

DISTRICT COURT, LARIMER (FT COLLINS) COUNTY, COLORADO Court Address: 201 Laporte Avenue, Suite 100, Fort Collins, CO, 80521	DATE FILED: September 30, 2016 8:29 AM CASE NUMBER: 2016CV144 <p style="text-align: center;">⚠ COURT USE ONLY ⚠</p>
Plaintiff(s) VIRGINIA L FARVER v. Defendant(s) CITY OF FORT COLLINS et al.	
Order: Motion for Leave to Amend Complaint	

The motion/proposed order attached hereto: GRANTED.

Based upon the Defendants' Response, the Motion is granted. The Defendants' Answer filed on September 13, 2016 stands as a responsive pleading to the First Amended Complaint.

The case is set for review for the impending Motion for Summary Judgment, Response and Reply.

Issue Date: 9/30/2016



GREGORY M LAMMONS
 District Court Judge

FILED IN COMBINED COURTS
LARIMER COUNTY, CO

2016 SEP 16 PM 4:11

<input type="checkbox"/> Small Claims <input type="checkbox"/> County Court <input checked="" type="checkbox"/> District Court <input type="checkbox"/> Probate Court <input type="checkbox"/> Juvenile Court <input type="checkbox"/> Water Court Larimer County, Colorado Larimer County Justice Center 201 La Porte Ave Suite 100 Ft. Collins, CO 80521	
Plaintiff: Virginia L. Farver v Defendant(s): City of Fort Collins, the Fort Collins Electric Utility; and Does 1 - 100	
Attorney or Party Without Attorney: (Name & Address) 1214 Belleview Drive Fort Collins, CO 80526 Phone Number: 970-689-3798 FAX Number: E-mail: Atty. Reg. #:	▲ COURT USE ONLY ▲ Case Number: 2016 CV 144 Div.:5B Ctrm:
Motion for leave to amend complaint	

Plaintiff has met the requirement of conferring with attorneys for the Defendants and respectfully moves for leave to amend her complaint. Details follow.

Earlier this summer Plaintiff filed a "Plaintiffs Reply to Defendants' Answer and motion for leave to amend complaint."

However at that time Plaintiff did not file a copy of the proposed amended complaint and had not conferred with attorneys for the defendants on her motion.

Accordingly the Court issued an order on July 19, 2016 denying Plaintiff's motion.

At the case management conference on August 24, 2016 the Court notified Plaintiff that Plaintiff should deliver to the Court Plaintiff's proposed First Amended Complaint by August 26, 2016.

Plaintiff agreed to do so but then realized there was too much work to do to complete the complaint by August 26.

Plaintiff called the Clerk of the Court and asked for an extension until Monday, August 29. The Clerk called Plaintiff on August 25 or 26 to say that the Court had granted that extension.

Accordingly, Plaintiff filed with the Court her proposed First Amended Complaint including Exhibits on Monday, August 29.

On Tuesday August 30 Plaintiff sent her proposed First Amended Complaint and Exhibits by email to attorneys for the Defendants.

On August 31 attorney for the defendants Kimberly Schutt wrote to Plaintiff saying that "... the City will not object to your filing of this additional amended complaint and the later submission of exhibits."

Ms. Schutt also proposed a deadline of September 13, 2016 for the City's Answer and requested that Plaintiff extend the courtesy of additional time for the City to file its Answer in the event that the City needs more time.

Plaintiff wrote back to Ms. Schutt and agreed to the proposed deadline and to said arrangement and the expectation of allowing additional time for the City to file its Answer.

Accordingly Plaintiff now requests leave of the Court to amend her complaint, specifically, with the proposed First Amended Complaint that Plaintiff delivered to the Court on August 29, 2016, with one change; namely, a corrected list of exhibits, which is attached to this motion, and which will replace the existing list of exhibits as paragraph #199, page 45.

Respectfully,


Virginia Farver

9.15.2016

date