

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

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

LORI FRANK,

Plaintiff,

vs.

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.

**DEFENDANT CITY OF FORT COLLINS' MOTION FOR ONE-WEEK EXTENSION
OF TIME TO RESPOND TO PLAINTIFF'S FIRST SET OF DISCOVERY REQUESTS**

Defendant City of Fort Collins, by and through its counsel of record, Cathy Havener Greer and Kathryn A. Starnella of Wells, Anderson & Race, LLC, and Jenny Lopez Filkins of the Fort Collins City Attorney's Office, hereby requests a one-week extension of time in which to respond to Plaintiff's First Set of Requests for Production of Documents. In support, the City states as follows:

Conferral Pursuant to D.C.COLO.LCivR 7.1

On June 20, 2019, Ms. Greer contacted Plaintiff Lori Frank's counsel by telephone and email to confer about the requested extension of time. Though Plaintiff's counsel was apprised of the City's intent to file the motion prior to the current deadline's expiration, Plaintiff's position on the requested relief remains unknown.

As a courtesy, the City would not oppose a similar one-week extension on Plaintiff's deadline to respond to Defendants' discovery requests. At present both Plaintiff's and the City's discovery responses are due on June 24, 2019.

Motion

1. On May 23, 2019, Plaintiff submitted discovery requests to Defendant City of Fort Collins. The responses to these requests are currently due on June 24, 2019.

2. Upon receipt of these requests, the City began a good faith effort to search for potentially responsive documents. This week, the search yielded over 1,200 files in various formats including recordings and printable media. Undersigned counsel immediately began document review and are continuing to review these documents.

3. The City requests a one-week extension, to and through July 1, 2019, in order to review the files for responsiveness, privilege, and confidentiality, and to make any necessary redactions.

4. The City does not make this request to cause undue delay and no party will be prejudiced should the requested relief be granted.

WHEREFORE, Defendant City of Fort Collins respectfully requests that this Court grant its motion and extend the deadline to respond to Plaintiff's first set of discovery requests to and through July 1, 2019.

Dated this 21st day of June, 2019.

Respectfully submitted,

s/ Kathryn A. Starnella

Cathy Havener Greer
Kathryn A. Starnella
Wells, Anderson & Race, LLC
1700 Broadway, Suite 1020
Denver, CO 80290
Telephone: (303) 830-1212
Email: cgreer@warllc.com;
kstarnella@warllc.com

***Attorneys for Defendants City of Fort
Collins and Terence F. Jones***

s/ Jenny Lopez Filkins

Jenny Lopez Filkins
Senior Assistant City Attorney
City of Fort Collins
300 LaPorte Avenue
Fort Collins, CO 80521
Telephone: (970) 221-6520
Email: jlopezfilkins@fcgov.com

Attorney for Defendant City of Fort Collins

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 21, 2019, a true and correct copy of the above and foregoing **DEFENDANT CITY OF FORT COLLINS' MOTION FOR ONE-WEEK EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S FIRST SET OF DISCOVERY REQUESTS** 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:

Jennifer Robinson, Esq.
Robinson & Associates Law Offices, LLC
7900 E. Union Avenue, Suite 1100
Denver, CO 80237
Email: jrobinson@raemployment.com
Attorney for Plaintiff

I further certify that a true and correct copy of the above and foregoing was served on the City of Fort Collins through electronic mail.

s/ Barbara McCall

Barbara McCall
bmccall@warllc.com