

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 17-CV-01177-LTB-NYW

DAKOTA TYLER MCGRATH,

Plaintiff,

v.

FORT COLLINS POLICE SERVICES OFFICER NICK RODGERS, in his individual
capacity,

Defendant.

**UNOPPOSED MOTION FOR 14-DAY EXTENSION OF TIME, UNTIL JULY 25, 2018,
TO RESPOND TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff, Dakota McGrath, by and through counsel, Anthony Viorst of the Viorst Law
Offices, P.C., hereby moves for a 14-day extension of time, until July 25, 2018, to file a
Response to Defendant's Motion for Summary Judgment, and states as follows:

Certification

Undersigned counsel certifies that he has conferred with opposing counsel, Matthew
Hegarty, who has requested that undersigned counsel file the instant motion, and therefore does
not oppose the relief requested herein.

1. Defendant filed his Motion for Summary Judgment on June 6, 2018. Plaintiff's
response was due June 27, 2018.

2. On June 22, 2018 Plaintiff filed an Unopposed Motion for a 14-Day Extension of Time to Respond to Defendant's Motion for Summary Judgment.

3. On June 25, 2018, the Court issued an order granting Plaintiff's Unopposed Motion for 14-Day Extension of Time to Respond to Defendant's Motion for Summary Judgment and granted the Plaintiff up to and including July 11, 2018, to file a response.

4. Both parties are currently negotiating a settlement and, as attorney fees are compensable, counsel for Defense has asked counsel for the Plaintiff to halt all work on the case.

5. Due to ongoing negotiations and opposing counsel's request for Plaintiff's counsel to halt all work, Plaintiff's counsel requests an additional 14-day extension of time to continue with negotiations, comply with Defendant's request, and complete a response if necessary.

6. It is stipulated that Defendant's reply deadline will also be extended by two weeks, until August 8, 2018.

WHEREFORE, for the foregoing reasons, Plaintiff moves for an unopposed 14-day extension of time, until July 25, 2018 to file a response to Defendant's Motion for Summary Judgment.

Dated this 3rd day of July, 2018.

THE VIORST LAW OFFICES, P.C.

[Original signature on file at Viorst Law Offices, P.C.]

s/ Anthony Viorst

Anthony Viorst, #18508
Viorst Law Offices, PC
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of July, 2018, I electronically filed a true and correct copy of the above and foregoing **PLAINTIFF'S UNOPPOSED MOTION FOR 14-DAY EXTENSION OF TIME, UNTIL JULY 27, 2018, TO RESPOND TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following e-mail address(es):

Matthew J. Hegarty, Esq.
Thomas J. Lyons, Esq.
Hall & Evans, LLC
1001 Seventeenth Street, Suite 300
Denver, CO 80202

[Original signature on file at Viorst Law Offices, P.C.]

s/ Michelle Spadavecchia

Legal Assistant