

<p>DISTRICT COURT, LARIMER COUNTY, COLORADO  Larimer County Justice Center  201 Laporte Avenue, Suite 100  Fort Collins, CO 80521-2761  (970) 498-6100</p> <hr/> <p><b>Plaintiff: ERIC SUTHERLAND,</b></p> <p><b>v.</b></p> <p><b>Defendant: THE CITY OF FORT COLLINS</b></p> <p><b>Indispensable Party: Angela Myer, Larimer County Clerk and Recorder</b></p>	<p>COURT USE ONLY</p>
	<p>Case Number: 2017 CV 219</p> <p>Courtroom: 5C</p>
<p align="center"><b>ORDER RE: UNOPPOSED MOTION  FOR SUBMISSION OF LEGAL BRIEFS</b></p>	

**THIS MATTER** has come before the Court on the Defendant City of Fort Collins’ (“City”) unopposed motion for leave to submit a legal brief prior to the expedited hearing required by C.R.S. §1-11-203.5(2). The Court, being duly advised in the premises, FINDS and ORDERS as follows:

1. The Plaintiff has initiated the above-captioned action pursuant to C.R.S. §1-11-203.5, contesting the form and content of the ballot measure relating to the City’s proposed Broadband Charter Amendment, as contained in Ordinance No. 101, 2017.
2. Under C.R.S. §1-11-203.5, the Court is required to set the matter for an expedited hearing to occur within 10 days of the date of the filing of the answer by the City. The City filed its Answer on August 24, 2017, and thus the hearing must take place on or before September 5, 2017 (since the 10<sup>th</sup> day is the Monday Labor Day holiday).
3. The Court agrees that it would be helpful for both parties to submit legal briefs in support of their positions.
4. Accordingly, the parties shall both be allowed to submit legal briefs one the same date prior to the expedited hearing, with each side having an opportunity to rebut the others’

positions via oral argument at the time of the hearing. The Court shall set the briefing deadline in conjunction with the setting of the expedited hearing.

DONE this \_\_\_\_\_ day of August, 2017.

BY THE COURT:

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District Court Judge