSD Attorney ANDREW D. RINGEL

303-628-3453 | [ringela@hallevans.com](mailto:ringela@hallevans.com)

Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300, Denver, CO 80202

**Defendant DCSD Attorneys**

STEVE J. COLELLA, (DCSD) #45503, KRISTIN C. EDGAR (DCSD and Jeffco) #35686

ELLIOTT V. HOOD (DCSD and Jeffco) #45060, MARY KAY KLIMESH (DCSD) #48266

THOMAS H. MCMILLEN (DCSD and Jeffco) #14218, ROBERT P. MONTGOMERY (DCSD)

#49502, ROBERT SHERMAN ROSS JR. (DCSD) #42249

WILLIAM E. TRACHMAN (DCSD) # 45684

620 Wilcox Street, Castle Rock, CO 80104

**Defendant Number Five:** STEM School Highlands Ranch,

Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy,

Koson Network of Schools / Koson Schools

8773 S Ridgeline Blvd., Highlands Ranch, CO 80129

Attorney DAVID M. JONES, #35677

Attorney JOHN F. PETERS, #44563

303-628-3312 | [jonesd@hallevans.com](mailto:jonesd@hallevans.com)

Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300, Denver, CO 80202

**Defendant STEM School Highlands Ranch Attorneys**

BARRY K. ARRINGTON, STEM Attorney, #16486

WILLIAM P. BETHKE, STEM Attorney, #11802

MICHAEL A. ZYWICKI, STEM Attorney, #35543

8773 S Ridgeline Blvd, Highlands Ranch, CO 80129

**Defendant Number Six:** Colorado Civil Rights Division

VINCENT MORSCHER #34816

Senior Assistant Attorney General Employment Practices and Civil Rights

1300 Broadway St. 500, Denver, CO 80203

720-508-6588 | [Vincent.Morscher@coag.gov](mailto:Vincent.Morscher@coag.gov)

**Defendant CCRD/CCRC Attorneys**

AUBREY L. ELENIS (CCRD/CCRC) #42341

1560 Broadway Suite 825, Denver, CO 80202

**Defendant Number Seven:** Colorado Educational and Cultural  
Facility Authority (“CECFA”)

1800 Glenarm Place, Suite 1201, Denver, CO 80202

JOSEPH J. BRONESKY, Sherman & Howard

675 Fifteenth Street, Suite 2300, Denver, Colorado 80202

303.299.8450 | [jbronesky@shermanhoward.com](mailto:jbronesky@shermanhoward.com)

**Defendant CECFA Attorneys**

CALVIN C. HANSON, (CECFA) | #13267, HESTER M. PARROT (CECFA) #35816

KENT C. VEIO (CECFA) #21030  
1800 Glenarm Place, Suite 1201, Denver, CO 80202

**Defendant Number Eight:** Sterling Ranch Development Corp.  
8155 Piney River Avenue, Suite 200, Littleton, CO 80125  
JONATHAN G. PRAY, #36576  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
675 Fifteenth Street, Suite 2900, Denver, Colorado 80202  
303.223.1100 | [jpray@bhfs.com](mailto:jpray@bhfs.com)

**Defendant Sterling Ranch Development Company Attorneys**  
JACOB E. SPRATT, Attorney, #42544, BRUCE A. JAMES, Attorney, #15348  
8155 Piney River Avenue, Suite 200, Littleton, CO 80125

**Defendant Number Nine:** UMB Financial Corporation  
JACOB HOLLARS, #50352, KERSTEN HOLZHUETER #18841  
Spencer Fane LLP  
1700 Lincoln Street, Suite 2000,  
Denver, CO 80203  
303.839.3707 | [JHollars@spencerfane.com](mailto:JHollars@spencerfane.com)

**Defendants**

JOHN WAHL, Vice President and Regional Manager  
TAMARA DIXON, VP of UMB Bank, Dissemination Agent  
1670 Broadway, Denver, CO 80202  
303-764-3603 | [john.wahl@umb.com](mailto:john.wahl@umb.com)

**Defendant Number Ten:** Colorado Supreme Court Office of  
Attorney Regulation Counsel (“OARC”)  
1300 Broadway St. 500, Denver, CO 80203 | 303.457.5800  
LEEANN MORRILL, First Assistant Attorney General & General  
Counsel to the Attorney General Public Officials Unit  
(720) 508-6159 | [leeann.morrill@coag.gov](mailto:leeann.morrill@coag.gov)

**Defendant Colorado Supreme Court OARC Attorneys**  
JESSICA E. YATES (OARC) #38003  
JUSTIN P. MOORE (OARC) #32173

**Defendant Number Eleven:** Douglas County Sheriff’s Office  
Douglas County Sheriff Darren Weekly, Economic Crime Unit  
4000 Justice Way, Castle Rock, CO 80109  
Attorneys for Douglas County Sheriff’s Office  
KELLY DUNNAWAY, #31896 | [kdunnawa@douglas.co.us](mailto:kdunnawa@douglas.co.us)  
ANDREW C. STEERS, #40139 | [asteers@douglas.co.us](mailto:asteers@douglas.co.us)  
100 Third Street, Castle Rock, 80104  
303.660.7414

**Defendant Number Twelve:**

JOHN A. CIMINO #14032  
1700 Monaco Pkwy Denver, CO 80220  
720.434.0434 (cell) | [jcimino2014@aol.com](mailto:jcimino2014@aol.com)

**Defendant Number Fourteen:** Colorado Supreme Court Justices  
Chief Justice Brian D. Boatright, Justice Maria E. Berkenkotter,  
Justice Richard L. Gabriel, Justice Melissa Hart, Justice William W. Hood, III,  
Justice Monica M. Márquez, Justice Carlos A. Samour, Jr.,  
1300-1376 Lincoln St, Denver, CO 80203

**Defendant Number Fifteen:** Colorado Attorney General’s Office  
Colorado Attorney General Honorable ATTORNEY PHILIP WEISER  
Colorado Solicitor General SHANNON WELLS STEVENSON (Attorney for  
720.508.6179 | [shannon.stevenson@coag.gov](mailto:shannon.stevenson@coag.gov)  
Colorado Department of Law Ralph L. Carr Judicial Building  
1300 Broadway Street, 10<sup>th</sup> Floor, Denver, CO 80203  
MICHELLE M. BERGE, #39299, First Asst Attorney General K-12  
BLAKE MCCRACKEN, Asst Attorney General K-12 Education Unit  
1300 Broadway St., Denver, CO 80203  
720-508.6186 | [michelle.berge@coag.gov](mailto:michelle.berge@coag.gov)  
720-508-6172 | [blake.mccracken@coag.gov](mailto:blake.mccracken@coag.gov)

**Non-Defendant**

Ashley Dembitz, Litigation Claims Specialist  
Colorado School Districts Self Insurance Pool (“CSDSIP”)  
6857 S Spruce St, Englewood, CO 80112  
Direct: 720-570-4564 | [ashley@csdsip.net](mailto:ashley@csdsip.net)

RESPECTFULLY SUBMITTED this 11th day of January, 2024.

*Judy A. Brannberg*

---

Judy A. Brannberg, MSc, Pro Se Representative  
8201 S. Santa Fe Drive #52 | Littleton, CO 80120  
303.522.2158 | [Judy.brannberg@gmail.com](mailto:Judy.brannberg@gmail.com)

# Appendix D

FILED IN DENVER DISTRICT COURT

NOV 28 2023

DENVER, COLORADO COUNTY CLERK

<p><b>DISTRICT COURT, DENVER COUNTY, COLORADO</b>  1437 Bannock Street, Rm 256, Courtroom 275, Denver, CO, 80202</p> <p><b>Plaintiffs:</b> Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation ("ASI") and John Dewey Institute ("JDI") at Red Rocks Ranch ("RRR") and Leyden Rock ("LR") and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch</p> <p><b>Attorney for Plaintiffs:</b>  JUDY A. BRANNBERG, Pro Se  8201 South Santa Fe Dr. #52, Littleton, CO 80120  303.522.2158   <a href="mailto:judy.brannberg@gmail.com">judy.brannberg@gmail.com</a></p>	<p>FILED IN DENVER DISTRICT COURT</p> <p>NOV 28 2023</p> <p>DENVER, COLORADO COUNTY CLERK</p> <p><b>COURT USE ONLY</b></p>
<p><b>Defendant Number One:</b> Jefferson County Public Schools ("Jeffco")  1829 Denver West Dr., Bldg. 27, Golden, CO 80401  MOLLY FERRER, #37857, Counsel for Jeffco  303-982-6544   <a href="mailto:Molly.Ferrer@jeffco.k12.co.us">Molly.Ferrer@jeffco.k12.co.us</a></p> <p><b>Defendant Jeffco Attorneys</b>  MOLLY H. FERRER (Jeffco) #37857  R. CRAIG HESS (Jeffco) #26398  THOMAS H. MCMILLEN (Jeffco and DCSD) #14218  JULIE C. TOLLESON (Jeffco and State Board of Education) #24885  1829 Denver West Dr., Bldg. 27, Golden, CO 80401</p> <p><b>Defendant Number Two:</b> Colorado State Board of Education  Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela</p> <p><b>Defendant Number Three:</b> Colorado Department of Education ("CDE")  CDE Commissioner Susana Cordova  201 East Colfax Avenue, Denver, CO 80203  TERESA THOMSON WALSH, Senior Assistant Attorney General, Colorado Attorney General's Office, #32510  720.508.6372   <a href="mailto:teresa.walsh@coag.gov">teresa.walsh@coag.gov</a>  MICHELLE M. BERGE, First Assistant Attorney General K-12  BLAKE MCCRACKEN, Assistant Attorney General K-12  Education Unit, #39299, 1300 Broadway St.  Denver, CO 80203  720-508.6186   <a href="mailto:michelle.berge@coag.gov">michelle.berge@coag.gov</a>  720-508-6172   <a href="mailto:blake.mccracken@coag.gov">blake.mccracken@coag.gov</a></p>	<p><b>Case No:</b>  2023CV610</p> <p><b>Division:</b>  275</p>

