

<p>DISTRICT COURT, LARIMER COUNTY, COLORADO 201 La Porte Ave., Suite 100 Fort Collins, CO 80521</p> <hr/> <p>Plaintiff: VIRGINIA FARVER,</p> <p>v.</p> <p>Defendants: CITY OF FORT COLLINS, FORT COLLINS UTILITIES, and DOES 1-100.</p>	<p>DATE FILED: February 9, 2017 4:29 PM FILING ID: 9B5E9BDEA737B CASE NUMBER: 2016CV144</p> <p>COURT USE ONLY</p>
<p>Kimberly B. Schutt, #25947 WICK & TRAUTWEIN, LLC 323 South College Avenue, Suite 3 P.O. Box 2166, Fort Collins, CO 80522 Phone Number: (970) 482-4011 E-mail: kschutt@wicklaw.com FAX Number: (970) 482-8929</p> <p>John R. Duval, #10185 FORT COLLINS CITY ATTORNEY'S OFFICE P.O. Box 580 Fort Collins, CO 80522 Phone: (970) 221-6520 Email: jduval@fcgov.com</p>	<p>Case Number: 2016 CV 144</p> <p>Courtroom: 5B</p>
<p style="text-align: center;">DEFENDANTS' UNOPPOSED MOTION FOR ENLARGEMENT OF PRESUMPTIVE PAGE LIMIT FOR REPLY BRIEF</p>	

COMES NOW all of the above-named defendants (“Defendants”), by and through counsel, Kimberly B. Schutt of Wick & Trautwein, LLC, and John R. Duval of the Fort Collins City Attorney’s Office, and hereby respectfully submit the following unopposed motion for enlargement of the presumptive 10-page limit for its Reply Brief submitted herewith:

1. **RULE 121 CERTIFICATION:** Undersigned counsel hereby advise the Court that they have consulted with the Plaintiff regarding the relief sought in this motion and they are authorized to state that she has no objections to the same.

2. Defendants are timely filing today their Reply Brief in support of their Motion for Summary Judgment. C.R.C.P. 121 § 1-15(1)(a) ordinarily provides for a presumptive limit of 10 pages (but no more than 2,500 words) for reply briefs.

3. As the Court file in this action will reflect, the Court previously granted motions of both the Defendants and the Plaintiff requesting enlargements of the presumptive page limits, given the number of issues to be addressed in the parties’ briefs. Accordingly, despite defense counsel’s efforts to be concise in formulating the Reply Brief, the presumptive limit of ten pages

was not sufficient for the Defendants to address all of the arguments raised in the Plaintiff's 21-page response brief. The Reply brief timely submitted by the Defendants today is 17 pages, not inclusive of the signature blocks, certificate of service and attachments.

4. Defendants thus respectfully request the Court grant this unopposed motion to enlarge the presumptive page limit for Reply Briefs to 17 pages, and accept the Defendants' Reply Brief as submitted to the Court today.

5. This motion is made in good faith and will not prejudice any party, as reflected in the Plaintiff's consent thereto.

WHEREFORE, the Defendants respectfully request the Court to grant the following relief:

a) to enlarge the presumptive page limit for the Defendants' Reply Brief in support of their Motion for Summary Judgment to 17 pages, exclusive of the signature blocks, certificate of service and attachments;

b) to further accept the Reply Brief as submitted by the Defendants as being compliant with that enlarged page limit; and

c) for whatever further relief the Court deems just and proper.

DATED this 9th day of February, 2017.

Respectfully submitted,

WICK & TRAUTWEIN, LLC

This document was served electronically pursuant to C.R.C.P. 121 §1-26. The original pleading signed by Kimberly B. Schutt is on file at the offices of Wick & Trautwein, LLC

By: *s/Kimberly B. Schutt*
Kimberly B. Schutt, #25947
Attorneys for Defendant

And

John R. Duval, #10185
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing DEFENDANTS' UNOPPOSED MOTION FOR ENLARGEMENT OF PRESUMPTIVE PAGE LIMIT was SERVED via email this 9th day of February, 2017, on the following:

Via email to vrfarv@hotmail.com

Virginia L. Farver
1214 Belleview Drive
Fort Collins, CO 80526
Pro se Plaintiff

/s/ Jody L. Minch _____

*[The original certificate of electronic filing signed by Jody L. Minch
is on file with the law offices of Wick & Trautwein, LLC.]*