

**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”, RESPONSE TO
PLAINTIFF’S MOTION FOR EXTENSION OF TIME (ECF No. 47)**

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 Response to Plaintiff’s Motion for Extension of Time (ECF No. 47) as follows:

I. INTRODUCTION AND ARGUMENT

On July 3, 2019, Plaintiff filed a Motion apparently requesting an extension of time to respond to “Motion for Dismissal” (sic). No specific motions are identified, nor is there any request for the amount of time sought (*See generally*, ECF No. 47)¹. It is assumed, however,

¹ Plaintiff subsequently sent an email to undersigned Counsel and Counsel for Defendant Hopkins indicating an amended motion would be filed, seeking 30 days from the receipt of certain “discovery materials.”

Plaintiff is asking the Court for an extension of time to respond (at least in part) to Defendant Barnes, Hutto and the City of Fort Collins' Motion to Dismiss (ECF No. 39).

To the extent Plaintiff's Motion seeks an extension of time to file a response to Defendant Barnes, Hutto and the City of Fort Collins' Motion to Dismiss, the Motion is moot. On July 2, 2019, Plaintiff filed a response to the Defendants' Motion to Dismiss (*See* Caption, ECF No. 45, referencing ECF No. 39).

II. CONCLUSION

WHEREFORE, Officer Barnes, Chief Hutto, and the City of Fort Collins, respectfully request the Court grant deny Plaintiff's Motion for Extension of Time, to the extent it purportedly applies to these Defendants' Motion to Dismiss.

Respectfully submitted this 9th day of July 2019.

/s/ Mark S. Ratner

Mark S. Ratner

Hall & Evans, L.L.C.

1001 17th Street, Suite 300

Denver, CO 80202

Phone: 303-628-3300

Fax: 303-628-3368

ratnerm@hallevans.com

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 9th day of July 2019, I electronically filed the foregoing DEFENDANTS BRANDON BARNES, JOHN HUTTO AND THE CITY OF FORT COLLINS, SUED AS THE “FORT COLLINS POLICE DEPARTMENT”, RESPONSE TO PLAINTIFF’S MOTION FOR EXTENSION OF TIME with the Clerk of Court using the CM/ECF system and mailed a copy to the following:

Sean Slatton
951 20th Street. #8971
Denver, CO 80202

Marni Nathan Kloster
Nicholas C. Poppe
Nathan Dumm & Mayer, P.C.
MKloster@ndm-law.com
NPoppe@ndm-law.com

/s/ Mary McNichols

Legal Assistant