<p><b>DISTRICT COURT, DENVER COUNTY, COLORADO</b> 1437 Bannock Street, Rm 256, Courtroom 275, Denver, CO, 80202</p> <p><b>Plaintiffs:</b> Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation (“ASI”) and John Dewey Institute (“JDI”) at Red Rocks Ranch (“RRR”) and Leyden Rock (“LR”) and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch</p> <p><b>Attorney for Plaintiffs:</b> JUDY A. BRANNBERG, Pro Se 8201 South Santa Fe Dr. #52, Littleton, CO 80120 303.522.2158   <a href="mailto:judy.brannberg@gmail.com">judy.brannberg@gmail.com</a></p>	<p><b>COURT USE ONLY</b></p>
<p><b>Defendant Number One:</b> Jefferson County Public Schools (“Jeffco”) 1829 Denver West Dr., Bldg. 27, Golden, CO 80401 MOLLY FERRER, #37857, Counsel for Jeffco 303-982-6544   <a href="mailto:Molly.Ferrer@jeffco.k12.co.us">Molly.Ferrer@jeffco.k12.co.us</a></p> <p><b>Defendant Jeffco Attorneys</b> MOLLY H. FERRER (Jeffco) #37857 R. CRAIG HESS (Jeffco) #26398 THOMAS H. MCMILLEN (Jeffco and DCSD) #14218 JULIE C. TOLLESON (Jeffco and State Board of Education) #24885 1829 Denver West Dr., Bldg. 27, Golden, CO 80401</p> <p><b>Defendant Number Two:</b> Colorado State Board of Education Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika Schroeder; Rhonda Solis; Stephen Varela</p> <p><b>Defendant Number Three:</b> Colorado Department of Education (“CDE”) CDE Commissioner Susana Cordova 201 East Colfax Avenue, Denver, CO 80203 TERESA THOMSON WALSH, Senior Assistant Attorney General, Colorado Attorney General's Office, #32510 720.508.6372   <a href="mailto:teresa.walsh@coag.gov">teresa.walsh@coag.gov</a> MICHELLE M. BERGE, First Assistant Attorney General K-12 BLAKE MCCRACKEN, Assistant Attorney General K-12 Education Unit, #39299, 1300 Broadway St. Denver, CO 80203 720-508.6186   <a href="mailto:michelle.berge@coag.gov">michelle.berge@coag.gov</a> 720-508-6172   <a href="mailto:blake.mccracken@coag.gov">blake.mccracken@coag.gov</a></p>	<p><b>Case No:</b> 2023CV610</p> <p><b>Division:</b> 275</p>

**Defendant State Board of Education Attorneys**

JULIE C. TOLLESON (State Board of Education and Jeffco) #24885  
JENNA M. ZERYLNICK (State Board) #42553  
201 East Colfax Avenue, Denver, CO 80203

**Defendant Number Four: Douglas County School District (“DCSD”)**

620 Wilcox Street, Castle Rock, CO 80104  
303.387.0198 | [mklimesh@dcsdk12.org](mailto:mklimesh@dcsdk12.org)  
DCSD Attorney ANDREW D. RINGEL  
303-628-3453 | [ringela@hallevans.com](mailto:ringela@hallevans.com)  
Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300  
Denver, CO 80202

**Defendant DCSD Attorneys**

STEVE J. COLELLA, (DCSD) #45503  
KRISTIN C. EDGAR (DCSD and Jeffco) #35686  
ELLIOTT V. HOOD (DCSD and Jeffco) #45060  
MARY KAY KLIMESH (DCSD) #48266  
THOMAS H. MCMILLEN (DCSD and Jeffco) #14218  
ROBERT P. MONTGOMERY (DCSD) #49502  
ROBERT SHERMAN ROSS JR. (DCSD) #42249  
WILLIAM E. TRACHMAN (DCSD) # 45684  
620 Wilcox Street, Castle Rock, CO 80104

**Defendant Number Five: STEM School Highlands Ranch,**

Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy,  
Koson Network of Schools / Koson Schools  
8773 S Ridgeline Blvd., Highlands Ranch, CO 80129  
Attorney DAVID M. JONES, #35677  
Attorney JOHN F. PETERS, #44563  
303-628-3312 | [jonesd@hallevans.com](mailto:jonesd@hallevans.com)  
Hall & Evans, LLC  
1001 Seventeenth Street, Suite 300  
Denver, CO 80202

**Defendant STEM School Highlands Ranch Attorneys**

BARRY K. ARRINGTON, STEM Attorney, #16486  
WILLIAM P. BETHKE, STEM Attorney, #11802  
MICHAEL A. ZYWICKI, STEM Attorney, #35543  
8773 S Ridgeline Blvd, Highlands Ranch, CO 80129



**Defendant Number Six:** Colorado Civil Rights Division  
VINCENT MORSCHER #34816  
Senior Assistant Attorney General  
Employment Practices and Civil Rights  
1300 Broadway St. 500, Denver, CO 80203  
720-508-6588 | [Vincent.Morscher@coag.gov](mailto:Vincent.Morscher@coag.gov)

**Defendant CCRD/CCRC Attorneys**

AUBREY L. ELENIS (CCRD/CCRC) #42341  
JENNIFER A. MCPHERSON (CCRD/CCRC) #36425  
1560 Broadway Suite 825, Denver, CO 80202

**Defendant Number Seven:** Colorado Educational and Cultural  
Facility Authority (“CECFA”)

1800 Glenarm Place, Suite 1201, Denver, CO 80202  
Joseph J. Bronesky  
Sherman & Howard  
675 Fifteenth Street, Suite 2300, Denver, Colorado 80202  
303.299.8450 | [jbronesky@shermanhoward.com](mailto:jbronesky@shermanhoward.com)

**Defendant CECFA Attorneys**

CALVIN C. HANSON, (CECFA) | #13267  
HESTER M. PARROT (CECFA) #35816  
KENT C. VEIO (CECFA) #21030  
1800 Glenarm Place, Suite 1201  
Denver, CO 80202

**Defendant Number Eight:** Sterling Ranch Development Corp.

8155 Piney River Avenue, Suite 200, Littleton, CO 80125  
JONATHAN G. PRAY, #36576  
Brownstein Hyatt Farber Schreck, LLP  
675 Fifteenth Street, Suite 2900  
Denver, Colorado 80202  
303.223.1100 | [jpray@bhfs.com](mailto:jpray@bhfs.com)

**Defendant Sterling Ranch Development Company Attorneys**

JACOB E. SPRATT, Attorney, #42544  
(303) 736-6718 | [jakes@sterlingranchcolorado.com](mailto:jakes@sterlingranchcolorado.com)  
BRUCE A. JAMES, Attorney, #15348  
720.987.3167 | [BJames@bhfs.com](mailto:BJames@bhfs.com)  
8155 Piney River Avenue, Suite 200  
Littleton, CO 80125

**Defendant Number Nine:** UMB Financial Corporation  
JACOB HOLLARS, #50352  
KERSTEN HOLZHUETER #18841  
Spencer Fane LLP  
1700 Lincoln Street, Suite 2000, Denver, CO 80203  
303.839.3707 | [JHollars@spencerfane.com](mailto:JHollars@spencerfane.com)

**Defendants**

JOHN WAHL, Vice President and Regional Manager  
TAMARA DIXON, VP of UMB Bank, Dissemination Agent  
1670 Broadway, Denver, CO 80202  
303-764-3603 | [john.wahl@umb.com](mailto:john.wahl@umb.com)

**Defendant Number Ten:** Colorado Supreme Court Office of  
Attorney Regulation Counsel (“OARC”)  
1300 Broadway St. 500, Denver, CO 80203 | 303.457.5800  
LEEANN MORRILL, First Assistant Attorney General & General  
Counsel to the Attorney General Public Officials Unit  
(720) 508-6159 | [leeann.morrill@coag.gov](mailto:leeann.morrill@coag.gov)

**Defendant Colorado Supreme Court OARC Attorneys**

JESSICA E. YATES (OARC) #38003  
JUSTIN P. MOORE (OARC) #32173

**Defendant Number Eleven:** Douglas County Sheriff’s Office  
Douglas County Sheriff Darren Weekly, Economic Crime Unit  
4000 Justice Way, Castle Rock, CO 80109  
Attorneys for Douglas County Sheriff’s Office  
Kelly Dunnaway, #31896 | [kdunnawa@douglas.co.us](mailto:kdunnawa@douglas.co.us)  
Andrew C. Steers, #40139 | [asteers@douglas.co.us](mailto:asteers@douglas.co.us)  
100 Third Street, Castle Rock, 80104  
303.660.7414

**Defendant Number Twelve:**

JOHN A. CIMINO #14032  
1700 Monaco Pkwy Denver, CO 80220  
720.434.0434 (cell) | [jcimino2014@aol.com](mailto:jcimino2014@aol.com)

**Defendant Number Thirteen:**

U.S. Supreme Court Of The United States Of America  
CHIEF JUSTICE HONORABLE JOHN G. ROBERTS, JR.,  
HONORABLE ASSOCIATE JUSTICES CLARENCE THOMAS,  
SAMUEL A. ALITO, JR.,  
SONIA SOTOMAYOR,  
ELENA KAGAN,  
NEIL M. GORSUCH,  
BRETT M. KAVANAUGH,  
AMY CONEY BARRETT,  
KETANJI BROWN JACKSON  
1 First Street NE, Washington, D.C. 20543  
Case Number 22-1106, Docketed on May 10, 2023 with  
Supplemental Brief filed on July 27, 2023

**Defendant Number Fourteen:** Colorado Supreme Court  
1300-1376 Lincoln St,  
Denver, CO 80203

**Defendant Number Fifteen:** Colorado Attorney General’s Office  
Colorado Attorney General Honorable ATTORNEY PHILIP WEISER  
Colorado Solicitor General SHANNON WELLS STEVENSON  
720.508.6179 | [shannon.stevenson@coag.gov](mailto:shannon.stevenson@coag.gov)  
Colorado Department of Law. Ralph L. Carr Judicial Building  
1300 Broadway Street, 10<sup>th</sup> Floor, Denver, CO 80203  
MICHELLE M. BERGE, #39299, First Asst Attorney General K-12  
BLAKE MCCrackEN, Asst Attorney General K-12 Education Unit  
1300 Broadway St., Denver, CO 80203  
720-508.6186 | [michelle.berge@coag.gov](mailto:michelle.berge@coag.gov)  
720-508-6172 | [blake.mccracken@coag.gov](mailto:blake.mccracken@coag.gov)

