

# STATE OF COLORADO

## EXECUTIVE CHAMBERS

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## EXECUTIVE ORDER

Roy Romer  
Governor

### AUTHORIZING THE HIRING OF OUTSIDE COUNSEL

WHEREAS, on June 26, 1997, the state and other state defendants were served with a summons and complaint in a federal district court case styled Adarand Contractors, Inc. v. Roy Romer et al, case No. 97-K-1351 (the "Adarand case"); and

WHEREAS, on July 11, 1997, the Solicitor General informed the Department of Transportation and my office that the Office of the Attorney General would be unable to provide a defense of the state defendants in the Adarand case; and

WHEREAS, Colorado Revised Statutes, Section 24-31-101(1)(e), provides in pertinent part as follows:

Whenever the Attorney General is unable or has failed or refused to provide legal services to an agency of state government, as determined by the governor if the agency is the executive branch or by the chief justice if the agency is in the judicial branch, such agency may employ counsel of its own choosing to provide such legal service; and

WHEREAS, Based on the facts recited above, I find that the requirements of C.R.S. Section 24-31-101(1)(e) have been met in this matter.

NOW, THEREFORE, I, Roy Romer, Governor of the State of Colorado, under the authority vested in me by the Constitution and the statutes of the State of Colorado, including C.R.S. Section 24-31-101(1)(e), authorize the Department of Transportation to proceed with the appointment of Jean Dubofsky, Esq. to provide representation of the Department of Transportation and the state defendants in the Adarand case and in proceedings related to the Adarand case as may be determined by the Governor or the Executive Director of the Department of Transportation.



GIVEN under my hand and the Executive Seal of the State of Colorado this fourteenth day of July, 1997.

Roy Romer  
Governor