

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 18-cv-03112-RBJ-STV

SEAN SLATTON,

Plaintiff

v.

TODD HOPKINS, BRANDON BARNES, JOHN HUTTO
and FORT COLLINS POLICE DEPARTMENT

Defendants.

**DEFENDANTS BRANDON BARNES, JOHN HUTTO AND THE CITY OF FORT
COLLINS, SUED AS THE “FORT COLLINS POLICE DEPARTMENT”, JOINDER IN
DEFENDANT HOPKINS’ MOTION TO STAY DISCOVERY PENDING
DETERMINATION OF QUALIFIED IMMUNITY (ECF No. 30)**

Defendants, Brandon Barnes, John Hutto, and the City of Fort Collins, sued as the “Fort Collins Police Department,” through their Attorneys, Mark S. Ratner, Esq., and Hall & Evans, L.L.C., submit the following as their Joinder in Defendant Hopkins’ Motion to Stay Discovery Pending Determination of Qualified Immunity (ECF No. 30):

I. INTRODUCTION AND ARGUMENT

Defendants Brandon Barnes, John Hutto and the City of Fort Collins join in Defendant Hopkins’ request to stay the matter, pending determination of qualified immunity, as set forth in ECF No. 30. Defendant Barnes and Hutto have also filed a Motion to Dismiss (ECF No. 39) (“Motion”), which seeks dismissal on a number of basis, including application of qualified immunity from the actions complained of by the Plaintiff.

II. CONCLUSION

WHEREFORE, Officer Barnes, Chief Hutto, and the City of Fort Collins, respectfully request the Court grant Defendant Hopkins and stay this matter until such time as a determination of qualified immunity is made, and for entry of any other relief deemed just and appropriate by this Court.

Respectfully submitted this 17th day of June, 2019.

/s/ Mark S. Ratner

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ATTORNEYS FOR DEFENDANTS
BRANDON BARNES, JOHN
HUTTO, AND THE CITY OF FORT
COLLINS, SUED AS THE CITY OF
FORT COLLINS POLICE
DEPARTMENT

CERTIFICATE OF SERVICE (CM/ECF)

I HEREBY CERTIFY that on the 17th day of June, 2019, I electronically filed the foregoing DEFENDANTS BRANDON BARNES, JOHN HUTTO AND THE CITY OF FORT COLLINS, SUED AS THE “FORT COLLINS POLICE DEPARTMENT”, JOINDER IN DEFENDANT HOPKINS’ MOTION TO STAY DISCOVERY PENDING DETERMINATION OF QUALIFIED IMMUNITY (ECF No. 30) with the Clerk of Court using the CM/ECF system and mailed a copy to the following:

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/s/ Mary McNichols

Legal Assistant