**Plaintiffs’ Response in Opposition to Defendant Douglas County Sheriff’s Office (“DCSO”) Motion to Dismiss, with Colorado Supreme Court 2021SC885 Orders Striking, Banning, and Prohibiting Attorney Fraud on the Court Claims and Filings, with Threats, Coercion, and Harassment to Plaintiffs, with new DCSO, Colorado State Board of Education, CDE, DCSD, and Jeffco, Notices of Claim, the Office of Attorney Regulation Counsel (“OARC”) COLORADO SUPREME COURT COLORADO ATTORNEYS’ FUND FOR CLIENT PROTECTION STATEMENT OF CLAIMS, and 10.28.20 - DC Sheriff Investigator’s Progress Report – 201900124545, all Incorporated Herein**

Plaintiffs Judy A. Brannberg, MSc, Jeffco Alexandria School of Innovation (“ASI”) and John Dewey Institute (“JDI”) at Red Rocks Ranch (“RRR”) and Leyden Rock (“LR”) and DCSD ASI and JDI at Ridgeway, Crystal Valley, Sterling Ranch, and Highlands Ranch file their Response in Opposition thereof to Defendant Douglas County Sheriff’s Office Motion to Dismiss with Memorandum Authority, with Colorado Supreme Court 2021SC885 Orders striking, banning and prohibiting Attorney Fraud on the Court Claims and Filings, with New DCSO, State Board, CDE, DCSD, Jeffco Notices of Claim, and OARC COLORADO SUPREME COURT COLORADO ATTORNEYS’ FUND FOR CLIENT PROTECTION STATEMENT OF CLAIMS, and DC Sheriff Investigator’s Progress Report – 201900124545 Incorporated Herein, and state:

### **INTRODUCTION<sup>1</sup>**

In November 2009 Appellant Judy A. Brannberg and her husband Barry R. Brannberg Co-Founded and wrote the STEM School Highlands Ranch charter which was approved 7-0 by the DCSD Board of Directors. In Fall 2011, they launched and opened the largest first-year charter school in DCSD and Colorado History with 478 students. Barry R. Brannberg was the President/Business Manager of the STEM School and Judy Brannberg was the Executive Director/Grant Writer/Development Director of STEM Academy, aka LightHouse on a Hill, the Charter Management Organization (“CMO”) for both entities, who also managed all after-school programming. On March 31, 2013, Barry R. Brannberg and Judy Brannberg signed a mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT, (**with mutual promises and undertakings described in this Agreement**), which stated that “**any dissemination of any draft would be a violation of this agreement.**” In January 2014, November 8, 2017, March

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<sup>1</sup> The Complaint of Judicial Review 2023CV610 has explanatory footnotes for this section.

27, 2018, and on January 20, 2020, DCSD and Jeffco Attorney Thomas McMillen and DCSD and Jeffco Attorney Elliott Hood on January 20, 2023, **criminally disseminated**, with the intent to defraud, a one-way forgery (**with no promises and undertakings**), purported as the mutual, two-way CONFIDENTIAL SEPARATION AGREEMENT, (**with mutual promises and undertakings described in this Agreement**), to **bribe** the DCSD, Jeffco, and State Boards to deny and thwart the creation of Judy Brannberg’s schools, employment, property, land, building ownership during 17 applications in 2014 ASI DCSD, and 2014 ASI Jeffco; 2017 ASI DCSD, 2018 ASI DCSD, 2019 JDI DCSD; to **bribe** State Board Appeals in 2018, 2019, and 2023; to **bribe** Court Cases 2023CV610; 2019CV550 in Denver District Court; 2020CA0641 in the Colorado Court of Appeals; 21SC885 in the Colorado Supreme Court; and U.S. Supreme Court Petition for CERT Case No. 22-1106;15CV30586 Douglas County District Court (3 x’s), to **bribe** the CCRD Investigations, and to **bribe** the Sheriff’s Investigation 201900124545, and thereby criminally breached the contract because of Fraud on the Court.

### **ATTORNEY FRAUD ON THE COURT**

**Fraud upon the Court makes void the orders and judgments of that court.**<sup>2</sup> Fraud on the Court will be found where the **fraudulent scheme**, considered unconscionable, defrauds the “judicial machinery” or is perpetrated by an officer of the court such that the court cannot perform its function as a neutral arbiter of justice.<sup>3</sup> In 2023CV610, there are 25+ attorneys and 10+ publicly-funded governmental agency and private organization Defendants involved in the “fraudulent scheme” and complex crime ring all explained herein. Fraud directed at the “judicial machinery” can mean conduct that fraudulently coerces or influences the court itself or a

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<sup>2</sup>*Addington v. Farmers Elevator Mut. Co.*, 650 F.2d 663, 668 (6th Cir. 1981).

<sup>3</sup>*Martina Theatre Corp. v. Schine Chain Theatres, Inc.*, 278 F.2d 798, 801 (2d Cir. 1960).

member of the court, such that the impartial nature of the court has been compromised.<sup>4</sup> Fraud on the Court is usually found in only the most egregious of circumstance, bribery of a judge or jury.

In this case the District and State Board Directors' votes, Court Cases, CCRD Investigation, and Sheriff's Investigation were criminally **bribed** by DCSD, et al. to deny Plaintiffs' charters, by fabricating evidence, directly attacking the judicial machinery,<sup>5</sup> including:

- The Secret Fraudulent and Forged Separation Agreement;
- The Secret Fraudulent \$14.6 million dollar CECFA Bond which caused the May 7, 2019, STEM School shooting, slaughter, and murder;
- The Secret Fraudulent \$2 Million Dollar STEM School Bankruptcy Bailout by the DCSD Board, Superintendent, Charter Staff, and Attorneys with a fraudulent, low interest \$14.6 million CECFA Bond, financed by UMB Bank which STEM could not qualify for;
- The Secret Fraudulent "nasty gram letter" solicited by Supt. Erin Kane, the entire DCSD Board, and DCSD Attorney Tom McMillen to fraudulently appear as community opposition to stop Judy Brannberg's school locations at Sterling Ranch;
- The Secret Fraudulent and Altered ASI/JDI 2023 Charter Applications by DCSD;
- The Secret Fraudulent Actions by Defendants directly attacking the judicial machinery.

Final judgments are not often overturned based upon a Fraud on the Court claim and will typically only occur in extraordinary cases such as this one involving 10+ public and private entities, with an additional 25+ attorneys, who knew about the many Fraud on the Court crimes and repeatedly failed to take remedial measures,<sup>6</sup> which caused the tragic May 7, 2019, STEM School shooting, murder, and slaughter, a Domestic Terrorism event of mass destruction.<sup>7</sup>

**ATTORNEY FRAUD ON THE COURT HAS NOT BEEN LITIGATED BEFORE IN ANY OF PLAINTIFF'S PRIOR LEGAL CASES**

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<sup>4</sup>*Bulloch v. United States*, 721 F.2d 713, 718 (10th Cir.1983).

<sup>5</sup>*Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. at 245-246

<sup>6</sup>Attorney Rules of Professional Conduct 3.3

<sup>7</sup>As required by the National Defense Authorization Act, the FBI and Department of Homeland Security, in consultation with the Director of National Intelligence, have developed standard definitions of terminology related to domestic terrorism and uniform methodologies for tracking domestic terrorism incidents. <https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view>

**REASON ONE:** 2023CV610 is the first bite of a brand new “apple” with the present cause of action of Attorney Fraud on the Court.

Res judicata, also known as claim preclusion, prohibits lawsuits involving the same cause of action and the same parties if the court has entered a final judgment on the merits. In the previous legal case, 2021SC885, at the Colorado Supreme Court, Plaintiff Judy Brannberg, Pro Se, was banned, prohibited, and criminal evidence was **stricken** from arguing Attorney Fraud on the Court. Therefore, no final judgements on the merits of Attorney Fraud on the Court were rendered. There is no issue or claim preclusion in 2023CV610. This is the first time that an issue and claim for Attorney Fraud on the Court has been argued in any of Plaintiffs’ Court cases.

**REASON TWO:** On October 11, 13, 25, and 28, 2022, the Colorado Supreme Court Case 2021SC885 banned Plaintiff Judy Brannberg from arguing Attorney Fraud on the Court.

Please see the attached Court Orders from 2021SC885 banning, prohibiting, and striking all claims of Attorney Misconduct from 21SC885, including Attorney Fraud on the Court,

Attorney Forgery, Attorney Bribery, and Attorney Breach of Contract in the following:

- 21SC885 – 2022.10.11 - Order of the Court
- 21SC885 – 2022.10.13 - Order of the Court
- 21SC885 – 2022.10.25 - Order of the Court
- 21SC885 – 2022.10.28 - Order of the Court

**21SC885 – 2022.10.11. - Order of the Court stated:** “The “motions” and attachments are not permitted filings under the Colorado Rules of Appellate Procedure, nor do they request actionable relief that the Court could grant. The documents and attachments filed by Respondent, Ms. Brannberg, are, therefore, **STRICKEN. The Court FURTHER ORDERS that it will NOT ACCEPT** any documents filed in the above-captioned matter concerning **alleged attorney misconduct or the Colorado Attorneys’ Fund for Client Protection** from Respondent, Ms. Brannberg. Such claims should be filed with the Office of Attorney Regulation Counsel and are not proper in a certiorari proceeding.”

**21SC885 – 2022.10.13 - Order of the Court:** “Consistent with the Court’s order of October 11, 2022, notifying Ms. Brannberg that it would not accept any documents filed in the above-captioned matter concerning alleged attorney misconduct or the Colorado Attorneys’ Fund for Client Protection, the Court **FURTHER ORDERS that it will NOT ACCEPT** the documents Ms. Brannberg filed with the Court on October 12, 2022.”

