

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 23-cv-01463-RMR-KAS

AMERICAN MUCKRAKERS PAC, INC., a foreign entity, and
DAVID B. WHEELER, an individual, North Carolina resident,

Plaintiffs,

v.

LAUREN OPAL BOEBERT, and individual and Colorado resident, and
JOHN DOES (1-25),

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KATHRYN A. STARNELLA

This matter is before the Court on Defendant Lauren Opal Boebert's **Motion to Dismiss Under F.R.C.P. 12(b)(6) and/or Special Motion to Dismiss Under Colorado's Anti-SLAPP Statute** [#15] (the "Motion to Dismiss"). In light of Plaintiffs' pending Motion for Leave to Amend Complaint [#35] (the "Motion to Amend"),

IT IS HEREBY **ORDERED** that the Motion to Dismiss [#15] is **DENIED without prejudice**. To the extent necessary, the Court will address Defendant's arguments from the Motion to Dismiss [#15] in connection with Defendant's futility arguments in the Motion to Amend [#35]. An order on the Motion to Amend [#35] will issue in due course.

Dated: February 21, 2024