

**Notice of Intent to File Suit under the Colorado Open Records Act
(CORA) Date:**

December 11, 2024

To: Pueblo City Clerk's Office

Address: #1 City Hall Place, Pueblo, CO 81003

From: Harry Cooper

112 W. 7th Street Pueblo, CO 81003

coop.7th@gmail.com

719-717-7191

Dear City Clerk, This Notice of Intent to File Suit is issued in relation to the City's handling of multiple Colorado Open Records Act (CORA) requests submitted by me. The requests in question are as follows:

CORA-2024-363: Submitted November 4, 2024, seeking communications related to Pueblo PD Incident #24019623. An invoice totaling \$330.96 was issued, but no detailed breakdown has been provided to justify this cost.

CORA-2024-380: Submitted November 13, 2024, seeking internal communications regarding CORA-2024-363 and CCJRA-2024-379. The invoice for this request totals \$703.28, yet the justification for these charges remains vague and lacks an itemized breakdown.

CORA-2024-401: Submitted December 4, 2024, requesting employee information, including salaries, benefits, and other compensation for staff tasked with processing CORA requests. This request, in particular, is strikingly straightforward and should require minimal effort to fulfill. The estimated fee of **\$1,530.69** to provide basic salary and benefits data for likely only two employees is not only excessive but entirely unjustifiable for public information that should be readily accessible at no cost.

Summary of Concerns: Excessive Costs: The estimated fees for processing these requests appear unreasonable and lack transparency. Itemized invoices and clarifications requested on December 9, 2024, have not been satisfactorily addressed. The \$1,530.69 charge for CORA-2024-401, in particular, demonstrates a failure to adhere to CORA's principles of transparency and accessibility.

Delays: The City has failed to meet statutory deadlines under CORA, including the three-day timeline for initial responses and any permissible extensions.

Non-Compliance: Despite narrowing the scope of my requests as suggested, the City has not demonstrated a good-faith effort to fulfill them promptly or cost-effectively.

Unaddressed Communications: Multiple follow-up emails sent to the City Clerk's Office seeking clarification and resolution have gone unanswered, reflecting a lack of responsiveness and willingness to resolve the matter collaboratively.

Relief Requested: To resolve this matter without litigation, I demand the following actions within seven (7) calendar days of receipt of this notice:

Provide an Itemized Cost Breakdown: For each request, including hourly rates, time allocation per task, and descriptions of tasks performed for: CORA-2024-363 (\$330.96) CORA-2024-380 (\$703.28) CORA-2024-401 (\$1,530.69).

Expedited Compliance: Fulfill all outstanding requests by delivering responsive records digitally or in print. **Justify Fees:** Provide legal justification for any fees charged or invoiced that exceed reasonable costs allowed under CORA.

Fee Waiver Determination: Respond to my formal fee waiver requests for CORA-2024-363 and CORA-2024-380 in compliance with CORA guidelines. **Notice of Legal Action:** If the City of Pueblo fails to comply with the above demands within the specified timeframe, I will proceed with filing a lawsuit under C.R.S. § 24-72-204(5), seeking: An order compelling the City to produce the requested records. A judicial determination that the City's actions constitute a violation of CORA. Reimbursement of my legal costs and reasonable attorney fees, as permitted under the statute.

Proposed Conference: To meet the statutory prerequisite for a lawsuit, I propose a conference to discuss the status and resolution of my requests. I am available on

December 16, 2024, at 2:00 PM at City Hall or via phone. Please confirm your availability or propose an alternative time. I remain open to resolving this matter amicably and urge the City to demonstrate good faith by addressing these concerns promptly. Please contact me at your earliest convenience to confirm receipt of this notice and discuss next steps.

Sincerely, Harry Cooper