**21SC885 – 2022.10.25 - Order of Court:** “The Court DENIES Ms. Brannberg’s motion to file an ancillary copy of her stricken claims because, consistent with this Court’s previous order of October 11, 2022, they exceed the scope of the certiorari proceeding. The Court granted the petitions for writ of certiorari filed in the above-captioned case to address the following issue: Whether the last sentence of section 22-30.5-108(3)(d) — “The decision of the state board shall be final and not subject to appeal”—applies to all state board decisions under section 108(3). The Court **NOTIFIES** Ms. Brannberg that, consistent with its previous orders indicating the same, it will NOT ACCEPT any documents filed in the above-captioned matter that do not pertain to the certiorari proceeding.”

**21SC885 – 2022.10.28 – Order of the Court:** “Because Ms. Brannberg continues to file voluminous, improper, irrelevant, and frivolous documents into the above-captioned certiorari proceeding despite the Court’s previous orders indicating that it will only accept filings pertaining to the narrow issue before the Court, Ms. Brannberg and the John Dewey Institute are, hereby, **NOTIFIED that the Court WILL NOT ACCEPT** any requests to provide specific documents, transcripts, or to supplement the record. Such requests are untimely and exceed the scope of C.A.R. 10. The Court **FURTHER ORDERS** that if Ms. Brannberg continues to file frivolous, improper, irrelevant, or voluminous documents that strain Court resources, despite being ordered not to, the Court may be required to take further future restrictive actions.”

**REASON THREE:** The Colorado Supreme Court sternly threatened, coerced, and harassed Plaintiff Brannberg, because she complained about fraudulent, illegal Attorney criminal misconduct, the OARC Investigation, and Attorney Fraud on the Court crimes. The Court Order stated that “**IF** Ms. Brannberg continues to file” (documents about Attorney Fraud on the Court, Forgery, Bribery, or attorney crimes...) “the Court may be required to take future restrictive actions” which is a threat because she uncovered/revealed attorney crimes and Fraud on the Court which previously were hidden from any Court, and should have been punished swiftly by the Supreme Court.

**REASON FOUR:** Pursuant to § 18-3-207 CRS – Colorado Criminal “Extortion” Laws, a conditional threat, with the words “**IF**,” is a threat to do harm “**IF**” the person being threatened does not comply with the person making the threat. Depending on the circumstances, conditional threats can be illegal as well and can carry additional charges for blackmail or extortion. The illegal threats were executed in all of the above Supreme Court Orders and designed by them to create fear of complaining about Fraud on the Court by Plaintiff Judy Brannberg, and to stop all Plaintiff’s future complaints of attorney criminal misconduct of Fraud on the Court, so that attorneys could get away with their crimes.

**REASON FIVE:** Pursuant to FBI official website/guides<sup>8</sup> of the U.S. Government: “If someone communicates any statement or indication of an intention to inflict pain, injury,

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<sup>8</sup> <https://www.fbi.gov/file-repository/threat-intimidation-guide-english-022322.pdf/view#:~:text=If%20someone%20communicates%20any%20statement,legal%20system%2C%20that's%20a%20threat>



damage, or other hostile action in an illegal manner, to include in a manner that **manipulates the US legal system, THAT'S A THREAT.**” Judy Brannberg unwillingly **was forced to comply** to the hidden, deceitful, Colorado Supreme Court and OARC attorney criminal corruption.

**REASON SIX:** The Colorado Supreme Court and OARC should have taken immediate, swift action to punish and discipline the attorney misconduct and Fraud on the Court. The Court should have overturned 2021SC885. Instead, they secretly covered up attorney crimes and threatened Plaintiff Brannberg. The Colorado Supreme Court premeditatively, forcefully, and criminally, obstructed justice and covered up 25+ attorney Fraud on the Court crimes from public scrutiny because of the corrupt, “fraudulent scheme” and complex crime ring explained herein.

**REASON SEVEN:** Attorney Fraud on the Court in 2021SC885, directed at the “judicial machinery” fraudulently coerced and influenced the court itself or a member of the court, such that the impartial nature of the court was compromised.<sup>9</sup>

**REASON EIGHT:** Because Judy Brannberg was Pro Se, the Colorado Supreme Court bullied her and attorneys were allowed to get away with their crimes, without consequence, because no one defended and protected Plaintiff Judy Brannberg. She did her best to stand up against the fraudulent crime schemes...alone. The Colorado Supreme Court severely threatened, harassed and coerced, Plaintiff Brannberg, to silence, gag, and suppress all current and future complaints of attorney crimes, governmental corruption, Fraud on the Court, and Domestic Terrorism.

**REASON NINE:** On October 4, 2022, Plaintiff Judy Brannberg filed the following attachments to pleadings for Colorado Supreme Court Case 2021SC885, but the following documents, attached herein, with criminal evidence of Attorney Fraud on the Court/Attorney Misconduct, were illegally/unlawfully “**STRICKEN**” from the Record to obstruct justice and hide the crimes:

21SC885 - 2022.10.04. - Stricken - #1 - 11.15.16 Amended NOC  
21SC885 - 2022.10.04. - Stricken - #2 - Table of Contents of Evidentiary Briefs and Exhibits for Investigations with the Colorado Supreme Court Office of Attorney Regulation Counsel, District Attorney, Douglas County Sheriff, Colorado Civil Rights Division.<sup>10</sup>  
21SC885 - 2022.10.04. - Stricken - #3 - 11.12.19 - CCRD CCRC NOC  
21SC885 - 2022.10.04. - Stricken - #4 - 10.25.19. Jeffco - Amended NOC  
21SC885 - 2022.10.04. - Stricken - #5 - 10.25.19. STEM - Amended NOC  
21SC885 - 2022.10.04. - Stricken - #6 - 10.25.19 DCSD - State Board Amended NOC  
21SC885 - 2022.10.04. - Stricken - #7 - Colorado Supreme Court Colorado Attorney's Fund for Client Protection  
21SC885 - 2022.10.04. - Stricken - #8 - MOTION FOR CLAIMS FOR REIMBURSEMENT OF LOSSES BECAUSE OF DISHONEST ATTORNEY CONDUCT

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<sup>9</sup>*Bulloch v. United States*, 721 F.2d 713, 718 (10th Cir.1983).

<sup>10</sup>[https://drive.google.com/drive/folders/1ZnNkbdgQLf\\_gj9y-uydcXdacft71beJ?usp=sharing](https://drive.google.com/drive/folders/1ZnNkbdgQLf_gj9y-uydcXdacft71beJ?usp=sharing)

**REASON TEN:** On October 7, 2022, Plaintiff Judy Brannberg filed the following attachments to pleadings for Colorado Supreme Court Case 2021SC885, but the following documents with criminal evidence of Attorney Fraud on the Court/Attorney Misconduct by Plaintiff's Former Attorney Steven Klenda, which were filed to the OARC, were "**STRICKEN**" from the Record:

21SC885 - 2022.10.07. - Stricken - #1 - #169 - 7.12.22 OARC Complaint  
21SC885 - 2022.10.07. - Stricken - #3 - Klenda Engagement Letter  
21SC885 - 2022.10.07. - Stricken - #4 - Klenda Complaint to OARC  
21SC885 - 2022.10.07. - Stricken - #5 - Klenda Notarized  
21SC885 - 2022.10.07. - Stricken - #6 - Klenda Motion to Get Reimbursed

**REASON ELEVEN:** On October 7, 2022, the Colorado Supreme Court "struck from the Record" 21SC885 - 2022.10.07. - Stricken - #1 - #169 - 7.12.22, the OARC Complaint, filed on July 7, 2022, which is a 175-page Complaint, written/filed by Plaintiff Brannberg, delineating 25+ attorney crimes of Fraud on the Court, Forgery, Bribery, et al., which is attached to this Response so that the Judge may review evidence. The complaint was suppressed by Colorado Supreme Court 2021SC885, the OARC Investigation, District Attorney, Sheriff, and the CCDR.

**REASON TWELVE:** On October 7, 2022, some evidence which Plaintiff Brannberg filed with the Colorado Supreme Court Case Number 21SC885, was labeled "suppressed" and is not currently transparent to the Public. The Colorado Supreme Court Case 21SC885, went to great lengths and took extreme measures to **SUPPRESS** and **COVERUP EVIDENCE of Attorney Fraud on the Court Crimes, Forgery, Bribery, and theft of client funds**, to the extent that the Court banned and prohibited Plaintiff Judy Brannberg from arguing Attorney Fraud on the Court in her previous legal case Colorado Supreme Court Case Number 21SC885.

**REASON THIRTEEN:** Pursuant to C.R.C.P 251. 32: No Rule of Limitations for Attorney **Theft or Fraud**, "There is no rule of limitations for filing a complaint alleging theft of client funds or fraud." In this case, there is both attorney theft of client funds and attorney fraud."

**REASON FOURTEEN:** Colorado Supreme Court Case 2021SC885 "**Suppressed**," gagged, and muzzled, the most flagrant and incriminating evidence which Plaintiff Judy Brannberg filed, exposing attorney crimes of Fraud on the Court and **theft of client funds**, including the following documents, which revealed that Plaintiff Brannberg spent over \$137,516.41 of her own money, paid to three attorneys: Steven A. Klenda, John A. Cimino and D.K. Williams.

**REASON FIFTEEN:** The OARC illegally **pried and spied** into Judy Brannberg's bank statements, credit card receipts, and copies of canceled checks written to three attorneys, which provided definitive evidence of unconscionable Attorney Theft of Client Funds and Fraud on the Court crimes, which was then "**Suppressed**" by the Colorado Supreme Court, to cover up the botched and criminal OARC Investigation, including funds **stolen and embezzled** by Attorney David K. Williams, (who committed suicide during the OARC Investigation), Attorney John A. Cimino, and Attorney Steven A. Klenda.

**REASON SIXTEEN:** Plaintiff Brannberg paid about \$200,000.00 total to 10+ attorneys, some who **stole and embezzled** her money because they were **bought out by DCSD** to sabotage legal cases, to thwart the creation of her 17 schools, employment, property, land, building ownership<sup>11</sup> in 2014, 2017, 2018, 2019, 2023, and to cover up unconscionable defendant crimes. The list of attorneys and money paid to them, is in each of Plaintiff Brannberg's 2023 DCSD and Jeffco 12 Charter School Applications, in the Introduction Section on pages 11, 12, which the DCSD Attorneys, Board, Superintendent, and Staff, refused to give to Charter Application Review Team ("CART") reviewers and State Board in order to suppress/hide DCSD Fraud on the Court crimes.

