

DISTRICT COURT, LARIMER COUNTY, STATE OF COLORADO 201 La Porte Ave., Suite 100 Ft. Collins, CO 80521	DATE FILED: August 16, 2022 12:01 PM CASE NUMBER: 2022CV30489
BOARD OF COUNTY COMMISSIONERS OF LARIMER COUNTY, STATE OF COLORADO ON BEHALF OF NICHOLAS COLE (CUSTODIAN OF RECORDS FOR LARIMER COUNTY HUMAN RESOURCES Applicant v. BIZWEST MEDIA, LLC Requestor	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case Number: 2022CV30489 Division: 4A
ORDER REGARDING APPLICATION	

THIS COURT, having reviewed Applicant’s Application Pursuant to C.R.S. 24-72-204(6)(a), both Parties’ briefs, the exhibits attached to the motions, applicable case law, having received oral argument, and being otherwise advised of the procedure and premises, **ORDERS** as follows:

Both Parties and the Court agree *City of Boulder, Co. v. Avery*, provides the framework to evaluate an application pursuant to C.R.S. 24-72-204(6)(a) that asserts substantial injury to the public interest. *City of Boulder, Co. v. Avery*, 2002 WL 319546865 *2 (D. Colo. Mar. 18, 2002). “Under this exception the Court must weigh whether there is a legitimate expectation of non-disclosure, whether there is a compelling public interest in access, and if there will be disclosure, how to ensure that it will be done in the least

intrusive manner. *Denver Post Corp. v. University of Colorado*, 739 P.2d 874 (Colo. App. 1987) cert. den. (Colo. 1987)."

The Court cannot determine the compelling public interest in access without conducting an *in camera* review. Additionally, the Court finds that an *in camera* review would ensure disclosure is done in the least intrusive manner.

Applicant will have until noon on August 23, 2022 to submit the requested documents to the Court for an *in camera* review.

Dated: August 16, 2022

BY THE COURT:

A handwritten signature in cursive script, reading "C. Michelle Brinegar", is written over a horizontal line.

C. Michelle Brinegar
District Court Judge