

DISTRICT COURT, LARIMER (FT COLLINS) COUNTY, COLORADO	
Court Address: 201 Laporte Avenue, Suite 100, Fort Collins, CO, 80521	DATE FILED: February 13, 2017 5:04 PM CASE NUMBER: 2016CV31096
Plaintiff(s) POUFRE FIRE AUTHORITY v. Defendant(s) KEITH GILMARTIN	
	△ COURT USE ONLY △
	Case Number: 2016CV31096 Division: 3C Courtroom:
Order Striking Defendant's Counterclaim	

This matter comes before the Court on Plaintiff's Unopposed Motion for More Definite Statement pursuant to C.R.C.P. Rule 12(e) with regard to Defendant Gilmartin's asserted counterclaim. The Court granted Plaintiff's motion on January 1, 2017 and directed Defendant Gilmartin to provide a more definite statement to support his asserted counterclaims by January 15, 2017. On January 13, 2017 Defendant Gilmartin requested an extension of time in which to respond to Plaintiff's motion and was granted an extension of time to provide a more definite statement through and including January 30, 2017. To date, Defendant has not provided a more definite statement to support the counterclaims asserted.

C.R.C.P. Rule 12(e) provides that if a motion for more definite statement is granted and the order of the court to provide a more definite statement is not obeyed within 14 days after notice of the order or within such other time as the court may fix, the court may strike the pleading to which the motion is directed or make any other order as the court deems just.

Defendant Gilmartin has been given more than adequate time to provide a more definite statement to support asserted counterclaims but has failed to do so. Accordingly, the court hereby strikes the counterclaim asserted by Defendant Gilmartin against the Plaintiffs.

SO ORDERED.

Issue Date: 2/13/2017



STEPHEN JOHN JOUARD
District Court Judge