**DOMESTIC TERRORIST EDWARD SNOWDEN EXILED TO RUSSIA WHILE U.S. ATTORNEYS/DOMESTIC TERRORISTS ALLOWED TO LIVE/WORK IN THE U.S.**

**REASON SEVENTEEN:** While Domestic Terrorist Edward Snowden was exiled to Russia, U.S. Attorneys/Domestic Terrorists were allowed to continue to live/work in the U.S. with access to confidential documents to carry out Domestic Terrorism crimes on innocent U.S. public school children and charter entrepreneur and victim Judy Brannberg, all which caused the tragic STEM School shooting on May 7, 2019.

**REASON EIGHTEEN:** The doctrine of res judicata bars subsequent litigation where four elements are met, **none of which were met** in any of Judy Brannberg's prior legal cases:

- **15CV30586 Douglas County District Court 3 X's** - Plaintiffs did not know about bribery, forgery, or Attorney Fraud on the Court crimes at the time of 15CV30586. Defendants STEM School, STEM Academy, Douglas Zimmerman, and VisionLink executed Attorney Fraud on the Court crimes secretly and non-transparently from Plaintiff, to thwart the creation of her 2014, 2017, 2018, 2019 and 2023 schools, employment, and property ownership, sabotage her legal cases and CCRD, OARC, and Sheriff's Investigations. It was a planned, deliberate, secret, non-transparent, internal attorney criminal hit job, engaging 25+ attorneys.
- **2019CV550 in Denver District Court** - Attorney Cimino refused to file the Amended Complaint with Forgery/Fraud on the Court crimes because he was bought out by DCSD.
- **2020CA0641 in the Colorado Court of Appeals** - Attorney Steven Klenda refused to file Attorney Fraud on the Court Crimes, Forgery, Bribery, etc. in his Colorado Court of Appeals Briefs 2020CA0641, to protect his friend, DCSD Attorney Will Trachman, DCSD Supt. Erin Kane, and DCSD Board President Meghann Silverthorn, and stated, "Crime reflects poorly" on attorneys, et al.<sup>12</sup> (See OARC Klenda Complaint incorporated herein.)
- **21SC885 in the Colorado Supreme Court** - Attorney Fraud Crimes/Misconduct were

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<sup>11</sup> Employment, property, land, building ownership are 14<sup>th</sup> Amendment Constitutional rights.

<sup>12</sup>DCSD Board President Meghann Silverthorn, Supt. Erin Kane, Attorneys Steven Klenda, Will Trachman and Sheriff Weekly are Leadership Program of the Rockies ("LPR") Graduates.

banned by the Court to cover up the botched OARC, Sheriff's, CCRD, and DA's Investigations, intentionally covering up 25+ Attorney Fraud on the Court and Theft crimes.

- **U.S. Supreme Court Petition for CERT Case No. 22-1106** - The U.S. Supreme Court hears less than 1% of their Petitions for CERT, and even less with Pro Se cases, and did not elect to hear Plaintiffs' case, so complaints of Attorney Fraud on the Court were not heard.

**REASON NINETEEN:** The doctrine of res judicata bars subsequent litigation where four elements are met. In 2023CV610, **none of the four elements were met** in the above prior cases:

1. **No decisions were rendered** in the above legal cases for Attorney Fraud on the Court.
2. **No final judgement were made** on the merits for Attorney Fraud on the Court.
3. **No parties were identical**, in the aforementioned cases.

In 15CV30586 in Douglas County District Court, the parties were: STEM School, STEM Academy, Doug Zimmerman and his company VisionLink. It was unknown at the time of 15CV30586, that STEM and DCSD had secretly disseminated the one-way forgery, purported as the two-way Mutual Original in January 2014, to thwart the creation of Judy Brannberg's schools in 2014 (DCSD and Jeffco); 2017, 2018, 2019, and 2023.

In 2019CV550, 2020CA064, 21SC885, U.S. Supreme Court Petition for CERT Case No. 22-1106, the parties were DCSD and the Colorado State Board of Education.

In 2023CV610, there are 15, most new defendants, including the following:

- Defendant Number One:** Jefferson County Public Schools
- Defendant Number Two:** Colorado State Board of Education
- Defendant Number Three:** Colorado Department of Education
- Defendant Number Four:** Douglas County School District
- Defendant Number Five:** STEM School Highlands Ranch, Lighthouse Building Corp et al.
- Defendant Number Six:** Colorado Civil Rights Division
- Defendant Number Seven:** Colorado Educational and Cultural Facility Authority
- Defendant Number Eight:** Sterling Ranch Development Corp.
- Defendant Number Nine:** UMB Financial Corporation
- Defendant Number Ten:** Colorado Supreme Court Office of Attorney Regulation Counsel
- Defendant Number Eleven:** Douglas County Sheriff's Office
- Defendant Number Twelve:** Attorney John A. Cimino
- Defendant Number Thirteen:** U.S. Supreme Court of the U.S.A.
- Defendant Number Fourteen:** Colorado Supreme Court
- Defendant Number Fifteen:** Colorado Attorney General's Office

4. The prior causes of action **were not for Attorney Fraud on the Court**. The US Supreme Court has ruled that collateral estoppel may preclude a later claim involving the same set of facts but a different statute. In *B & B Hardware v. Hargis Industries*, 575 U.S. \_\_\_\_ (2015), the court held that a later claim under a different section of federal trademark law was

precluded by an earlier ruling, since both of the statutes involved the alleged use of a mark in a way that is “likely to cause confusion.”

**REASON TWENTY:** 2023CV610 is the first legal case in which Plaintiffs have argued freely, without attorney and judicial interference, Attorney Fraud on the Court, and government corruption, which includes 15 new Defendants, and their attorneys, who were part of the massive unconscionable attorney **fraudulent scheme** crime ring, defrauding the “judicial machinery.”<sup>13</sup>

**REASON TWENTY-ONE:** The September 14, 2023, (Jeffco) and November 9, 2023, (DCSD) ASI and JDI State Board Appeals were the first appeals in which Plaintiff Brannberg complained about Attorney Fraud on the Court to the State Board of Education, who retaliated against her for blowing the whistle on District and State Board Attorney crimes, and subsequently voted to deny her 12 charter appeals, both in Jeffco and DCSD. In Plaintiff Brannberg’s previous State Board appeals in 2018 and 2019, Plaintiff Brannberg did not argue Fraud on the Court. This was the first bite of the apple before the State Board and first bite in the Complaint for Judicial Review, exposing governmental corruption and unconscionable Fraud on the Court crimes.

**REASON TWENTY-TWO:** The Colorado Charter Schools Act,<sup>14</sup> does not bar submission of a new charter school to the same Authorizer more than one time and neither does it bar an appeal to the State Board of Education more than one time. Res judicata, also known as claim preclusion, is not mentioned in the Colorado Charter Schools Act. On the contrary, charter applicants are encouraged to work with their Authorizer, filing multiple applications, until the Authorizer is satisfied, and the charter applicant receives approval, which is what Charter Entrepreneur Judy Brannberg has endeavored to do since 2009, with each submission of stellar, excellent, high-quality, and innovative charter applications – some models never seen before in 2014, (DCSD and Jeffco), 2017, 2018, 2018, 2019 (DCSD), 2023 (8 in DCSD and 4 in Jeffco.)

**REASON TWENTY-THREE:** There is no statute of limitations for a claim of **Fraud on the Court** and a court may consider such a claim even if no adversarial parties are before the court.<sup>15</sup>

**REASON TWENTY-FOUR:** Breach of Contract is considered a criminal felony offense **when it involves Fraud on the Court, as in this case.** Bribery in Colorado is charged as a class 3 Felony. The minimum penalty for a class 3 felony conviction for bribery is 4 years in prison and a fine of \$3,000. Forgery is a class 5 felony to falsify legal documents. Under C.R.S. 18-5-102, forgery carries 1-3 years in Colo. State Prison, and/or a fine of \$1,000 to \$100,000.

**REASON TWENTY-FIVE:** In January 2020, after DCSD released a 2000+ page CORA, Plaintiff Brannberg and her Former Attorney John A. Cimino drafted an Amended Complaint to include the new evidence of forgery and bribery discovered in the 2020 CORA, but Attorney

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<sup>13</sup> *Martina Theatre Corp. v. Schine Chain Theatres, Inc.*, 278 F.2d 798, 801 (2d Cir. 1960).

<sup>14</sup> 2018 Colorado Revised Statutes Title 22 – Education School Districts Article 30.5 - Charter Schools Part 1 - Charter Schools Act, C.R.S. 22-30.5-101 through C.R.S. § 22-30.5-120.

<sup>15</sup> *In re Roussos*, 541 B.R. at 729.

Cimino refused to file the Amended Complaint<sup>16</sup> because he was bought out by third-party employer DCSD to cover up the Fraud on the Court crimes, to sabotage her legal cases, and to thwart the creation of her schools, employment, and property, land, building ownership in 2014, 2017, 2018, during DCSD Attorney/Domestic Terrorist Thomas McMillen’s tenure and in 2019 and 2023 during Jeffco Attorney/Domestic Terrorist Thomas McMillen’s tenure at Jeffco.

**REASON TWENTY-SIX:** On February 10, 2020, after the conferral to Amend the Complaint with DCSD Attorney Elliott Hood and State Board Attorney Julie Tolleson, Plaintiff’s Former Attorney John Cimino stalwartly **refused to file the Amended Complaint** (because he was bought out by DCSD), to cover up governmental corruption, forgery, bribery claims by DCSD, et al. and their attorneys, so Plaintiff Brannberg never had the opportunity to argue Forgery, Bribery, Fraud on the Court, in 2019CV550 Court Case in Denver District Court or beyond.

