

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 17-cv-00884-STV

CHAYCE AARON ANDERSON,

**Plaintiff,**

v.

CARA BOXBERGER (In their (sic) Individual Capacity only),  
JASON SHUTTERS (In their (sic) Individual Capacity only),  
MARK DELANO (In their (sic) Individual Capacity only).

**Defendants.**

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**DEFENDANT JASON SHUTTERS' UNOPPOSED MOTION FOR EXTENSION  
OF DISCOVERY DEADLINES**

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Defendant, Jason Shutters, through his Attorneys, Hall & Evans, LLC, submit the following as his Unopposed Motion for Extension of Discovery Deadlines, as follows:

**D.C.Colo.LCivR 7.1(b)(1) Duty To Confer:** Undersigned Counsel conferred with Counsel for the Plaintiff, via email, on May 9, 2019. Plaintiff does not object to the requested relief.

**D.C. Colo.LCivR 6.1(b):** Pursuant to D.C.Colo.LCivR 6.1(b), this is the third request for extension of time solely by Defendant Shutters. Defendant Shutters also joined in a request for an extension of time, with Plaintiff. A copy of this Motion has been served on the moving attorney's client. Defendant Shutters seeks an extension of the deadline for completing discovery to **June 3, 2019**, and the deadline for the filing of a motion for summary judgment to **July 3, 2019**.

1. According to the allegations of Plaintiff's Second Amended Complaint (ECF No.61), this matter arises from Mr. Anderson's arrest (*see* generally ECF No. 61). Plaintiff claims

that during the arrest, he was subjected to excessive force when Detective Shuttters applied handcuffs.

2. On December 12, 2018, the parties filed a joint motion to extend discovery deadlines (ECF No. 109), in order to provide sufficient time to complete discovery, including responses to Defendant's interrogatories and requests for production of documents (ECF No. 109 at 2).

3. On December 13, 2018, the Court granted the motion (ECF No. 111).

4. On February 27, 2019, the Court granted a second motion to extend the discovery deadlines (ECF No. 117). The Order provided for discovery to be completed by May 20, 2019 and dispositive motions to be filed by June 17, 2019. The motion was necessitated by the desire to obtain Plaintiff's medical records.

5. The crux of this matter involves a purported injury to Plaintiff's wrists. Any medical treatment is, therefore, pertinent to this matter.

6. Counsel for both parties continually made efforts to locate and schedule the depositions of Plaintiff's medical treaters, who were less than responsive to requests for availability. Counsel for the Plaintiff was ultimately successful, and currently the depositions of five medical professionals are set for June 3, 2019 at Poudre Valley Hospital.

7. The Defendant requests an extension of time to (1) conduct the remaining depositions, and (2) prepare a motion for summary judgment.

8. The request for a 30-day extension from the time the medical depositions are taken to the filing of a motion for summary judgment, is to provide a sufficient opportunity to obtain the transcripts and prepare the motion.

9. The Defendant is not asking to move the Final Pretrial Conference, which is currently scheduled for July 22, 2019.

WHEREFORE, Defendant, Jason Shutters, respectfully requests this Honorable Court grant his Motion for Extension of Discovery Deadlines as set forth in this Motion, and for any other relief deemed just.

Dated: May 14, 2019

Respectfully Submitted

*Duly Signed original in the file located at  
Hall & Evans, LLC*

*/s/ Mark S. Ratner*

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Mark S. Ratner, #38517  
Hall & Evans, LLC  
1001 Seventeenth Street, Suite 300  
Denver, Colorado 80202  
*Attorneys for Defendant Jason Shutters*

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on this 14th day of May 2019, I served via CM/ECF and email and U.S. Mail as noted below, the foregoing **DEFENDANT JASON SHUTTER'S UNOPPOSED MOTION FOR EXTENSION OF DISCOVERY DEADLINES** to the following:

Ll. Rhyddid Watkins, Esq.  
Christopher J. Casolaro, Esq.  
Travis S. Jordan, Esq.  
FAEGRE BAKER DANIELS LLP  
1700 Lincoln Street, Suite 3200  
Denver, CO 80203

**VIA Email:**

Heather Campbell Burgess, Esq.  
FAEGRE BAKER DANIELS LLP  
311 South Wacker Drive, Suite 4400  
Chicago, IL. 60606-6622  
[heather.burgess@FaegreBD.com](mailto:heather.burgess@FaegreBD.com)

**Via U.S. Mail:**

Jason Shutters  
c/o City of Fort Collins City Attorney's Office  
300 Laporte Avenue  
Fort Collins, CO 80521

*s/ Mary McNichols*  
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Legal Assistant to Mark S. Ratner, Esq.  
of Hall & Evans, LLC