

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:18-cv-03204-NRN

LORI FRANK

Plaintiff,

v.

CITY OF FORT COLLINS, a municipality;  
TERENCE F. JONES, former Interim Chief of Police, in his individual capacity; and  
JEROME SCHIAGER, former Deputy Chief of Police, in his individual capacity,

Defendants.

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**UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE  
RESPOND TO PLAINTIFF'S COMPLAINT AND JURY DEMAND**

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Defendants, The City of Fort Collins and Terence F. Jones, by and through its and his attorneys, Cathy Havener Greer, and Kathryn A. Starnella, of Wells, Anderson & Race, LLC and pursuant to D.C. COLO.LCivR 6.1, hereby request an extension of time to answer or otherwise respond to Plaintiff's Complaint and Jury Demand from January 4, 2019 to and including January 31, 2019. As grounds, Defendants state:

**CERTIFICATE OF COMPLIANCE WITH D.C. COLO. LR 7.1**

On January 2, 2019, Plaintiff's counsel confirmed that Plaintiff does not object to the relief requested herein.

1. Plaintiff's counsel communicated with Senior Assistant City Attorney for the City on December 14, 2018, about service on the three defendants.

2. Based on the communication between Plaintiff's counsel and Senior Assistant City Attorney, Plaintiff's counsel filed the Return of Summons indicating that Defendants' Answer or other Response to Plaintiff's Complaint and Jury Demand are due on January 4, 2019.

3. Undersigned counsel were formally retained to represent Defendants City and Jones on December 27, 2018 and require more time within which to investigate Plaintiff's allegations, including meeting with their clients regarding Plaintiff's allegations, and prepare and file an Answer or other response to Plaintiff's Complaint and Jury Demand. Counsel for Defendant Schiager entered an appearance January 3, 2019.

4. Undersigned counsel and counsel for Plaintiff have consulted about an extension of time to and including January 31, 2019, and counsel for Plaintiff does not oppose such an extension of time for an Answer or other response.

5. Accordingly, Defendants City and Jones request an extension of time, to and including January 31, 2019, within which to prepare and file their Answer or other Response to Plaintiff's Complaint and Jury Demand.

5. No previous extensions of time have been sought and no party will be prejudiced by the relief sought herein.

6. Pursuant to D.C. COLO.LCivR 6.1 E, a copy of this Unopposed Motion has been served upon Defendants and all counsel of record as indicated on the Certificate of Service.

WHEREFORE, Defendants City of Fort Collins and Jones request that this Court grant its/his motion for an extension of time, to and including January 31, 2019 in which to respond to Plaintiff's Complaint and Jury Demand.

Dated this 3rd day of January, 2019..

Respectfully submitted,

*S/ Cathy Havener Greer*

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**ATTORNEY FOR DEFENDANTS  
THE CITY OF FORT COLLINS AND  
TERENCE F. JONES**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 3, 2019, a true and correct copy of the above and foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT AND JURY DEMAND** was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following email addresses:

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*Attorneys for Defendant Schiager*

and I hereby certify that I have mailed or served the document or paper to the following non CM/ECF participants in the manner (mail, hand-delivery, etc.) indicated by the non-participants name:

Via Electronic Mail/U.S. Mail  
The City of Fort Collins  
Terence F. Jones

S/ Barbara McCall  
Barbara McCall  
Email: [bmccall@warllc.com](mailto:bmccall@warllc.com)