**REASON TWENTY-SEVEN:** Plaintiff Brannberg was banned and prohibited by the Colorado Supreme Court from presenting this new attorney Fraud on the Court evidence in Case 21SC885, because the Colorado Supreme Court and the Colorado Supreme Court OARC, criminally conspired, were in cahoots, and worked in tandem to cover up the massive 25+ attorney crime ring. See Appendix ZZW – 60 - 08.16.23 Opening Brief ASI Jeffco, ASIJDI ADD ROA28115-28139, 28127-28130, Appendix ZZ - ADD ROA – 41 - 13 - 6.20.23 JBrannberg NOC

“Starting on or about October 7, 2022, Judy Brannberg filed the following COLORADO SUPREME COURT COLORADO ATTORNEYS’ FUND FOR CLIENT PROTECTION STATEMENT OF CLAIMS because her attorneys were **bought out by DCSD** to sabotage her legal cases and to thwart the creation of her schools, her employment, and property, land, building ownership in 2014, 2017, 2018, 2019:

**Attorney Steven A. Klenda - #29196**

Appendix ZZ - Add ROA - 08 - Notarized Klenda 10.07.22 \_Redacted (Filed herein.)

Appendix ZZ - Add ROA - 08a - 10.7.22 - CSC Attorney’s Fund Claim (Filed herein.)

**Attorney David K. Williams - # 34629 (committed suicide during OARC investigation)**

Appendix ZZ - Add ROA - 09 - Notarized Williams 10.10.22\_Redacted (Filed herein.)

Appendix ZZ - Add ROA - 09a - 10.10. 22 - STATEMENT OF CLAIM (Filed herein.)

**Attorney John A. Cimino - # 14032**

Appendix ZZ - Add ROA - 10 - Notarized Cimino 10.11.22\_Redacted (Filed herein.)

Appendix ZZ - Add ROA - 10a - 10. 11.22 Brannberg\_Cimino Application (Filed herein.)

**Attorney Embezzlement and Theft of Client Totals from Attorneys**

Attorney Steven A. Klenda: \$29,676.41

Attorney John A. Cimino: \$66,890.00

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<sup>16</sup>This was refiled with 2023CV610 on November 21, 2023, “ASI Opening Brief DCSD at Ridgeway, Crystal Valley, Sterling Ranch, Highlands Ranch With 2-2-2020 DRAFT AMENDED 2019CV550 COMPLAINT Incorporated Herein”

Attorney David K. Williams: \$40,950.00  
Attorney Losses / Totals: \$137,516.41

Judy Brannberg provided compelling evidence to the OARC that exposed DCSD crimes that proved that her attorneys were bought out by DCSD and used attorney Fraud on the Court, Breach of Contract in her U.S. Supreme Court Petition for CERT No. 22-1106.”

**REASON TWENTY-EIGHT:** Corrupt Attorney Fraud on the Court Crimes, from 2014 to the present directed at the “judicial machinery” fraudulently coerced or influenced the Court and members of the Court, such that the impartial nature of the Court for 2021SC885, was compromised.<sup>17</sup> These facts should have been transparently shared with the public in 2021SC885 but were covered up by the OARC and Colorado Supreme Court, to silence Plaintiff Brannberg.

**THERE WAS NO FAILURE TO STATE A CLAIM**

On November 15, 2023, the DCSO filed their Motion to Dismiss, which they alleged did not state a claim. Motions to dismiss for failure to state a claim, such as that from the DCSO, are viewed with disfavor and are rarely granted under “notice pleadings.” *Davidson v. Dill*, 180 Colo. 123, 503 P.2d 157 (1972); *Dunlap v. Colo. Springs Cablevision, Inc.*, 829 P.2d 1286 (Colo. 1992); *Story v. Bly*, 217 P.3d 872 (Colo. App. 2008), *aff’d*, 241 P.3d 529 (Colo. 2010); *Denver Post Corp. v. Ritter* 255 P.3d 1083 (Colo. 2011).

**CONTRARY TO THE DCSO MOTION TO DISMISS, PLAINTIFF DID INDEED FILE A CLAIM AGAINST THE DCSO ON PAGES 89, 90 OF THE COMPLAINT FOR JUDICIAL REVIEW 2023CV610, ASKING THAT THE DCSO INVESTIGATION BE MADE VOID/OVERTURNED BECAUSE OF ATTORNEY FRAUD ON THE COURT**

**“REASON NUMBER THIRTY-SIX:** Starting in March 2020, Judy Brannberg filed more than 120 evidentiary briefs (some 400+ pages and most 100+ pages) to the OARC, Douglas County Sheriff, District Attorney, and CCRD and over 1000 exhibits with complaints of attorney Fraud on the Court, Forgery, Bribery, and Theft of Client Funds.

**REASON NUMBER THIRTY-SEVEN:** The 120+ Evidentiary Briefs and 1000+ Exhibits were filed with the following investigations starting in October 2019 when the Douglas County Sheriff opened their criminal investigation for Case Number 2019-124545:

**Douglas County Sheriff’s Office, Economic Crime Unit** – Sheriff Darren Weekly, Lt. Joel White, Investigator 4000 Justice Way, Castle Rock, CO 80109, Case Number 2019-124545

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<sup>17</sup>*Bulloch v. United States*, 721 F.2d 713, 718 (10th Cir.1983).

**Office of the District Attorney for the 18th Judicial District, District Attorney John Kellner**  
6450 S Revere Pkwy, Centennial, CO 80111, Case Number 2019-124545  
**Colorado Supreme Court Office of Attorney Regulation (“OARC”) Investigations**  
OARC Jessica E. Yates (OARC) Attorney Regulation Counsel  
1300 Broadway, Suite 500, Denver, CO 80203  
**Colorado Civil Rights Division, Aubrey L. Elenis, Esq., Director and Jennifer McPherson,**  
Esq. Deputy Director, 1560 Broadway, Suite 1050, Denver, Colorado 80202  
Charge Number: 00011155 and FE2018320786.

**REASON NUMBER THIRTY-EIGHT:** Judy Brannberg’s 120+ evidentiary briefs, some over 400 pages and most over 100 pages to above investigations with 1000+ exhibits, are publicly transparent at: [https://drive.google.com/drive/folders/1ZnNkbdgQLf\\_gj9y-uydcXdacft71beJ?usp=sharing](https://drive.google.com/drive/folders/1ZnNkbdgQLf_gj9y-uydcXdacft71beJ?usp=sharing)

### **DOUGLAS COUNTY SHERIFF, DA, OARC, AND THE CCRD**

**REASON NUMBER FORTY-ONE:** All of the aforementioned governmental agency investigation orders from the DC Sheriff, District Attorney John Kellner, OARC, and the CCRD are **made void and overturned** because of attorney Fraud on the Court, breach of contract, forgery, bribery, and theft of client funds, who covered up and suppressed Jeffco, DCSD, et al. crimes, and governmental corruption, because of the massive attorney crime ring:

**Douglas County Sheriff’s Office, Economic Crime Unit – Sheriff Darren Weekly**  
**Office of the District Attorney for the 18th Judicial District – District Attorney John Kellner**  
**Colorado Supreme Court Office of Attorney Regulation (“OARC”) Investigations – OARC**  
Jessica E. Yates (OARC) Attorney Regulation Counsel  
**Colorado Civil Rights Division – Aubrey L. Elenis, Esq., Director and Jennifer McPherson,**  
Esq. Deputy Director, 1560 Broadway, Suite 1050, Denver, Colorado 80202

### **DOUGLAS COUNTY SHERIFF’S OFFICE**

**REASON NUMBER FORTY-TWO:** On April 25, 2023, Douglas County Sheriff Weekly washed his hands of crimes<sup>18</sup> and failed to conduct further investigations of Jeffco, DCSD crimes with the new evidence because he criminally colluded and conspired with DCSD to coverup Defendants’ crimes which created a safety breach in DCSD, Jeffco and Colorado, and U.S. schools and communities.”<sup>19</sup>

### **NEW NOTICES OF CLAIM FILED HEREIN WITH EVIDENCE OF A BOTCHED SHERIFF’S INVESTIGATION AND ATTORNEY FRAUD ON THE COURT, WHICH CAUSED THE MAY 7, 2019 SHOOTING**

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<sup>18</sup> Appendix ZZ - ADD ROA – 41 - 13 - 6.20.23 JBrannberg NOTICE OF CLAIM, p 30 ASIJD  
ADD ROA 22887-22889

<sup>19</sup> 2023CV610 - 2023.10.27 - COMPLAINT OF JUDICIAL REVIEW, pp. 79, 80



It was Plaintiff's deliberate **intent NOT to ask** the Sheriff's Office for a monetary claim, because she believes that law enforcement is underfunded, and should have abundant resources to preserve and protect our communities, pupils, and schools. However, because the DCSO brought this to our attention, we are forced to file new Notices of Claim against the DCSO, State Board of Education, Colorado Department of Education, DCSD, and Jeffco, with new evidence just discovered in the DC Sheriff Report<sup>20</sup> that was emailed to Judy Brannberg, on 10.28.20, definitively showing Attorney Fraud on the Court, which is why we are asking that the Sheriff's Investigator's Progress Report be **made void and overturned** because of attorney Fraud on the Court, breach of contract, forgery, bribery, and theft of client fund, who covered up and suppressed Jeffco, DCSD, et al. crimes, and governmental corruption, because of the massive attorney crime ring.

**ALL DCSO MONITARY CLAIMS GO DIRECTLY TO JOHN AND MARIA CASTILLO  
OR TO CHARITIES OF THEIR CHOICE**

Therefore, we request that all finances from the new Douglas County Sheriff's Office Notice of Claim go directly to John and Maria Castillo, parents of STEM School Hero Kendrick Castillo or for them to distribute to charities of their choice, to prevent Domestic Terrorism.

**NEWLY ELECTED SHERIFF DARREN WEEKLY INHERITED A "CAN OF WORMS"  
WHICH HE REFUSED TO OPEN AND INVESTIGATE**

Sheriff Weekly was elected into office on or about November 2022, with the duty for law enforcement on a county level, ensuring that all local, state, and federal laws are followed. He manages an office in charge of protecting people and property and maintaining order. As Sheriff Weekly stated to Plaintiff Judy Brannberg on April 25, 2023, he was not a part of the STEM

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<sup>20</sup>10.28.20 - DC Sheriff Investigator's Progress Report - 201900124545

School murder investigation, nor was he a part of Plaintiff Brannberg's botched DCSO forgery, bribery, Fraud on the Court Investigation. In April/May 2023, Sheriff Weekly derelicted his duty, when he pushed all new evidence off of his desk,<sup>21</sup> and refused to accept new evidence of Attorney Fraud on the Court crimes, which caused the STEM School shooting on May 7, 2019.

