

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 16-cv-01308-RBJ-KLM

FREE THE NIPPLE – FORT COLLINS, an unincorporated association,  
BRITTANY HOAGLAND, and  
SAMANTHA SIX,

Plaintiffs,

v.

CITY OF FORT COLLINS, COLORADO,

Defendant.

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**DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO  
FILE REPLY IN SUPPORT OF MOTION TO DISMISS**

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Defendant City of Fort Collins, Colorado (the “City”), by its attorneys, Andrew D. Ringel, Esq., Gillian Dale, Esq., and Christina S. Gunn, Esq., of Hall & Evans, LLC, hereby submits this Unopposed Motion for Extension of Time to File Reply in Support of Motion to Dismiss, pursuant to Fed. R. Civ. P. 6(b), as follows:

1. The City filed its Motion to Dismiss, requesting dismissal of each of the claims against it, on August 2, 2016. [ECF 18]. Plaintiffs filed their Response to Defendant’s Motion to Dismiss on September 1, 2016. [ECF 31]. The City’s Reply in Support of Motion to Dismiss is presently due to be filed by September 19, 2016.

2. The undersigned counsel is presently subject to multiple other deadlines in this Court and in other venues, including voluminous discovery responses in *Powers v. Emcon*, U.S.D.C. Civil Action No. 14-cv-03006-KMT; a position statement in *Sykes v. Colorado Access*,

EEOC Charge No. 541-2016-02143; a reply brief in *Renfandt v. New York Life Insurance Company*, U.S.D.C. Civil Action No. 16-cv-01812-MSK-GPG; and multiple time-sensitive pre-litigation matters. In addition, the undersigned counsel needs sufficient time to obtain client approval prior to filing the reply brief. Although other attorneys are entered in this case, the undersigned counsel drafted the Motion to Dismiss and it is more efficient to have the same attorney prepare the reply brief.

3. The City is therefore requesting a two-week extension of time, up to and including October 3, 2016, in which to file its Reply in Support of Motion to Dismiss. The City has not requested any prior extensions of this deadline. This matter is presently set for a preliminary injunction hearing on December 19, 2016, and as a result it does not appear this brief extension will delay these proceedings or prejudice any party.

4. Pursuant to D.C.COLO.LCivR 7.1(A), prior to filing the instant Motion, the undersigned counsel conferred with counsel for the Plaintiffs, Andrew McNulty, Esq. Mr. McNulty indicated the Plaintiffs do not object to this Motion.

5. Pursuant to D.C.Colo.LCivR 6.1(C) a copy of this motion has been served on the undersigned's client as indicated on the certificate of service.

WHEREFORE, Defendant City of Fort Collins, Colorado, respectfully requests a two-week extension of time to file its Reply in Support of Motion to Dismiss, up to and including October 3, 2016.

Dated this 15<sup>th</sup> day of September, 2016.

Respectfully submitted,

*/s/ Gillian Dale*

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Christina S. Gunn, Esq.

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on this 15<sup>th</sup> day of September, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

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