

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 18-cv-00217-REB-KLM

WILLIAM MONTGOMERY,

Plaintiff,

v.

MATTHEW CHERNAK,
MIKE HOWARD,
MATTHEW BROUGH.

Defendants.

STIPULATED MOTION FOR EXTENSION OF TIME

Plaintiff, by and through undersigned counsel, hereby moves the court for an extension of time to file written objections to the *Recommendation of the Magistrate Judge (#43)* (hereinafter "*Recommendation*"). In support, Plaintiff states as follows:

1. Pursuant to D. C. Colo. LCivR. 6.1 and 7.1, undersigned counsel has conferred with counsel for Defendants, who do not object to the requested extension of time.
2. Pursuant to 28 U.S.C. §636(b)(1)(C), a party may file objections to a report and recommendations of a magistrate judge within fourteen days.
3. The *Recommendation* was entered on February 28, 2019. Accordingly, any objections are currently due by March 14, 2019.
4. Plaintiff requests an extension of seven (7) days, until and including March 21, 2019 to file such objections.
5. Plaintiff has not previously requested any such extensions.

6. This extension of time is requested to permit Plaintiff to thoroughly prepare responses and objections to the *Recommendation*, which recommends dismissal with prejudice of all claims brought by Plaintiff. Plaintiff requests a short extension to ensure sufficient time to fully research and brief his objections, in order to permit the district court to evaluate the seriousness of a recommendation to prevent any and all of Plaintiff's claims, stemming from an unlawful arrest and prosecution, from proceeding.
7. Counsel for the Plaintiff are diligently preparing responses and objections to the *Recommendation*, however have also been engaged in significant additional matters, including trial-related preparation in the case of *Martinez v. Backer*, Civil Action No. 14-cv-03305-RPM, for which a bench trial was concluded on March 4, 2019. Additionally, counsel was engaged in preparing a *Reply to Defendant's Response to Motion to Amend Complaint*, filed March 1, 2019, and is also engaged in additional discovery-related matters prior to the currently scheduled close of discovery of March 15, 2019 in *Valenzuela v. Coleman*, Civil Action No. 18-cv-00329-MSK-STV.

WHEREFORE, Plaintiff respectfully requests a seven (7) day extension until and including March 21, 2019 to file objections to the *Recommendation*.

DATED: March 12, 2019

Respectfully submitted by,

s/ Viniyanka Prasad

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of March, 2019 I electronically filed the foregoing **STIPULATED MOTION FOR EXTENSION OF TIME** with the Clerk of the Court using the CM/ECF systems which is expected to send notification of such filing to the following e-mail addresses:

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s/ Viniyanka Prasad