**ERRORS IN THE BOTCHED SHERIFF'S FORGERY/FRAUD ON THE COURT INVESTIGATOR'S PROGRESS REPORT EXPLAINED IN THE NEW ATTACCHED DCSO NOTICE OF CLAIM INCORPORATED HEREIN**

On Tuesday, November 7, 2023, Plaintiff Judy Brannberg conferred with DCSO Attorneys Andrew Steers and Kelly Dunnaway about their Motion to Dismiss and emailed them a copy of the October 28, 2020, "Investigator's Progress Report" for Case Number 10-28-20 CR# 19-124545. The attached Report shows that DCSO Reporting Officer Richard O'Connell and David Wayne Beyer botched the DCSD Investigation and did not conduct "another reading of both versions of the document to see if there is any specific non-disclosure clause with respect to STEM"<sup>22</sup>... which there are. At the request of the DCSO 2023.11.15 MOTION TO DISMISS COMPLAINT for 2023CV610, the newly discovered errors and further evidence of the botched DCSO Investigation are explained in the attached, **new**, DCSO Notice of Claim, which definitively states a claim against the DCSO.

RESPECTFULLY SUBMITTED this 28th day of November 2023.



Judy A. Brannberg, MSc, Pro Se Representative  
8201 S. Santa Fe Drive #52 | Littleton, CO 80120  
303.522.2158 | [Judy.brannberg@gmail.com](mailto:Judy.brannberg@gmail.com)

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<sup>21</sup>Appendix ZZW – 34 – 07.10.23 – Part II - AMENDMENT TO THE JUNE 20, 2023, NOTICE OF CLAIM, p 16  
<sup>22</sup>10.28.20 - DC Sheriff Investigator's Progress Report – 201900124545, page 3

## CERTIFICATE OF SERVICE

Pursuant to the Colorado State Board of Education’s November 10, 2021 Revised State Board of Education Administrative Procedures for Charter School Appeals on November 28th, 2023, this Motion has been filed with the Colorado State Board of Education at the following email address: [state.board.efilings@cde.state.co.us](mailto:state.board.efilings@cde.state.co.us), with a carbon copy to [soc@cde.state.co.us](mailto:soc@cde.state.co.us).

In addition, electronic copies were emailed to the following email addresses:

Colorado Attorney General  
Honorable Attorney Philip J. Weiser  
Colorado Department of Law, Ralph L. Carr Judicial Building  
1300 Broadway Street, 10<sup>th</sup> Floor  
Denver, CO 80203

Colorado Solicitor General Attorney Shannon Wells Stevenson  
Colorado Department of Law  
1300 Broadway Street, 10<sup>th</sup> Floor  
Denver, CO 80203  
[Shannon.stevenson@coag.gov](mailto:Shannon.stevenson@coag.gov)

**Defendant Number One:** Jefferson County Public Schools (“Jeffco”)  
1829 Denver West Dr., Bldg. 27, Golden, CO 80401  
MOLLY FERRER, #37857, Counsel for Jeffco  
303-982-6544 | [Molly.Ferrer@jeffco.k12.co.us](mailto:Molly.Ferrer@jeffco.k12.co.us)

**Defendant Jeffco Attorneys**  
MOLLY H. FERRER (Jeffco) #37857  
R. CRAIG HESS (Jeffco) #26398  
THOMAS H. MCMILLEN (Jeffco and DCSD) #14218  
JULIE C. TOLLESON (Jeffco and State Board of Education) #24885  
1829 Denver West Dr., Bldg. 27, Golden, CO 80401

**Defendant Number Two:** Colorado State Board of Education  
Board of Directors Chair Rebecca McClellan, Vice-Chair Lisa Escárcega,  
Steve Durham, Karla Esser, Kathy Plomer; Debora Scheffel; Angelika  
Schroeder; Rhonda Solis; Stephen Varela

**Defendant Number Three:** Colorado Department of Education (“CDE”)  
CDE Commissioner Susana Cordova  
201 East Colfax Avenue, Denver, CO 80203  
TERESA THOMSON WALSH, Senior Assistant Attorney General,  
Colorado Attorney General's Office, #32510  
720.508.6372 | [teresa.walsh@coag.gov](mailto:teresa.walsh@coag.gov)

MICHELLE M. BERGE, First Assistant Attorney General K-12  
BLAKE MCCRACKEN, Assistant Attorney General K-12  
Education Unit, #39299, 1300 Broadway St. Denver, CO 80203  
720-508.6186 | [michelle.berge@coag.gov](mailto:michelle.berge@coag.gov)  
720-508-6172 | [blake.mccracken@coag.gov](mailto:blake.mccracken@coag.gov)

**Defendant State Board of Education Attorneys**

JULIE C. TOLLESON (State Board of Education and Jeffco) #24885  
JENNA M. ZERYLNICK (State Board) #42553  
201 East Colfax Avenue,  
Denver, CO 80203

**Defendant Number Four: Douglas County School District (“DCSD”)**

620 Wilcox Street, Castle Rock, CO 80104  
303.387.0198 | [mklimesh@dcsdk12.org](mailto:mklimesh@dcsdk12.org)  
DCSD Attorney ANDREW D. RINGEL  
303-628-3453 | [ringela@hallevans.com](mailto:ringela@hallevans.com)  
Hall & Evans, LLC, 1001 Seventeenth Street, Suite 300  
Denver, CO 80202

**Defendant DCSD Attorneys**

STEVE J. COLELLA, (DCSD) #45503  
KRISTIN C. EDGAR (DCSD and Jeffco) #35686  
ELLIOTT V. HOOD (DCSD and Jeffco) #45060  
MARY KAY KLIMESH (DCSD) #48266  
THOMAS H. MCMILLEN (DCSD and Jeffco) #14218  
ROBERT P. MONTGOMERY (DCSD) #49502  
ROBERT SHERMAN ROSS JR. (DCSD) #42249  
WILLIAM E. TRACHMAN (DCSD) # 45684  
620 Wilcox Street, Castle Rock, CO 80104

**Defendant Number Five: STEM School Highlands Ranch,**

Lighthouse Building Corp, LightHouse on a Hill dba STEM Academy,  
Koson Network of Schools / Koson Schools  
8773 S Ridgeline Blvd., Highlands Ranch, CO 80129  
Attorney DAVID M. JONES, #35677  
Attorney JOHN F. PETERS, #44563  
303-628-3312 | [jonesd@hallevans.com](mailto:jonesd@hallevans.com)  
Hall & Evans, LLC  
1001 Seventeenth Street, Suite 300  
Denver, CO 80202

**Defendant STEM School Highlands Ranch Attorneys**

BARRY K. ARRINGTON, STEM Attorney, #16486

WILLIAM P. BETHKE, STEM Attorney, #11802  
MICHAEL A. ZYWICKI, STEM Attorney, #35543  
8773 S Ridgeline Blvd,  
Highlands Ranch, CO 80129

**Defendant Number Six:** Colorado Civil Rights Division  
VINCENT MORSCHER #34816  
Senior Assistant Attorney General  
Employment Practices and Civil Rights  
1300 Broadway St. 500, Denver, CO 80203  
720-508-6588 | [Vincent.Morscher@coag.gov](mailto:Vincent.Morscher@coag.gov)

**Defendant CCRD/CCRC Attorneys**  
AUBREY L. ELENIS (CCRD/CCRC) #42341  
JENNIFER A. MCPHERSON (CCRD/CCRC) #36425  
1560 Broadway Suite 825, Denver, CO 80202

**Defendant Number Seven:** Colorado Educational and Cultural  
Facility Authority (“CECFA”)  
1800 Glenarm Place, Suite 1201, Denver, CO 80202  
Joseph J. Bronesky  
Sherman & Howard  
675 Fifteenth Street, Suite 2300, Denver, Colorado 80202  
303.299.8450 | [jbronesky@shermanhoward.com](mailto:jbronesky@shermanhoward.com)

**Defendant CECFA Attorneys**  
CALVIN C. HANSON, (CECFA) | #13267  
HESTER M. PARROT (CECFA) #35816  
KENT C. VEIO (CECFA) #21030  
1800 Glenarm Place, Suite 1201  
Denver, CO 80202

**Defendant Number Eight:** Sterling Ranch Development Corp.  
8155 Piney River Avenue, Suite 200, Littleton, CO 80125  
JONATHAN G. PRAY, #36576  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
675 Fifteenth Street, Suite 2900  
Denver, Colorado 80202  
303.223.1100 | [jpray@bhfs.com](mailto:jpray@bhfs.com)

**Defendant Sterling Ranch Development Company Attorneys**  
JACOB E. SPRATT, Attorney, #42544  
(303) 736-6718 | [jakes@sterlingranchcolorado.com](mailto:jakes@sterlingranchcolorado.com)

BRUCE A. JAMES, Attorney, #15348  
720.987.3167 | [BJames@bhfs.com](mailto:BJames@bhfs.com)  
8155 Piney River Avenue, Suite 200  
Littleton, CO 80125

**Defendant Number Nine:** UMB Financial Corporation  
JACOB HOLLARS, #50352  
KERSTEN HOLZHUETER #18841  
Spencer Fane LLP  
1700 Lincoln Street, Suite 2000  
Denver, CO 80203  
303.839.3707 | [JHollars@spencerfane.com](mailto:JHollars@spencerfane.com)

**Defendants**

JOHN WAHL, Vice President and Regional Manager  
TAMARA DIXON, VP of UMB Bank, Dissemination Agent  
1670 Broadway, Denver, CO 80202  
303-764-3603 | [john.wahl@umb.com](mailto:john.wahl@umb.com)

**Defendant Number Ten:** Colorado Supreme Court Office of  
Attorney Regulation Counsel (“OARC”)  
1300 Broadway St. 500, Denver, CO 80203 | 303.457.5800  
LEEANN MORRILL, First Assistant Attorney General & General  
Counsel to the Attorney General Public Officials Unit  
(720) 508-6159 | [leeann.morrill@coag.gov](mailto:leeann.morrill@coag.gov)

