

DISTRICT COURT, LARIMER COUNTY,  
COLORADO  
201 LaPorte Avenue, Suite 100  
Fort Collins, CO 80521-2761  
Phone: 970-498-6100

DATE FILED: December 22, 2017 12:11 PM  
FILING ID: 5416DC7122BF4  
CASE NUMBER: 2017CV30903

Plaintiff:

ILSE G. WESTPHAL

v.

Defendants:

ANTHONY JOHN JANSA; JANSA TRUCKING, LLC,  
a Colorado Limited Liability Company; JANSA  
TRUCKING, LLC, a North Dakota Limited Liability  
Company; THE CITY OF FORT COLLINS, a Colorado  
municipal corporation

*Attorneys for Defendant City of Fort Collins*

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**COURT USE ONLY**

Case No. 2017-CV-030903

Div. 3C

**DEFENDANT CITY OF FORT COLLINS' UNOPPOSED  
MOTION FOR EXTENSION OF TIME TO FILE ITS  
REPLY IN SUPPORT OF MOTION TO DISMISS**

Defendant, City of Fort Collins, by and through its counsel, submits the following unopposed Motion for Extension of Time to File its Reply in Support of Motion to Dismiss:

**CERTIFICATION – C.R.C.P. 121**

Counsel for Defendant spoke to counsel for Plaintiff by telephone on December 22, 2017 to confer on this motion. Plaintiff's counsel has no objection to the relief requested herein.

1. No trial date is currently set.
2. Defendant filed its motion to dismiss on November 30, 2017.
3. Plaintiff filed his response on December 19, 2017.
4. Defendant's reply is due December 26, 2017. Due to the holidays and out-of-town travel, Defendant requests an extension up to and including January 5, 2018, to file its reply. This motion is not brought for purposes of delay and will not prejudice any party.

WHEREFORE, Defendant respectfully requests this Court allow Defendant until January 5, 2018 in which to file its Reply in Support of Motion to Dismiss.

Dated: December 22, 2017

/s/ Peter C. Middleton

Peter C. Middleton, Esq., #32335  
of HALL & EVANS, L.L.C.  
**ATTORNEYS FOR DEFENDANT  
CITY OF FORT COLLINS**

/s/ John R. Duval

John R. Duval, Esq., #10185  
Deputy City Attorney  
of City of Fort Collins  
**ATTORNEY FOR DEFENDANT  
CITY OF FORT COLLINS**

*In accordance with C.R.C.P. 121 § 1-26(7), a printed copy of this document with original signatures is being maintained by the filing party and will be made available for inspection by other parties or the Court upon request.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of December, 2017, I electronically filed and served the foregoing **DEFENDANT CITY OF FORT COLLINS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ITS REPLY IN SUPPORT OF MOTION TO DISMISS** via the Colorado Courts E-Filing system upon the following:

<p>David M. Herrera, Esq. HERMS &amp; HERRERA, L.L.C. 3600 South College Avenue, Suite 204 Fort Collins, CO 80525 <a href="mailto:david@hhlawoffice.com">david@hhlawoffice.com</a> <i>Counsel for Plaintiff</i></p>	<p>James M. Meseck, Esq., #33021 Joseph W. Mark, #48644 White and Steele, P.C. 600 17<sup>th</sup> Street, Suite 600N Denver, CO 80202 <a href="mailto:jmeseck@wsteele.com">jmeseck@wsteele.com</a> <a href="mailto:jmark@wsteele.com">jmark@wsteele.com</a> <i>Counsel for Anthony J. Jansa and Jansa Trucking, LLC</i></p>
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*Original Signature on File*

*/s/Julie Eaglesham*  
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Julie Eaglesham