

**Colorado Independent Congressional Redistricting Commission  
General Counsel Exploratory Committee**

**May 10, 2021 – 1:00pm  
Virtual Meeting**

**Attendance:**

Diawara	X
Leone	X
Tafoya	X

The meeting was called to order by: Commissioner Leone.

This report was prepared by: Nicole Myers.

1:05 PM - The meeting was called to order by Commissioner Leone.

1:06 PM - Commissioner Leone explained that the committee reconvened to discuss the applicants for general counsel for the commission and that he would like to discuss the applicants in executive session due to legal strategy for the pending Supreme Court case and potential litigation involving the commission.

1:07 PM – Commissioner Leone moved that the committee go into executive session. Commissioner Diawara seconded the motion.

Motion:	Moved that the committee go into executive session pursuant to Section 24-6-402 (3)(a)(II), C.R.S., for purposes of discussing legal advice that they received from their general counsel and litigation applicants concerning specific legislation that is currently pending and other litigation that may arise involving the commission.
Moved:	Leone
Seconded:	Diawara
The motion passed without objection.	

1:08 PM – The committee went into executive session.

1:44 PM – The committee came out of executive session.

1:44 PM – Commissioner Leone explained that the commission received terrific applicants from several law firms or groups of law firms. They interviewed five candidates, all of whom had extensive and impressive experience and qualifications. Commissioner Leone explained the interview process including that they interviewed the candidates in a combination of open meetings and executive session. He explained that the committee decided that the commission needs both a general counsel to guide them through the process of redistricting and an experienced litigator to address the pending redistricting proceedings.

1:48 PM – Commissioner Leone proposed that the committee recommend to the commission that they retain the Achieve Law Group, lead by Jerome DeHerrera, for the general counsel for the commission and that they retain Fred Yarger from Wheeler Trig to be the counsel for the

litigation that may arise with respect to redistricting. Commissioner Leone explained that the commission would expect the two groups to work together on the brief and all other matters.

Motion:	Moved that the committee recommend to the commission that: the commission retain two counsel, one as general counsel and one as special litigation counsel, that the counsel should work together; that the committee remain in existence to work with counsel; and that the committee be allowed by the commission to negotiate the final engagement letters with the attorneys.
Moved:	Diawara
Seconded:	Tafoya
The motion passed without objection.	

1:50 PM – Commissioner Tafoya thanked Commissioner Leone and Commissioner Diawara for their work on this committee and for coming up with the structure for how their outside counsel would operate. Commissioner Tafoya agreed and thanked Commissioner Leone for his leadership on the committee.

1:55 PM – The committee recessed until after the full commission meeting.

4:05 PM – The committee came back to order.

4:06 PM – Commissioner Leone stated that the committee needs to go into executive session. Commissioner Diawara moved that the committee go into executive session. Commissioner Tafoya seconded the motion.

Motion:	Moved that the committee go into executive session pursuant to Section 24-6-402 (3)(a)(II), C.R.S., for purposes of receiving legal advice from legal counsel on specific legal issues including pending litigation.
Moved:	Diawara
Seconded:	Tafoya
The motion passed without objection.	

4:06 PM – The committee went into executive session.

5:22 PM – The committee came out of executive session.

5:22 PM – Commissioner Leone explained that in executive session the committee met with its new counsel to discuss specific legal issues involving the commission, including pending matters before the Supreme Court.

5:22 PM – The committee adjourned.