**Defendant Colorado Supreme Court OARC Attorneys**

JESSICA E. YATES (OARC) #38003  
JUSTIN P. MOORE (OARC) #32173

**Defendant Number Eleven:** Douglas County Sheriff’s Office  
Douglas County Sheriff Darren Weekly, Economic Crime Unit  
4000 Justice Way, Castle Rock, CO 80109  
Attorneys for Douglas County Sheriff’s Office  
Kelly Dunnaway, #31896 | [kdunnawa@douglas.co.us](mailto:kdunnawa@douglas.co.us)  
Andrew C. Steers, #40139 | [asteers@douglas.co.us](mailto:asteers@douglas.co.us)  
100 Third Street, Castle Rock, 80104  
303.660.7414

**Defendant Number Twelve:**

JOHN A. CIMINO #14032  
1700 Monaco Pkwy Denver, CO 80220  
720.434.0434 (cell) | [jcimino2014@aol.com](mailto:jcimino2014@aol.com)

**Defendant Number Thirteen:**

U.S. Supreme Court Of The United States Of America  
CHIEF JUSTICE HONORABLE JOHN G. ROBERTS, JR.,  
HONORABLE ASSOCIATE JUSTICES CLARENCE THOMAS,  
SAMUEL A. ALITO, JR.,  
SONIA SOTOMAYOR,  
ELENA KAGAN,  
NEIL M. GORSUCH,  
BRETT M. KAVANAUGH,  
AMY CONEY BARRETT,  
KETANJI BROWN JACKSON  
1 First Street NE, Washington, D.C. 20543  
Case Number 22-1106, Docketed on May 10, 2023 with  
Supplemental Brief filed on July 27, 2023

**Defendant Number Fourteen:** Colorado Supreme Court  
1300-1376 Lincoln St,  
Denver, CO 80203

**Defendant Number Fifteen:** Colorado Attorney General's Office  
Colorado Attorney General Honorable ATTORNEY PHILIP WEISER  
Colorado Solicitor General SHANNON WELLS STEVENSON  
720.508.6179 | [shannon.stevenson@coag.gov](mailto:shannon.stevenson@coag.gov)  
Colorado Department of Law  
Ralph L. Carr Judicial Building  
1300 Broadway Street, 10<sup>th</sup> Floor  
Denver, CO 80203  
MICHELLE M. BERGE, #39299, First Asst Attorney General K-12  
BLAKE MCCRACKEN, Asst Attorney General K-12 Education Unit  
1300 Broadway St., Denver, CO 80203  
720-508.6186 | [michelle.berge@coag.gov](mailto:michelle.berge@coag.gov)  
720-508-6172 | [blake.mccracken@coag.gov](mailto:blake.mccracken@coag.gov)

**Non-Defendant**

Ashley Dembitz  
Litigation Claims Specialist  
Colorado School Districts Self Insurance Pool ("CSDSIP")  
6857 S Spruce St, Englewood, CO 80112  
Direct: 720-570-4564 | [ashley@csdsip.net](mailto:ashley@csdsip.net)

# Appendix E



Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: October 11, 2022 CASE NUMBER: 2021SC885
Certiorari to the Court of Appeals, 2020CA641 District Court, Denver County, 2019CV550	
<b>Petitioners:</b>  Colorado State Board of Education and Douglas County School District RE 1,  <b>v.</b>  <b>Respondents:</b>  Judy A. Brannberg and John Dewey Institute, Inc.	Supreme Court Case No: 2021SC885
ORDER OF COURT	

The Court has reviewed the following documents and their corresponding attachments filed by Respondent, Ms. Brannberg: (1) “Motion for Claims for Reimbursement of Losses Because of Dishonest Attorney Conduct ...,” filed on October 4, 2022, (2) “Motion for Claims – Motion Number One ...,” filed on October 7, 2022 and “Motion for Claims – Deceased Attorney David K. Williams”, filed on October 10, 2022.

The “motions” and attachments are not permitted filings under the Colorado Rules of Appellate Procedure, nor do they request actionable relief that the Court could grant. The documents and attachments filed by Respondent, Ms. Brannberg, are, therefore, STRICKEN.

The Court FURTHER ORDERS that it will NOT ACCEPT any documents filed in the above-captioned matter concerning alleged attorney misconduct or the Colorado Attorneys' Fund for Client Protection from Respondent, Ms. Brannberg. Such claims should be filed with the Office of Attorney Regulation Counsel and are not proper in a certiorari proceeding.

BY THE COURT, OCTOBER 11, 2022.

# Appendix F

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: October 13, 2022 CASE NUMBER: 2021SC885
Certiorari to the Court of Appeals, 2020CA641 District Court, Denver County, 2019CV550	
<b>Petitioners:</b>  Colorado State Board of Education and Douglas County School District RE 1,  v.  <b>Respondents:</b>  Judy A. Brannberg and John Dewey Institute, Inc.	Supreme Court Case No: 2021SC885
ORDER OF COURT	

Upon consideration of Attorney Steven Klenda’s “Motion to Withdraw” and Respondent Ms. Brannberg’s response thereto filed in the above cause, and now being sufficiently advised in the premises,

IT IS ORDERED that said Motion shall be, and the same hereby is, GRANTED.

Consistent with the Court’s order of October 11, 2022, notifying Ms. Brannberg that it would not accept any documents filed in the above-captioned matter concerning alleged attorney misconduct or the Colorado Attorneys’ Fund for Client Protection, the Court FURTHER ORDERS that it will NOT ACCEPT the documents Ms. Brannberg filed with the Court on October 12, 2022.

BY THE COURT, OCTOBER 13, 2022.

# Appendix G

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: October 25, 2022 CASE NUMBER: 2021SC885
Certiorari to the Court of Appeals, 2020CA641 District Court, Denver County, 2019CV550	
<b>Petitioners:</b>  Colorado State Board of Education and Douglas County School District RE 1,  <b>v.</b>  <b>Respondents:</b>  Judy A. Brannberg and John Dewey Institute, Inc.	Supreme Court Case No: 2021SC885
ORDER OF COURT	

The Court has reviewed the following motions filed in the above-captioned matter by Ms. Brannberg on October 24, 2022:

1. “Motion to Make Judy Brannberg an Official Party of 21SC885,”
2. “Motion for Enlargement of Time of Ninety Days,”
3. “Motion to File an Ancillary Copy of ‘STRICKEN’ Claims with 21SC885 to Satisfy Charter School Transparency Requirements,” and
4. “Motion to include 2019 JDI State Board Appeal Briefs in the 21SC885 Record on Appeal.”

Upon consideration of these motions and now being sufficiently advised in the premises, the Court ORDERS the following:

1. The Court TAKES NO ACTION on the motion to make Ms. Brannberg an official party. Ms. Brannberg is already named as a respondent in the above-captioned case.
2. The Court DENIES the request for a 90-day extension of time in which to file an answer brief but GRANTS an extension of time up to and including January 3, 2022 in which to file an answer brief.
3. The Court DENIES Ms. Brannberg's motion to file an ancillary copy of her stricken claims because, consistent with this Court's previous order of October 11, 2022, they exceed the scope of the certiorari proceeding. The Court granted the petitions for writ of certiorari filed in the above-captioned case to address the following issue:

Whether the last sentence of section 22-30.5-108(3)(d) — “The decision of the state board shall be final and not subject to appeal”— applies to all state board decisions under section 108(3).

The Court NOTIFIES Ms. Brannberg that, consistent with its previous orders indicating the same, it will NOT ACCEPT any documents filed in the above-captioned matter that do not pertain to the certiorari proceeding.

4. The Court construes Ms. Brannberg's “Motion to Include 2019 JDI State Board Appeals...” as a motion to supplement the record on appeal. The



Court DENIES the motion, as the complete and certified transcript of record was received by the Court pursuant to C.A.R. 54(a).

BY THE COURT, OCTOBER 25, 2022.

# Appendix H

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: October 28, 2022 CASE NUMBER: 2021SC885
Certiorari to the Court of Appeals, 2020CA641 District Court, Denver County, 2019CV550	
<b>Petitioners:</b>  Colorado State Board of Education and Douglas County School District RE 1,  v.  <b>Respondents:</b>  Judy A. Brannberg and John Dewey Institute, Inc.	Supreme Court Case No: 2021SC885
ORDER OF COURT	

The Court has reviewed the following documents filed in the above-captioned case:

1. Motion for Request for 21SC885 Record on Appeal Pursuant to C.A.R. 54;
2. Motion for John Dewey Institute to be Represented Pro Se by Mrs. Judy Brannberg...; and
3. Motion to Supplement the 21SC885 ROA with the 2008 Alexandria School Innovation State Board Appeals Briefs and 2018 ASI Charter Application ROA.

And now, being sufficiently advised in the premises, ORDERS the following:

1. Because it appears Ms. Brannberg is an officer of the John Dewey Institute, the requirements of § 13-1-127(2), C.R.S., (2022) are met, and no monetary amount is at issue, Ms. Brannberg may file an answer brief on behalf of the John Dewey Institute. The answer brief(s) remains due on or before January 3, 2023.

2. The Court GRANTS Ms. Brannberg’s request to be provided with the complete appellate record as certified by the lower court in accordance with C.A.R. 10.
3. The Court DENIES the request to provide Ms. Brannberg with specific documents and any transcripts of oral argument given in the lower court. Any documents relevant to the above-captioned matter are already contained in the certified appellate record.
4. The Court DENIES the “Motion to Supplement the 21SC885 ROA with the 2008 Alexandria School Innovation....”

Because Ms. Brannberg continues to file voluminous, improper, irrelevant, and frivolous documents into the above-captioned certiorari proceeding despite the Court’s previous orders indicating that it will only accept filings pertaining to the narrow issue before the Court, Ms. Brannberg and the John Dewey Institute are, hereby, NOTIFIED that the Court WILL NOT ACCEPT any requests to provide specific documents, transcripts, or to supplement the record. Such requests are untimely and exceed the scope of C.A.R. 10. The Court FURTHER ORDERS that if Ms. Brannberg continues to file frivolous, improper, irrelevant, or voluminous documents that strain Court resources, despite being ordered not to, the Court may be required to take further future restrictive actions.

BY THE COURT, OCTOBER 28, 2022.