

DISTRICT COURT, LARIMER COUNTY, COLORADO

Larimer County Justice Center
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DATE FILED: December 20, 2018 4:34 PM
FILING ID: B0447D0FB2BEE
CASE NUMBER: 2018CV220

Plaintiff: STACY LYNNE

v.

Defendants: NOAH BEALS, Senior Planner, City of Fort Collins, in his individual and official capacity, and JEREMY CALL, Senior Associates – Logan Simpson Design, Contractor for the City of Fort Collins, in his individual and official capacity

COURT USE ONLY

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Case Number: 2018 CV 220

Courtroom: 3C

DEFENDANT BEALS' UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSIVE PLEADING

COMES NOW, the Defendant, Noah Beals, by and through his counsel, Wick & Trautwein, LLC, and respectfully submits the following unopposed motion for enlargement of time for the defendants to file their responsive pleadings to the Plaintiff's Complaint. In support hereof, Mr. Beals states as follows:

1. **RULE 121 CERTIFICATION:** Undersigned counsel for the City hereby advises the Court that she has conferred with the Plaintiff about the enlargement of time requested in this motion. Undersigned counsel is authorized to state that Plaintiff has consented to the relief requested herein.

2. The Plaintiff has filed a 27-page Complaint against Noah Beals, an employee of the City of Fort Collins, and another individual named Jeremy Call. Mr. Call is not employed with the City of Fort Collins, but works with representatives of the City's planning department through his employment with Logan Simpson.

3. Mr. Beals was served with the Complaint on December 4, 2018, which would make his responsive pleading due on Christmas Day, or the next business day of December 26, 2018.
4. Undersigned counsel has had several other litigation deadlines and other client emergencies in the past two weeks, and due to the upcoming holidays, additional time is needed to review the Plaintiff's extensive Complaint and prepare an appropriate responsive pleading.
5. Further, undersigned counsel understands from communications with the attorney planning to defend the claims against Jeremy Call that she is currently out of the country and will be gone until December 28th. That attorney is Theresa Corrada of Benezra & Culver, in Denver.
6. Accordingly, Mr. Beals seeks an enlargement of time up to and including January 11, 2019, for all defendants to file a responsive pleading in this case. Based upon communications with Ms. Corrada, undersigned counsel is authorized to state that she too agrees with this request.
7. This motion is made in good faith and in cooperation with other parties in this case. No prejudice should be incurred to any party, as reflected by the consent and agreements described above.

Respectfully submitted this 20th day of December, 2018.

WICK & TRAUTWEIN, LLC

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

[This document was served electronically pursuant to C.R.C.P. 121 §1-26. The original pleading signed by defense counsel is on file at the offices of Wick & Trautwein, LLC and the Fort Collins City Attorney's Office]

CERTIFICATE OF ELECTRONIC FILING

The undersigned hereby certifies that a true and correct copy of the foregoing **DEFENDANT BEALS' UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSIVE PLEADING** was filed via the Colorado Courts E-Filing System and served this 20th day of December, 2018, on the following:

Stacy Lynne
305 W. Magnolia Street #282
Fort Collins, CO 80521

A courtesy copy was also emailed to Ms. Lynne at *stacy_lynne@comcast.net*

s/ Jody L. Minch

[The original certificate of electronic filing signed by Jody L. Minch is on file at Wick & Trautwein, LLC)